

REPORT TO CONGRESS ON THE

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# Optimal Utilization

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OF JUDICIAL RESOURCES

Submitted by

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OF JUDICIAL RESOURCES

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# INTRODUCTION

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The Judiciary continues with its efforts in virtually every program area to improve productivity and efficiency and to reduce costs. The efforts listed in the fifth annual *Report to Congress on the Optimal Utilization of Judicial Resources* underscore the Judiciary's continuing commitment to being a good steward of public funds. The report also demonstrates the sense of cost consciousness that has become ingrained at all levels of Judiciary management and policy making. Produced at congressional request, this year's report highlights new accomplishments and progress made since the February 2000 report and reemphasizes important initiatives. The Judiciary is committed to continuing and expanding these efforts to identify further savings and ways to improve the administration of justice. Similar to last year's report, where possible, the benefits are quantified. Dollar amounts provided may be *efficiency savings*, which result from redirecting resources to more productive use but yield no budget reductions; *budget savings*, which refer to reductions in current spending levels; or *cost avoidances*, which occur when an initiative eliminates the need to incur known future costs.

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# ACTIONS TAKEN DURING FISCAL YEAR 2000

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## Automation and Technology

### USE OF NATIONAL INTERNET GATEWAYS

The Judiciary has realized significant financial and security benefits by requiring its computers to access the Internet only through three Judiciary-administered national gateway connections. The alternative would be more expensive arrangements, developed and supported locally, requiring additional staff time, hardware and software. The Judiciary established these gateway connections to protect sensitive case information and other data from unauthorized access. The use of these gateways also improves security management which would be cost prohibitive in locally maintained sites.

*Quantitative Benefits.* Use of national gateways, in contrast to local gateways, avoids about \$14 million to \$16 million in personnel costs annually, since locally supported gateways would need about 200 staff. In addition, this approach avoids about \$3 million annually in duplicative hardware, software, telecommunications, space, and Internet provider costs.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$17.0	\$17.6	\$18.1	\$18.7	\$19.3

*Qualitative Benefits.* The nationally supported gateway approach allows standardized data security and better service to the courts and public. Further, it facilitates the testing and implementation of court applications that involve the Internet. Finally, it provides a means for automatically balancing computer traffic and provides adequate backup systems ensuring that Internet access is available to judges and staff. The ability to quickly react to security incidents and outages also better serves the Judiciary and the public.

### BANKRUPTCY NOTICING CENTER

In fiscal year 2000, the Judiciary continued to realize savings through the Bankruptcy Noticing Center (BNC) program. The BNC electronically retrieves data from participating courts' case management systems and prints, addresses, batches, and mails paper notices to attorneys, creditors, and other interested parties at a fraction of the time and cost required to manually produce the notices. The BNC generated approxi-

mately 73 million notices in fiscal year 2000, a record high for the program. The BNC program continues to evolve, expanding services provided to the courts in support of the noticing function while reducing costs through a series of price reductions over the 10-year life of the contract to operate the center. In addition, the program expanded capabilities to include Internet-based transactions between the courts and BNC, replacing the modem dial-up method. A second BNC facility in Utah completed its first full year of processing notices sent to recipients in the western part of the nation. It also provides complete backup support for the original eastern production facility in Maryland.

**Quantitative Benefits.** The BNC generated savings of about \$1.2 million in fiscal year 2000. Annual savings for fiscal years 2001 through 2004 are projected to range from about \$1.2 million to \$2.8 million, depending on the actual number of bankruptcy filings and associated noticing requirements.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$1.2	\$1.2	\$1.6	\$2.0	\$2.8

**Qualitative Benefits.** In addition to savings, BNC Internet capability allows for more reliable transmission of notices at a fraction of the time required by dial-up connection.

## **EXPANSION OF ELECTRONIC BANKRUPTCY NOTICING**

The Judiciary continues to expand the Electronic Bankruptcy Noticing (EBN) project. EBN operates like a sophisticated e-mail system, eliminating the production and mailing of paper notices by the Judiciary's Bankruptcy Noticing Center. EBN speeds transmission of notices while eliminating postage costs. In fiscal year 2000, Internet e-mail and fax options were introduced, making the program accessible to virtually the entire bankruptcy community; usage increased to nearly 3 percent of the overall monthly noticing volume by year's end. While the new EBN options will appeal to a large audience of bankruptcy practitioners, as with most such innovations, adoption by potential users is expected to take some time. Program participation is expected to increase in fiscal year 2001 and beyond, with overall participation at 10 percent of the monthly volume by fiscal year 2004.

**Quantitative Benefits.** EBN provides a significant reduction in postage costs. Projected annual savings for fiscal years 2001 through 2004 range from about \$.7 million to \$1.6 million, subject to the actual number of bankruptcy filings, increases in postal rates, and rate of acceptance by notice recipients.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.09	\$0.70	\$1.08	\$1.43	\$1.61

**Qualitative Benefits.** Besides quantitative benefits, EBN provides the creditor community lower bankruptcy noticing processing costs, as it potentially eliminates manual processing of hundreds of thousands of paper notices. EBN also provides more timely service since electronic notices are sent out the same day they are generated by the court.

**ACQUISITION OF JUDICIARY-WIDE SOFTWARE LICENSES AND SUPPORT AGREEMENTS**

The Judiciary has continued to promote standards in office automation and network software which allow for the central acquisition of software in volume through enterprise licensing agreements offering significant cost discounts. In fiscal year 2000, agreements were negotiated for the Judiciary database management system and server backup software.

**Quantitative Benefits.** The acquisition of office automation and network software allows for substantial discounts in costs through volume software purchasing. With these discounts, the Judiciary has avoided costs of about \$3.2 million in fiscal year 2000 and \$1.5 million in fiscal year 2001 by eliminating the need for individual court units to purchase software in non-discounted quantities. The licenses and support agreements will be expiring and must be renegotiated in fiscal year 2003.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$3.2	\$1.5	\$1.4	\$1.4	-

**Qualitative Benefits.** Through the volume enterprise licensing agreements, the Judiciary receives a higher level of vendor technical product support than is normally provided to courts individually purchasing the software.

**ESTABLISHMENT OF A JUDICIARY AUTOMATED SYSTEMS INCIDENT RESPONSE CAPABILITY**

In fiscal year 2000, the Judiciary Automated Systems Incident Response Capability Team (JASIRC) was formed to operate as an emergency response noticing center to help courts investigate and resolve computer security incidents. JASIRC helps deal with computer viruses and cyberattacks. JASIRC records Judiciary-wide incidents so trends can be identified and court managers can be informed of actual and potential security risks. Also, it takes proactive steps by issuing security alerts to the courts to reduce the potential for compromise of the Judiciary’s Data Communications Network and other automated systems. If a security incident does occur, the team assists the courts in resolving the incident and determining what action is needed to prevent future incidents from recurring. The types of incidents and threats include computer viruses, warnings of destructive viruses including hoax warnings, inappropriate computer access, sabotage of computer hardware or software, and any other suspicious activity.

**Quantitative Benefits.** The JASIRC objective is to detect security viruses or other problems before automation systems are damaged. It also provides courts with a central

location to report security incidents and threats that harm or compromise the Judiciary's communications network or any other automated system. The advantages include a rapid response to any security threats and time saved by courts in reporting an incident to one central location.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.13	\$0.16	\$0.19	\$0.22	\$0.24

**Qualitative Benefits.** In addition to cost avoidances, JASRIC ensures incident patterns are detected and analyzed, and courts are alerted to take preventive action before a court is confronted with an incident. Also, courts are alerted of potential compromises and threats and offered preventive actions before a court is affected.

### **DEVELOPMENT OF A CALL LOG SYSTEM**

In fiscal year 2000, the Judiciary consolidated five automation help desks into a single support and management facility. The consolidated system supports all the national applications and provides help desk personnel with reliable and timely information. In addition, the system acts as an extensive knowledge data repository of previously processed help desk calls. Courts benefit by having a web-based, user-friendly tool to quickly resolve problems with national automation systems. The quality of automation support to the judicial community and the effectiveness and cost-efficiency of current Judiciary help desk resources has been improved. The system was designed to be flexible and adaptable to allow for additional upgrades and requirements.

**Quantitative Benefits.** Through the consolidation of five help desk systems, it is estimated that \$210,000 in personnel costs were avoided in fiscal year 2000, with additional savings estimated annually.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.21	\$0.22	\$0.23	\$0.24	\$0.25

**Qualitative Benefits.** In addition to quantitative benefits, the help desk system ensures customers' calls are documented, responded to in a timely manner, and the information and knowledge derived from the call is made available to other help desk personnel. The Judiciary now is able to receive reliable and timely information regarding the status of automation problems, thereby improving accountability, problem management, trend analysis, and planning.

### **ACQUISITION OF NEW TELEPHONE SYSTEMS**

The Judiciary continues to replace aging telephone systems with modern, consolidated systems. In fiscal year 2000, the Judiciary upgraded telephone systems in 11 courts. The new cost-effective systems will save resources by consolidating service on fewer lines than required by alternative telephone solutions. Savings also will result

from the shared use of common equipment and the ability of court personnel to program moves, additions, and changes without incurring vendor maintenance expenses.

**Quantitative Benefits.** The upgraded systems in the 11 courts will yield an annual cost avoidance of over \$500,000 annually. This is in addition to the 20 courts that experienced cost avoidances last year. The Judiciary expects additional cost avoidances with future upgrades depending on the number of new construction and renovations in any given year.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.52	\$0.53	\$0.54	\$0.55	\$0.56

**Qualitative Benefits.** In addition to cost avoidances, the new systems provide important modern technological features, including voice mail, teleconferencing, an automated response system, and paging capabilities. These new technologies have an added benefit of redirecting human resources, allowing work to be accomplished on other court tasks. Further, the public will experience fewer busy signals, better access to appropriate court staff, and simplified procedures.

### **IMPLEMENTATION OF TELEPHONE INTERPRETING PROGRAMS**

The Judiciary continues to expand the use of the Telephone Interpreting Program (TIP) to provide remote interpretation in situations where qualified on-site court interpreters are not available. TIP is used for short proceedings such as pretrial hearings, initial appearances, arraignments, motion hearings, and probation and pretrial services interviews. In properly equipped courtrooms, simultaneous interpreting by TIP can proceed at virtually the same pace as English-only proceedings. In fiscal year 2000, TIP provided interpreting services for over 1,164 hearings and 244 out-of-court events in 12 districts nationwide. Most TIP interpreting is done by staff interpreters in the District of New Mexico, District of Columbia, Southern District of Florida, and Central District of California. Further, TIP can locate persons with the needed command of such rare languages as Somali, Punjabi or Khmer. TIP provides the bulk of its services in districts where few, if any, qualified interpreters are in residence.

**Quantitative Benefits.** In fiscal year 2000, costs for on-site interpreting ranged from \$80 to \$165 per half day plus travel costs if the interpreter was not from the local area. In contrast, TIP costs averaged \$43 per hearing, avoiding about \$145,000 in costs. These savings are expected to progressively increase in future years. TIP also avoids costs for excess fees, travel, lodging and on-site interpreter services for an entire proceeding.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.14	\$0.16	\$0.18	\$0.21	\$0.25

**Qualitative Benefits.** TIP offers a service that courts consider highly beneficial and convenient. The program generally is able to meet unexpected interpreter needs in Spanish with little prior notice. In addition, it is often the only reasonable, available source for timely support in other languages for which the need, however infrequent, can at times be pressing. In addition, the impact of last minute cancellations and continuances are minimized on both the interpreters time and on the Judiciary's budget.

## **USE OF COURT INTERPRETER DATABASE**

The Judiciary continues to use the National Court Interpreter Database to serve as a clearinghouse to assist courts in locating qualified court interpreters in a multitude of languages. The database contains information regarding the qualification criteria, the language, the state and the contact information for each of the listed interpreters. The database is especially useful when courts need either rare languages or multiple interpreters in the same language. To date, the database contains the names of over 1,900 interpreters in 74 languages of which over 800 are certified. During fiscal year 2000, there were over 190,000 court events that required the use of an interpreter. The database will continue to be updated and new names will be added in fiscal year 2001.

**Quantitative Benefits.** The database achieves personnel efficiencies by reducing the time required to locate court interpreters. It is anticipated that benefits will increase as more courts refer to the database to find available interpreter resources to fill their needs.

**Qualitative Benefits.** In addition, the database helps courts get the most qualified and reasonably available interpreter. The database also helps in the search for hard-to-find language skills. The benefits will increase as more and more languages become needed in the courts and available interpreter resources are identified and shared in the database.

## **USE OF COMPETITIVE CONTRACTUAL MECHANISMS**

The Judiciary has awarded Blanket Purchasing Agreements (BPAs) and other competitive contracts for use by the courts to reduce the administrative cost and time required in acquiring personal computers and local-area network hardware. The availability of these contracts to court units reduces the administrative effort required from the automation and procurement staffs when planning and making PC and LAN hardware acquisitions.

**Quantitative Benefits.** The contracts realize efficiency savings by reducing the staff time needed to research and locate vendors offering hardware components, and the effort invested in soliciting and reviewing vendor cost proposals. The contracting mechanisms will expire in fiscal year 2001 and must be renegotiated.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.75	\$0.75	-	-	-

**Qualitative Benefits.** In addition to quantitative savings, the more clearly defined terms and conditions of these contracts provide a greater level of assurance for quality and timely vendor performance than open market purchasing where no permanent contract exists. Since the contracts are subject to annual renewal at the Judiciary’s discretion, there is ongoing incentive for the vendors to perform to the Judiciary’s expectation.

**ELECTRONIC COMMUNICATIONS WITH THE COURTS**

In fiscal year 2000, the Judiciary successfully launched an initiative that allows the Administrative Office (AO) to send official policy directives, time-sensitive documents, and other important information to chief judges or court unit executives, fully formatted and signed, via electronic mail rather than sending paper memos. This system provides a highly reliable delivery method for electronic mail because it uses e-mail addresses for court officials and their designated alternates, which are provided and updated by each court unit.

**Quantitative Benefits.** The electronic transmission of broadcast messages from the AO has reduced printing and postage costs by at least \$20,000 annually.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.02	\$0.02	\$0.02	\$0.02	\$0.02

**Qualitative Benefits.** This initiative also has enabled courts to receive important information quickly, and to respond more efficiently to time-sensitive communications.

**INDEPENDENT STUDY OF THE JUDICIARY’S INFORMATION TECHNOLOGY PROGRAM**

In October 1999, the Judiciary hired an outside expert to conduct an independent study of its national information technology program. This study, representing the first comprehensive review of the program in nearly 10 years, was completed in October 2000 and found that the Judiciary has made significant progress since the last study. The report recognized that the Judiciary is making effective use of technology today. The consultants noted that this is a significant accomplishment given that the Judiciary’s IT investment levels—both in terms of technology (hardware/software) and human resources—are significantly below federal government benchmarks and what would be expected, given the Judiciary’s complex information environment and the nature of its highly distributed operations. The report concluded that the fundamental challenge facing the Judiciary is keeping up with the increasing pace of change and leveraging recent developments in technology. It provided strategic recommendations designed to help the Judiciary to continue seeking and capitalizing on opportunities to improve.

**DEVELOPMENT OF A FEDERAL LAW CLERK INFORMATION SYSTEM**

In fiscal year 2000, the Judiciary developed an easy-to-use software program to help judges and law students with the annual process of hiring law clerks. Implemented begin-

ning in fiscal year 2001, the Federal Law Clerk Information System (FLCIS) is an Internet-based application allowing prospective applicants to locate opportunities for federal law clerkships using a national database. FLCIS also enables judges to post nationwide law clerk position announcements and to monitor the continued availability of law clerk applicants. Law school graduates have the ability to explore the Judiciary's law clerk opportunities via the Internet without contacting each federal judge individually.

***Quantitative Benefits*** Judge and chambers staff time are saved by reducing the time spent on reviewing potential law clerk applicants and responding to individual inquiries about clerkship opportunities. In addition, the time and expense of photocopying announcements is reduced.

***Qualitative Benefits*** The system allows chambers staff to post clerkship announcements in a more timely manner.

### **EXPANSION OF THE JURY MANAGEMENT SYSTEM**

In fiscal year 2000, the Judiciary continued expanding the use of the Jury Management System (JMS). JMS is an automated software system that performs critical jury management and control functions, including the maintenance of databases necessary for the random selection of prospective jurors for service, the daily administration of the jury process, and producing data and statistical reports. The JMS provides the district courts with the ability to print and scan qualification questionnaires, print summonses, track jurors, provide financial calculations for juror payments, and print reports. Fifty-one courts are currently using the system, and nationwide implementation is expected by early fiscal year 2002.

***Quantitative Benefits*** The benefits of the system have not been fully quantified at this point in the implementation process. However, budget savings and cost avoidances in the amount of \$800,000 have been realized for fiscal year 2000 in reduced requirements of the district courts for outsourcing services for the printing, scanning, and handling of qualification questionnaires, printing of summonses, and other services. The Judiciary will achieve savings in several other areas which will be quantified as implementation continues. For example, personnel efficiencies will be realized through the automated generation of statistical reports, the reduction of manual processing of qualification questionnaires, the automated calculation of payment information for jurors, and the reduction of redundant data entry. Prior to implementation of the JMS, some courts were using locally developed and aging automated systems for some jury management functions. Also, the costs of upgrading court in-house systems to year 2000 compliance was avoided since JMS replaced those local systems.

***Qualitative Benefits*** The Judiciary expects many qualitative benefits from implementation of the JMS. For example, better juror management through streamlined processing will enhance jurors satisfaction with their service experience. Also, the electronic capturing of data will reduce errors introduced through redundant data entry, thereby increasing data integrity. In addition, courts will have immediate access to race, sex, and ethnicity information in response to jury composition challenges.

## **IMPLEMENTATION OF CASE MANAGEMENT/ELECTRONIC CASE FILE SYSTEMS**

The Judiciary has undertaken an initiative to modernize and expand the capabilities of its current electronic case management systems. Being developed for use in all courts nationwide, the replacement systems will include both an improved and more efficient case management application (CM) and the capability (at individual court option) of using electronic case files (ECF), including the ability to send and receive case documents over the Internet. A version of the systems are already installed in 14 bankruptcy courts and 7 district courts. The Judiciary expects to complete testing of the bankruptcy version and begin nationwide deployment in early 2001.

***Quantitative Benefits*** With CM/ECF, court staff will be able to manage case management responsibilities more efficiently, allowing them to redirect their efforts to other tasks that will expand and improve service to the public. Although not yet quantified, it is expected that the new systems will produce efficiencies in several case administration functions, including case intake and docketing, scheduling, and the provision of notices to litigants and the public. Further, the ECF component (to the extent implemented) will make case file maintenance, retrieval, and archiving more efficient. Also, storing case files electronically through CM/ECF should lower storage space and archiving costs associated with paper files. Litigants also may realize benefits by being able to search, locate, retrieve, and deliver case documents electronically.

***Qualitative Benefits*** There are numerous qualitative benefits associated with CM/ECF. It will improve access to court dockets and case files for judges, court employees, litigants, and the public by allowing remote, instantaneous, and simultaneous around-the-clock electronic access to records, resulting in fast and reliable service. The systems also will enhance the collection and retrieval of statistics.

## **USE OF VIDEOCONFERENCING IN THE FEDERAL COURTS IN COURT PROCEEDINGS**

The Judiciary continues its support for the use of videoconferencing to increase the efficiency of court proceedings. Throughout the country, courts have implemented the use of this technology in pretrial, civil and criminal proceedings, prisoner matters, sentencing, settlement conferences, witness appearances in trials, arraignments, bankruptcy hearings, and appellate oral arguments. To date, there are more than 200 federal court sites equipped with videoconferencing capabilities.

An example of the positive use of this technology is evident with the Prisoner Civil Rights Videoconferencing Project, which has been a success since it was first proposed as a pilot project in 1991. Under the prisoner project, videoconferencing is used to conduct pretrial hearings between participating courts and the respective correctional facilities. Since the use of this technology in such proceedings eliminates the need to transport prisoners to the individual courts, it similarly reduces potential security risks. Likewise, use of this technology under the prisoner project avoids the need for judges to travel to the necessary correctional facilities that are often located quite a distance from the courts' location. In addition, some courts are using videoconferencing for full trials of civil,

non-jury matters, thus avoiding the expenses associated with actual visiting judges.

The use of videoconferencing has grown considerably in the federal courts. Appellate, district, and bankruptcy courts are now utilizing this technology either through the prisoner project, the Judiciary's court technology program, or other means, for a wide range of judicial purposes. In general, the use of videoconferencing technology has redefined the manner in which judicial proceedings may be conducted. Courts that have implemented the use of videoconferencing also have found this technology can enhance their ability to conduct administrative meetings and training sessions between divisional offices and other remote court locations.

***Quantitative Benefits.*** Although the quantitative savings are difficult to calculate, there are personnel efficiencies and travel savings associated with videoconferencing. The Judiciary intends to review the efficiencies associated with the use of videoconferencing in prisoner civil rights proceedings.

***Qualitative Benefits.*** Videoconferencing results in qualitative benefits as well as substantial travel cost and personnel time savings. It allows for more productive use of judge's, attorney and United States Marshals Service staff time by avoiding time spent traveling from one location to another. Another benefit is evident with the improvement of security in public spaces resulting from remote appearances by inmates. The transport of inmates from correctional facilities to courthouses or, alternatively, travel by judges to correctional facilities in order to conduct hearings is often avoided through the use of videoconferencing.

## **EXPANSION OF COURTROOM TECHNOLOGIES**

In addition to videoconferencing, there are other information technology initiatives being implemented that reduce the reliance on paper and achieve economies in court business practices. These technologies include:

- Video-evidence presentation systems provide a means to present evidence electronically and simultaneously to participants in the courtroom, practically eliminating the need for documents and objects to be passed to each trial participant for examination. These technologies are useful in a variety of proceedings including jury trials, bench trials, and evidentiary hearings.
- Realtime record transcription is a technological enhancement to the machine stenotype reporting method that permits a computer-aided translation of the court proceedings for nearly instantaneous review. The court reporter's shorthand notes entered into the stenotype machine are translated into the English text equivalent by software stored in the reporter's personal computer. The text is transmitted via telecommunications lines and displayed on monitors and may be stored on personal computers at locations such as the judge's bench or counsel tables. The software also may have the capability to enable judges and counsel to make notes and mark, annotate, or code text.

First priority for installation of courtroom technologies has been given to courts undergoing new construction or major renovation and slated for occupancy in fiscal

year 2000. Second priority is retrofitting technologies into existing courtrooms. Through this effort, courtroom technologies were installed in over 40 additional courtrooms during fiscal year 2000, for a total of 113 courtrooms to date.

To date, the Judiciary's acquisition program for the design and installation of courtroom technologies has been a centrally managed, contract program. To improve the effectiveness of the contract program, the responsibility for the design and installation of videoconferencing systems is being delegated to the courts. This delegation will subject the projects to direct supervision by the user and should result in more timely system installations, with less change and fewer modifications to the orders placed under the installation contract. Initially, technical and procurement support will be provided by professional AO staff and through the issuance of the *Courtroom Technology Procurement Manual* and a listing of *Frequently Asked Questions* posted on the Judiciary's Intranet. These efforts will be replaced with a professionally developed curriculum of courses in Courtroom Technology Acquisition which is currently under design.

***Quantitative Benefits.*** Since each courtroom that has installed one of these technologies is physically different and the judges' and attorneys' utilization of the technologies vary, efficiency savings, budget savings, or cost avoidances cannot be accurately quantified. However, after a sufficient number of courtrooms are equipped with the technologies and the Judiciary acquires experience in the most productive application of the technologies, a comprehensive usage assessment of courtroom technologies will be undertaken.

***Qualitative Benefits.*** In addition to quantitative benefits, the study will examine some of the qualitative benefits that anecdotal evidence suggests is being derived from implementation of this technology in the courtroom, including the possibility of the following: (1) video evidence presentation systems improving the presentation and understanding of documents and other types of evidence; (2) videoconferencing use in court proceedings allowing for greater scheduling flexibility and cost and time savings through reduced travel; (3) video evidence presentation technology saving time during the trial; (4) courtroom technology facilitating case management, improving fact-finding, and aiding jury understanding and retention.

## **IMPROVEMENTS TO AUTOMATION INFRASTRUCTURE**

The Judiciary continues to improve its automation infrastructure, including consolidation of certain system applications on single servers and replacing its mainframe tape technology for backup and recovery with a high-capacity, high-performance tape subsystem.

***Quantitative Benefits.*** Although not quantified, these efforts will yield modest personnel efficiencies by consolidating the systems and reducing staff time spent on manual interventions. In addition, more efficient use of computer room space will eliminate the need to further expand the computer facility as additional systems are accepted.

***Qualitative Benefits.*** Additional benefits are the increased integrity of mainframe system backups by reducing the frequency of manual intervention required; the number

of tapes physically handled by technical personnel; and the time required for execution of the process. Reducing the processing windows required for backup and recovery has significantly increased the availability of the systems for other functions. Simplifying the complexity of the operating environment and the number of components subject to failure increases the overall reliability of the infrastructure and availability of all applications, as well as improving throughput and access response times. With a less complex operating environment, technical personnel will be more effective at isolating, diagnosing, and resolving hardware problems.

## **MIGRATION TO FTS2001**

For the last 10 years, the Judiciary obtained its long-distance voice and data communications services from Sprint, under GSA's FTS2000 contract. GSA has awarded a new replacement contract, FTS2001, to Sprint and MCI WorldCom, to provide current long-distance services. Pricing under the new FTS2001 contract is lower than the FTS2000 costs. An analysis concluded that savings and improved services could be realized if the Judiciary remained with Sprint. Some of the prevalent reasons for selecting Sprint include higher reliability, better service, reduced costs, and more services. The Judiciary completed a well-managed migration of voice and data telecommunications services to FTS2001 during the fiscal year, earning an award from the General Services Administration in recognition for being the first major federal agency to successfully complete the transition to FTS2001.

***Quantitative Benefits.*** The new FTS2001 contract provides lower per unit costs for voice and data circuits as well as new network management services not previously available. As a result, the Judiciary is better able to offset growing voice and data needs within the existing budget. The Judiciary may realize some savings over the life of the FTS2001 contract.

***Qualitative Benefits.*** There are qualitative benefits including less disruption to the courts by staying with the Judiciary's current long-distance vendor. Although savings will be evident with FTS2001, there may be offsets including the need to upgrade services and increase capacity for data bandwidth for the Data Communications Network's frame relay technology effort.

## **IMPLEMENTATION OF THE HUMAN RESOURCES MANAGEMENT INFORMATION SYSTEM**

The Judiciary implemented the first stage of its new Human Resources Management Information System in fiscal year 2000. The new system replaces the current personnel, payroll, and subsidiary systems with a modern, adaptable, and integrated package of commercial off-the-shelf software, known as PeopleSoft®. The development and implementation of this system is occurring in three stages, with the first stage being implementation for the AO, the Federal Judicial Center, and the United States Sentencing Commission staff. The second and third stages will be the monthly pay employees (judges, annuitants and survivors) and the court biweekly employees, respectively. These stages will be implemented in 2001 and 2002.

**Quantitative Benefits.** Once fully implemented, the system will reduce staff time spent performing data entry, processing personnel actions, tracking manually certain types of data, and locating and disseminating information. The system also will reduce the amount of printing, copying, postage, long distance calls, and faxes associated with processing personnel actions.

**Qualitative Benefits.** The system will provide more timely, accurate, and user-friendly records. Further, by improving access to personnel and payroll information and reports, it will facilitate responding to employee questions and support decision making. The system also will enhance internal audit controls, allow standard operating procedures for managing payroll processes, and ensure timely payroll processing and accuracy.

## Court Security and Facilities

### IMPLEMENTATION OF COURTROOM PLANNING GUIDELINES

As part of its study of the space and facilities program, Ernst & Young assessed the effect of the Judiciary’s courtroom sharing policy and data associated with courtroom utilization and sharing. The consultants found that new courtroom policies adopted in 1997 are achieving savings. In particular, the provision of courtrooms for senior judges for 10 years resulted in a reduction in the number of courtrooms planned for new facilities—with an average of four courtrooms planned for every five judges. Ernst & Young identified important factors that necessitate a high degree of flexibility in the scheduling and use of courtrooms, and consequently, limit the ability to share courtrooms.

**Quantitative Benefits.** Ernst & Young recognized that the Judiciary has taken many actions to achieve savings in its space and facilities program, including reducing the number of courtrooms constructed and the associated rent. Ernst & Young reported that for 38 projects included in the Five Year Courthouse Program Project Plan, the ratio of district judges (active and senior combined) to courtrooms is 5:4. Prior to the policy change for planning senior judges’ courtrooms, the policy would have allowed a ratio of 1:1. Therefore, the change in planning assumptions has reduced the number of planned courtrooms. Assuming Ernst & Young’s average cost of \$1.5 million per courtroom and related spaces for construction, if the plan was fully funded, a cost-avoidance of \$84.2 million would be realized over a three-year period (2001-2003). The estimates of savings by year depend on the funding of particular projects. If the 38 projects were funded according to plan, an associated rental cost avoidance would begin to accrue in FY2004.

<b><u>\$ In Millions</u></b>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
–	\$48.0	\$15.5	\$20.7	<i>Future cost avoidances have yet to be determined.</i>

## RELEASE OF COURT SPACE

The Judiciary requires circuit judicial councils to submit space reduction reports on a biennial basis. In fiscal year 2000, a total of about 15,800 square feet was released by closing facilities and/or sharing existing courtrooms and chambers with state or local governments, resulting in a reduction in rental payments to GSA. For example, the District Court of Northern New York released 9,368 square feet in Auburn based on an agreement with the state court to use their facilities on an as-needed basis. In addition, the District Court of Northern Alabama released 6,404 square feet in Jasper, Alabama. The Judiciary will continue to examine possibilities for further reductions in space as part of the biennial reports.

*Quantitative Benefits.* The release of space saved the Judiciary about \$160,000 in rental payments to GSA in fiscal year 2000. Additional savings of about \$183,000 will be realized annually.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.16	\$0.18	\$0.18	\$0.18	\$0.18

## USE OF STATE AND LOCAL FACILITIES TO AVOID BUILDING ADDITIONAL COURT SPACE

The Judiciary continues to explore the use of state and local facilities as an alternative to building additional space. In fiscal year 2000, the District Court in Maryland continued its leasing agreement with the State of Maryland to utilize a state courtroom and chambers in lieu of leasing additional space, while courthouse space is being built to accommodate a judge. Prior to the agreement, about \$29,000 was paid monthly to GSA for rent of comparable space in an office building. Use of the state court space costs \$1,000 per month.

*Quantitative Benefits.* By leasing the space from Maryland, the Judiciary saved almost \$340,000 in fiscal years 2000 and 2001. It is unclear whether the state will be able to continue leasing this space to the Judiciary beyond the current fiscal year.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.34	\$0.34	-	-	-

## INDEPENDENT ASSESSMENT OF THE JUDICIARY'S SPACE AND FACILITIES PROGRAM

In fiscal year 2000, the Judiciary received a final report from Ernst&Young, following a year-long independent program and management assessment of the Judiciary's space and facilities program. The study addressed long-range planning processes; courtroom planning; design guidelines, standards, and practices; organizational relationships, roles, and authorities; and funding and budget mechanisms. The report includes

recommendations for improving or modifying the current space and facilities program to promote greater effectiveness, efficiency, and fiscal stewardship.

The Ernst & Young assessment recognized that the Judiciary has an effective long-range planning process which yields good projections for space planning needs. They also offered several technical and process refinements and modifications to the long-range planning process. Ernst & Young found that the *U.S. Courts Design Guide* is a useful document, with reasonable standards that generally are followed. They recommended some further cost-control options and the development of separate standards for renovation projects. The report also recommends alternative courthouse funding approaches.

***Qualitative Benefits.*** The Judiciary has begun to analyze the recommendations made by Ernst & Young to determine which are feasible and will provide the most enduring savings and benefits for the Judiciary's space and facilities program.

## **REVIEW OF COURT SECURITY OFFICER STAFFING STANDARDS**

In fiscal year 2000, the Judiciary continued conducting reviews of the United States Marshals Service's (USMS) application of the court security officer (CSO) staffing standards. The number of CSO positions allocated to a district is based on the application of the CSO staffing formula for each court facility within the district. The staffing formula limits the assignment of CSO positions to full-time places of holding court with a judicial officer in residence or to a visiting location where court is routinely held two or more weeks a month. Each year AO staff review about 10 districts to ensure that the staffing formulas are applied appropriately. The reviews consist of examining each building's characteristics, hours of operation and security requirements, to help determine whether the USMS allocated the correct number of CSO positions to the district. The 10 districts reviewed in fiscal year 2000 showed that some districts were slightly over and some were under the number of CSO positions they qualified for by applying the staffing formula. Overall, the USMS was conservative in its allocation of CSO positions in the 10 districts reviewed.

***Qualitative Benefits.*** The results of these reviews allow AO staff to determine if the USMS is appropriately applying the Judiciary- and USMS-endorsed CSO staffing standards. In addition, the reviews help ensure that resources for the court security program are used efficiently.

## **DEVELOPMENT OF A SECURITY SYSTEMS AND EQUIPMENT INSTALLATION MANUAL**

In fiscal year 2000, the Judiciary, working with the United States Marshals Service (USMS), developed a security systems and equipment installation manual to ensure that the security systems and equipment for court facilities are designed and installed in a consistent and efficient manner. Each year the Judiciary transfers to the USMS funding for the purchase, installation, and maintenance of security systems and equipment in federal courthouses and multi-tenant facilities housing court operations. The manual is intended to provide guidance on how to install this equipment in the most effective

and efficient manner, which will eliminate the variations in design, installation, and cost of security systems. The manuals were distributed to the courts, USMS, GSA, and outside contractors and architects in early fiscal year 2001.

***Quantitative Benefits.*** The manual will assist in preventing costly changes from having to be made after security systems and equipment are installed. It also provides guidance on the efficient and effective installation of security systems and equipment. For example, the courts will have guidance on the amount of conduit necessary for security systems, so that excess conduit is not installed. The manual documents security system standards and will improve courts' understanding of how the security systems and equipment operate, which will promote effective use of the equipment. Finally, the manual provides guidance on the appropriate funding source for provision of systems and equipment—USMS, GSA, or the Judiciary. This will assist in ensuring that the Judiciary pays for only those items for which it is responsible.

***Qualitative Benefits.*** It is anticipated that once the manual is distributed and is in use by the USMS and the security systems and equipment contractor, future courthouse installation projects will be accomplished in a consistent and efficient manner. This will eliminate the need to fix problems that result from improper installation practices and will ensure that all of the security systems and equipment installed in a federal courthouse or multi-tenant facility operate as expected. It also will enhance the ability of technicians to perform routine maintenance on the equipment because all of the systems and equipment will be installed consistently. In addition, the installation manual would not only benefit new courthouse construction projects, but could also be applied to major renovation projects at existing courthouses.

## **Judges and Court Staff**

### **DECISION TO LEAVE BANKRUPTCY JUDGESHIP VACANCIES UNFILLED**

The Judiciary has a biennial process for evaluating bankruptcy judgeship needs. The process ensures that additional bankruptcy judgeships are requested only when justified and vacant judgeships are filled only when required. As a result of this process, to contain costs, the Judiciary has advised circuit councils to consider not filling certain vacancies that currently exist or may occur in some districts due to resignation, retirement, removal, or death. Based in part on these recommendations, 10 bankruptcy judgeships remained vacant throughout fiscal year 2000.

***Quantitative Benefits.*** The Judiciary is saving about \$4.2 million annually by maintaining these 10 vacancies. The budget savings may be temporary, since the Judiciary will review workload in these courts on a regular basis and may determine that a judgeship previously held vacant should be filled. It is difficult to predict whether the Judiciary will realize budget savings beyond fiscal year 2002 due to the potential for significant workload changes.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$3.8	\$4.2	\$4.4	<i>Potential savings in these years depends on workload changes.</i>	

**Qualitative Benefits.** The bankruptcy judgeship survey process contributes to the Judiciary's effective and efficient system for managing judicial resources, ensuring that it fills bankruptcy judgeship vacancies only when justified by workload.

### **IMPLEMENTATION OF NEW STAFFING ALLOCATION FORMULAS**

The Judiciary completed revising all staffing formulas for court support offices in fiscal year 2000. The revised formulas are based on work measurement studies in the appellate court and circuit units; district and bankruptcy clerks' offices; and probation and pretrial services offices. Judiciary staff developed and revised work center descriptions and managed data collection. Data were collected at 24 district clerks' offices, 26 bankruptcy clerks' offices, and 25 probation and pretrial services offices with their divisional offices. All 12 appellate courts and circuit units were measured including all the appellate court units. Through analyses of their data and statistical testing, the revised staffing formulas were developed. The Judiciary used the revised formulas to allocate staffing resources for fiscal year 2001 and formulate the fiscal year 2002 budget.

**Qualitative Benefits.** The new staffing formulas provide a more accurate assessment of Judiciary staffing requirements. The new distribution reflects new work requirements, the impact of automation and changes in work procedures, thus creating an improved balance between the work and the staffing resources required to perform the work.

## **Probation and Pretrial Services**

### **EXPLORE USE OF REMOTE SUPERVISION TECHNOLOGIES**

The Judiciary continues exploring the use of remote supervision technologies to assist with monitoring defendants and offenders. These include technologies to detect alcohol use remotely in persons under supervision, to use automated telephone systems to verify an offender's location, and to use global positioning satellite technology to provide real-time continuous tracking of offenders. Remote supervision technologies automate certain routine supervision tasks, such as scheduled telephone calls to and from offenders, which will free officer time for other supervision activities. Officers can more easily and quickly monitor an offender's compliance with restrictions such as travel or curfew. The Judiciary is currently working with an ad hoc working group of subject matter experts to further explore applications of voice verification and remote alcohol testing.

**Quantitative Benefits.** There are significant savings government-wide since these technologies offer closer supervision of offenders, which may lead to greater use of alternatives to incarceration. For example, every person placed on home confinement with

alcohol testing in lieu of pretrial detention would save the government almost \$40 daily. Every person placed on global positioning satellite (GPS) who would otherwise have been detained would save the government \$35 daily. This is based on an estimated cost to the Judiciary of \$20 for home confinement, and \$25 for GPS, compared to a daily cost of about \$60 per day for the U.S. Marshals Service to house an individual in a pretrial detention facility.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$0.59	0.64	\$0.70	\$0.76	\$0.83

**Qualitative Benefits.** In addition to providing savings, remote supervision technologies enhance public safety by providing heightened monitoring of restrictive or substance abuse conditions of release for the higher risk population. The technologies also allow officers to spend less time conducting routine checks, increasing their availability to respond promptly to more pressing supervision situations.

**INCREASE THE IDENTIFICATION OF ASSETS  
AND COLLECTION OF FINES AND RESTITUTION FROM OFFENDERS**

The Judiciary has developed a comprehensive monograph on the role of probation officers in the collection of fines and restitution from offenders. The new monograph will be distributed to probation officers in fiscal year 2001. As part of this initiative, the Judiciary plans to work closely with the Financial Litigation Unit of the U.S. Attorney's Office to clarify roles and improve the identification of assets and the collection of payments from offenders. A distance-learning broadcast on the program occurred in November 2000 and nationwide implementation will take place in fiscal year 2001.

**Defender Services**

**IMPLEMENTATION OF COST MANAGEMENT INITIATIVES  
IN CAPITAL HABEAS CORPUS CASES**

The Judiciary continues to implement cost management initiatives to contain costs in capital habeas corpus cases. A fiscal year 1999 report from PricewaterhouseCoopers identified a number of factors that contribute to the costs of these cases in the Ninth Circuit, including litigation practices in the state courts over which the federal courts have limited control, and to the complexity of cases. In an effort to contain costs, the Judiciary has implemented the use of case management, case budgeting, and other tools to better manage the time and money spent on capital habeas corpus cases. For example, the Ninth Circuit is employing strategies to manage federal capital habeas corpus cases. First, instituting up-front case budgeting for all open and new capital habeas cases. Second, training judges, their law clerks, and private panel attorneys on budgeting for capital habeas cases. Third, establishing and adhering to presumptive rates of compensation for assigned counsel, paralegals, law clerks, investigators, and

review of the record. Fourth, developing a mechanism for Circuit Judicial Councils to review all capital habeas corpus case budgets. In addition, Ninth Circuit judges have become active in the state-federal judicial councils in an effort to address federal cost drivers that arise out of the California state court system. The Ninth Circuit has been making significant strides in managing the costs of capital habeas representations.

***Quantitative Benefits.*** Because of the cost drivers identified in the 1999 PricewaterhouseCoopers report, some of which are unique to California and not within the control of the federal judiciary, Ninth Circuit and California federal capital habeas corpus expenditures will necessarily be higher than those in other circuits and districts. Since many of the circuit's cost-containment strategies have been implemented only recently, it is difficult to determine accurately their impact on containing costs. However, since the Ninth Circuit placed a renewed focus on these costs in 1996, both the circuit and California experienced a reduction in overall capital habeas expenditures through fiscal year 1999, bringing their costs more in line with those in other parts of the country. The Ninth Circuit and California costs remained stable in fiscal year 2000. While there was a 13 percent increase in the number of federal capital habeas corpus petitioners in the Ninth Circuit from fiscal year 1996 to fiscal year 2000, there was a \$3.7 million reduction in overall Ninth Circuit capital habeas corpus expenditures during that same period. In fiscal year 1996, the Ninth Circuit received 65 percent of the dollars expended for federal capital habeas corpus representation (\$12.7 million out of \$19.4 million), for 40 percent of the federal capital habeas corpus petitioners (166 out of 412), a disparity of 25 percentage points. In fiscal year 2000, the Ninth Circuit share amounted to 43 percent of the total costs (\$9 million out of \$20.9 million) and 30 percent of the total number of petitioners (187 out of 630), a disparity of only 13 percentage points.

***Qualitative Benefits.*** In addition to containing costs, there are qualitative benefits expected from these initiatives, including more timely processing of capital habeas cases; more timely review and payment of Criminal Justice Act vouchers in capital habeas cases (this benefit is already being observed and allows for better monitoring and management of costs); and improved public satisfaction about the Judiciary's ability to conduct capital habeas proceedings in a timely and cost effective manner.

## **Libraries and Lawbooks**

### **NEGOTIATIONS ON LAWBOOK PRICING**

The Judiciary successfully negotiated improved pricing arrangements for lawbooks with major publishers. Using improved data from the Integrated Library System (ILS), which is installed in every circuit library, the Judiciary was able to reduce substantially spending on lawbooks. In addition, the Judiciary has begun negotiations with other vendors in an effort to achieve similar success.

***Quantitative Benefits.*** The overall result of these negotiations is that, for 60 percent of the lawbooks purchased, expenditures in fiscal year 2001 will be at the fiscal year 2000

level. This compares to price increases of nearly 11 percent in past fiscal years. Mostly as a result of these negotiations, the Judiciary plans to spend nearly \$4 million less than the original Congressional request in fiscal year 2001.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
\$1.8	\$4.0	<i>Future cost avoidances may be achieved but the specific amounts will be dependent on future contracts.</i>		

**Qualitative Benefits.** While the price negotiations have resulted in significant savings, frequent negotiations with vendors have resulted in improved relationships, improved service and greater coordination. The Judiciary has a greater understanding, and is able to make better use, of various discounts offered by vendors. In addition, information from the vendors is communicated with the circuit librarians, which has improved lawbook procurement planning.

### **COMPUTER ASSISTED LEGAL RESEARCH CONTRACTS**

The Judiciary has renegotiated computer-assisted legal research (CALR) services with West Group for an additional four years at substantial cost avoidances. Additional reductions in the contract are difficult to achieve since the two vendors, West Group and Lexis-Nexis, remain the only competitors that can meet the Judiciary's requirements. Access to comprehensive, consolidated, and searchable on-line legal databases is an essential requirement for the performance of the work of the Judiciary. The Judiciary has a contract for Westlaw services in a full range of research categories, and a limited contract for Lexis-Nexis newspapers/journals services. Existing contracts were due to expire at the end of fiscal year 2000. The negotiations resulted in contract extensions with both vendors for an additional four years, through fiscal year 2004.

**Quantitative Benefits.** The Judiciary's negotiations with West significantly reduced costs from the vendor's initial pricing proposal. As compared to preliminary projections, which had been based on prior contract pricing, the negotiations will result in savings of \$6.6 million over the next four fiscal years.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
-	\$0.50	\$1.1	\$2.0	\$3.0

**Qualitative Benefits.** In addition to the savings, the Judiciary will continue to have Westlaw and Lexis services available, allowing efficient and expeditious access to legal resources. Information is current and updated continually. Both vendors provide a high level of service and support, including around-the-clock customer service, technical support, and training. Feedback from the courts, including judges, advises us that both the products and the vendors' customer support are highly satisfactory.

# Education and Training

## **CONTINUED USE OF DISTANCE LEARNING TECHNOLOGIES**

The Judiciary continues to use the distance learning program to reduce per student training costs while increasing the number of court employees trained annually. Traditional training and instructional seminars continue to be used when that is the more appropriate training method. The Judiciary initially focused its distance learning program on achieving maximum cost reductions through the Federal Judicial Television Network (FJTN) broadcasts. The Judiciary also has started expanding the use of other distance learning methodologies including video conferencing, videotapes, computer-based training, and compact disks (CD) and combined forms of all of the above.

### **Satellite Broadcasts**

In fiscal year 2000, the Judiciary completed implementation of the Judiciary's satellite-based distance learning network, the Federal Judicial Television Network (FJTN). The network provides more than eight hours each day of educational and training broadcasts to over 285 locations throughout the federal courts. It provides information and education on a wide variety of topics using a combination of live interactive and taped broadcasts, programming from other government agencies, and material from commercial sources. Judges and staff at 285 sites around the country now receive the FJTN broadcasts, up from 230 in 1999. In fiscal year 2000, the AO alone has broadcast 64 new programs on administrative and operational topics. Programs covered a wide range of issues (e.g., Supervising Individuals with Dual Diagnosis, the Law Clerk Appointment Process, Statistical Procedures for Reporting Release and Detention at Bail Hearings, and Case Management/Electronic Case Filing Decisions for Bankruptcy Courts) to support the improvement of court operations through training. Recent live satellite broadcasts courses include programs that invite viewers to participate through the "Push-To-Talk," web- and paper-based supporting materials, videotape footage featuring technical demonstrations and virtual field trips.

Currently, the Judiciary is pilot-testing the extension of the broadcast programming until 5:00 p.m. Pacific Standard Time. This initiative extends to eight hours the programming available during duty hours on the west coast. An added benefit is that all Judiciary employees including eastern and western time zone employees will be able to view up to three hours of programming during non-duty hours, providing greater access to courses without interfering with work responsibilities.

GSA's FTS2000 telecommunications contract, which was used to implement the FJTN, expired December 2000. The new follow-on, FTS 2001, contract does not include satellite services. To allow the FJTN to continue to operate, the Judiciary has joined a number of other government agencies with similar networks to contract with a new satellite services provider made available by GSA. By moving to the same provider, all of the government agencies involved will be able to take advantage of lower pricing due to volume discounts and can easily share programming due to the commonality of transmitting and receiving equipment. The migration to the new provider is expected to be completed by early fiscal year 2001, allowing the Judiciary to use the network's new capabilities. In addition, this will allow more training for the same cost as before, and the extension of the broadcast day to provide additional viewing hours

to courts in more distant time zones. Further, the Judiciary is working with other government agencies that have similar networks and with those planning to implement new networks to share equipment, such as the satellite dish antennas, to reduce costs.

### **Videotapes and Computer-Based Training**

In fiscal year 2000, the Judiciary continued expanding the use of CD technology to deliver training. A training program on property classification and disposition policies was provided in CD format to court property managers. The CD offers instruction followed by interactive quizzes, etc., to enhance the understanding of handling Judiciary property. A CD on internal controls will provide an overview and description of the processes in place for safeguarding Judiciary resources. Budget analysts will be educated on financial processes, procedures, and guidelines for various court appropriations. With the decentralization of Judiciary budget and finance authorities, this training is necessary to ensure funds are expended properly. Another CD provides information on the Judiciary to college students. In fiscal year 2000, the videotape and computer-based training formats allowed the creation of training programs for small audiences at various locations, as well as large audiences participating in online conferences. The Judiciary also has used video taped training to assist court managers and employees with planning and executing a move to a new facility or a major repair and alteration project.

***Quantitative Benefits.*** Distance-learning technologies significantly reduce travel expenses that would arise from providing on-site training and save staff time as employees do not have to leave the courthouse for training. Although there are not quantified estimates showing overall savings obtained through use of the FJTN, several offices have estimated potential cost avoidances related to travel. For example, the use of distance-learning technologies to teach court staff about two new automation systems will result in the avoidance of about \$860,000 in travel expenses. Similarly, the use of distance-learning technologies to conduct training for about 650 federal court reporters will avoid about \$80,000 in travel costs, and a statistical training broadcast will avoid approximately \$16,400 in travel costs.

The cost savings attributable to use of the FJTN are somewhat diminished due to implementation (October 1999) of GSA's policy of billing agencies, based on private sector and market-based rates, for antennas and satellite dishes installed on GSA-owned property. The annual fee schedule charged by GSA for federally owned buildings ranges from \$1,500 for a small satellite dish or antenna to \$12,000 for a large satellite dish. This rental policy is likely to have a negative impact on the quantitative benefits that the Judiciary has been able to capture by the implementation of the FJTN.

***Qualitative Benefits.*** Distance-learning technologies allow the Judiciary to expand its program offerings as new training needs arise. Use of the television network eliminates the need to coordinate schedules and travel for on-site training; provides more opportunities for judicial officers and staff to obtain training and education as programs are shown multiple times; and provides a more consistent quality of training as all judicial employees view the same broadcasts.

Programs can be aimed at specialized audiences or to the entire Judiciary family at

the same minimal transmission costs per hour. It is therefore now more feasible to have specialized training for discrete audiences without using large portions of a training budget. Training programs can be divided into modules which address specific topics and are presented within shorter timeframes. This method has been shown to invite more interest and in-depth learning. In addition, unlike traditional training which requires teaching everyone at the same level at one set time, modules are geared to allow learners to progress at their own pace.

## **COMPLETION OF JUDICIARY-WIDE TRAINING NEEDS ASSESSMENT**

The Federal Judiciary Training Needs Assessment was conducted to support development of a training plan for Judiciary personnel on administrative and operational functions. This project encompassed the identification of core competencies for 50 positions and functions, as well as common competencies for all employees, supervisors, and managers. The competencies were used as the basis for identifying training needs. Ultimately, these training needs were used to prepare an AO training plan directed toward the training responsibilities of the AO. The report briefly discusses each of the three parts of the project: core competency analysis, training needs analysis, and the AO training plan for court employees. It discusses the data assembled and analyzed in developing the report, and presents findings, conclusions, and recommendations based on the training characteristics for core competencies.

The Federal Judiciary Training Needs Assessment Final Report recommends that the following actions be considered to ensure that Judiciary training is responsive to court personnel needs and delivered in a timely and efficient manner:

- Structure training by function rather than by position;
- Move to an on-demand training structure, with the timing of training controlled by the user rather than by the provider;
- With the help of ad hoc working groups, ensure that written guidance is updated for each functional area;
- Develop a model for providing structured on-the-job training that is locally controlled and supported by nationally developed training modules;
- Develop a specific plan of action and milestones for implementing and funding the training plan to achieve desired future training;
- Assess the gap between the desired future training program and the current training program.

## **Financial Management**

### **UPDATE OF COURT FUNDING ALLOTMENTS FOR RECURRING OPERATIONAL EXPENSES**

The Judiciary completed updating the non-salary funding formulas used in allotting funds to the courts of appeals, district courts, bankruptcy courts, and probation and pretrial services offices. These non-salary formulas determine the funding levels for recurring, operating expense accounts, such as supplies, telephone service, delivery

service, printing and maintenance. With the introduction and use of new staffing formulas in fiscal year 2001, the Judiciary decided to update other formulas used for allotting funds to the courts in fiscal year 2001. Based on statistical analysis of recent obligation activity, the non-salary formulas were updated to reflect a more accurate distribution of funds needed by each court program. In the future, the Judiciary intends to conduct periodic reviews of the non-salary court obligation activity and refresh the allotment formulas to reflect changes in obligation patterns.

**Quantitative Benefits.** Based on the update, an annual budgetary savings of \$6 million is anticipated. This savings represents funding that is not required for recurring costs and was identified as part of the re-estimates provided to Congress of the Judiciary's appropriation request for fiscal year 2001.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
-	\$6.0	\$6.1	\$6.2	\$6.3

**Qualitative Benefits.** Court unit funding is more in line with program requirements and reduces funding imbalances between court programs.

### **REQUEST FOR COURTS TO RETURN ALLOTTED FISCAL YEAR 2000 FUNDS**

To provide some insurance in case of a funding shortfall in fiscal year 2001, a nationwide appeal was issued to courts to return funds allotted in fiscal year 2000.

**Quantitative Benefits.** As a result of this request, 76 court units voluntarily returned nearly \$4.2 million in fiscal year 2000. This budget savings was not done without sacrifice. To return these funds, courts had to delay or defer hiring needed staff, training, local automation initiatives, and other important activities. The return of these funds allowed the Judiciary to lower its re-estimate of its appropriation request for fiscal year 2001.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
--	\$4.2	-	-	-

### **UPDATE OF NEW OFFICE AUTOMATION AND DCN/LAN FUNDING FORMULAS**

The Judiciary updated the funding formulas related to non-salary cyclical expenses for court office automation and local-area networks. The new formulas reflect changes in information technology equipment pricing and capabilities. Allotments for office automation and local-area network maintenance and cyclical replacement are provided to the courts based on a "total cost-of-ownership" approach on the basis of the number of authorized staff, sites, and other related variables. The formulas were reviewed and updated in accordance with industry standards. The overall effect of these

changes is a more equitable allotment of funding for court automation and technology requirements. The Judiciary used the new formulas to allot funds to the courts in fiscal year 2001. In addition, the formulas will be periodically reviewed and updated to reflect changes in information technology equipment.

***Qualitative Benefits.*** Implementing new office automation and communication allotment formulas allows court unit funding to accurately reflect requirements.

## **IMPROVED FINANCIAL MANAGEMENT POLICIES AND PROCEDURES**

The Judiciary issued a series of policies and guidelines to address changes in the management of court resources under budget decentralization and the Financial Management Improvement Program. Guidelines were developed to assist the courts in developing budget management plans to further improve implementation of the budget decentralization process and to heighten awareness of good budget practices at the local level. All court units were asked to examine and document their financial management structures and plans, and submit this information to the AO. The plans currently are being reviewed, and feedback is being provided to each court unit summarizing the results of that review. Revised guidance was issued establishing budgetary limits on training and training-related travel expenses for judicial officers and chambers staff while attending training on administrative, operational and managerial subjects. A comprehensive analysis and revision of the *Guide to the Judiciary Policies and Procedures, Chapter VII* was performed to provide up-to-date policy and procedural guidance and standards related to financial matters. The *Guide* provides the courts with an easy to use and reliable reference tool. The updated policies and procedures were placed on the Judiciary's Intranet to facilitate court access.

***Qualitative Benefits.*** It is anticipated that court units will implement improved financial management policies, and procedures. By following the published guidelines and standards, court units financial processes and procedures will lead to greater opportunities for efficient and effective use of resources through better planning and management.

## **FINANCIAL ACCOUNTING SYSTEM FOR TOMORROW (FAS<sub>4</sub>T)**

The Judiciary continues to implement the Financial Accounting System for Tomorrow (FAS<sub>4</sub>T) to improve financial operations in the courts. FAS<sub>4</sub>T is one of the major components of the Financial Management Improvement Program and is operating successfully in nineteen districts and one circuit court. FAS<sub>4</sub>T provides the Judiciary with a single integrated financial system that meets federal accounting system standards. FAS<sub>4</sub>T already has begun to generate administrative benefits in the Judiciary's financial operations. Prior to its implementation, it took the Judiciary 45-60 days to close its monthly accounting operations. In fiscal year 2000, with the nineteen districts using FAS<sub>4</sub>T and other process improvements, the average time required to close the Judiciary's accounting operations is now 15 business days. FAS<sub>4</sub>T will generate even greater administrative benefits with the recent passage of legislation to appoint certifying officers within the Judiciary. FAS<sub>4</sub>T coupled with this legislative change will create efficiencies to eliminate duplicate vouchers, redundant payment reviews, photocopying of documents and other nonessential workflow processes.

**Quantitative Benefits.** As the system is further deployed, statistical data is being compiled to assess the impact of FAS<sub>4</sub>T on the Judiciary's financial operations.

**Qualitative Benefits.** FAS<sub>4</sub>T, as a single, state-of-the-market, and fully integrated financial system will provide uniformity and greatly increase the usefulness of the Judiciary's financial information. FAS<sub>4</sub>T will improve internal controls; support future accounting requirements of the courts; and streamline capabilities for the performance of day-to-day functions such as projecting financial conditions, paying bills, and procuring supplies, equipment and services. The application also will enhance significantly the timeliness and quality of reporting for budget, procurement and accounting activities.

### **ASSISTANCE TO COURTS IN FAS<sub>4</sub>T IMPLEMENTATION PLANNING**

As part of the Financial Accounting System for Tomorrow's (FAS<sub>4</sub>T) implementation approach, the Judiciary is helping courts improve their local financial management processes. This activity known as the FAS<sub>4</sub>T "Ready State" provides courts with an opportunity to perform an in-depth review of their current financial operations. Courts that implement FAS<sub>4</sub>T are required to go through the Ready State and document or "process map" their business processes. This requirement serves several purposes. It provides a means to crosswalk each court's current processes to FAS<sub>4</sub>T, aids in the development of appropriate computer security and approval profiles in FAS<sub>4</sub>T, and most importantly, provides the opportunity for courts to streamline their business operations.

**Qualitative Benefits.** The value added effect of process mapping eliminates unnecessary steps, decreases processing time, improves customer service, reduces redundant paperwork and copies, and improves data quality.

### **DEVELOPMENT OF THE CIVIL/CRIMINAL ACCOUNTING MODULE**

The Judiciary is in the process of developing a Civil/Criminal Accounting Module (CCAM) that integrates civil and criminal accounting and cash receipting activities with the Financial Accounting System for Tomorrow (FAS<sub>4</sub>T). FAS<sub>4</sub>T is a nationwide financial management system within the Judiciary that meets federal accounting standards and integrates with the Judiciary's central accounting system. When fully designed and implemented, CCAM will meet requirements for the effective financial management of civil and criminal debt data as well as meet the requirements of the Mandatory Victims Restitution Act of 1996 that transferred certain aspects of criminal debt data management to the Judiciary from the Department of Justice. Currently, districts within the Judiciary use a variety of different manual and automated systems to support these functions. Joint design sessions that included input from the courts and the Department of Justice were conducted to identify requirements for cash receipting and accounting for civil and criminal debt. Completion of the high level design for the system is scheduled for early fiscal year 2001.

**Qualitative Benefits.** One standard system to support civil/criminal accounting and cash receipting will improve the consistency and accuracy of financial data and strengthen internal controls over the civil/criminal accounting activities. It also will

standardize processes, procedures, training, and system maintenance requirements throughout the Judiciary.

### **CJA PANEL ATTORNEY PAYMENT SYSTEM**

The new Criminal Justice Act (CJA) Panel Attorney Payment System has replaced fully an antiquated system for paying panel attorneys and other service providers with a modern system that meets the Joint Financial Management Improvement Program's (JFMIP) core financial requirements. The system contains sound controls and collects information needed to manage the panel attorney program.

***Quantitative Benefits.*** Although benefits have not been quantified at this time, the Judiciary will begin analyzing the impact of the system on court operations once courts have had a sufficient amount of time operating the new system.

***Qualitative Benefits.*** Major qualitative benefits are being noted in the areas of data quality and reporting capabilities, both of which are essential to sound program cost management. Internal controls have been improved dramatically, eliminating the need for extraneous processes to compensate for controls lacking in the previous system. Courts are able to produce their own reports, providing judges with new tools to support their decisions on the appropriateness of claims for compensation and expense reimbursement. The system captures, for the first time, information to aid in cost analyses by type of case, as well as certain basic case characteristics such as disposition criteria. Full benefit of the system's analytic capability will be realized after one to two more years, when sufficient data has been captured to support detailed comparisons of closed cases.

### **PACER SERVICE CENTER REVIEW**

In fiscal year 2000, the Judiciary continued its financial management improvements by conducting a review of the Public Access to Court Electronic Records (PACER) Service Center's management and accounting systems and processes. PACER is an electronic public access service that allows external users to obtain case and docket information. The review of PACER included a discussion of the Judiciary's draft debt collection policies and an assessment of the new PACER billing and accounts receivable system against the Joint Financial Management Improvement Program's (JFMIP) core financial system standards. The review team used the General Accounting Office's (GAO) "Checklist for Reviewing Systems Under the Federal Financial Management Improvement Act" as a guide for performing the review and for making recommendations to facilitate the PACER operation. The capability for generating reports locally from the Judiciary's central accounting system was instituted to eliminate the inefficient manual process of screen printing. Overall, the PACER billing and accounts receivable operation was in compliance with the applicable JFMIP standards, and the review team concluded that the PACER financial operation was well managed and included adequate financial controls to support the operation.

***Qualitative Benefits.*** The initiative provided an opportunity for an independent assessment of PACER's new billing and receivables system against the JFMIP's core financial

system standards. Based on recommendations from the assessment, controls will be enhanced and certain efficiencies will be achieved. The effort also gave the review team the opportunity to obtain feedback regarding the draft debt collection guidance prior to its finalization.

### **IMPLEMENTATION OF A NEW AUTOMATED FINANCIAL PLAN SYSTEM**

In fiscal year 2000, the Judiciary implemented a new automated financial planning system to improve access to financial management information. This new system is part of the Financial Management Improvement Program and permits AO financial planners to access an on-line repository of current and prior year financial data for use in quarterly reviews and development of the financial plan.

***Quantitative Benefits.*** Although not quantified, the new automated financial plan system saves staff time in compiling, reviewing, and preparing materials for use by Judiciary decision makers.

***Qualitative Benefits.*** The new system provides more accurate and timely financial management information used in decision making and responding to information requests.

## **Court Review and Better Practices**

### **IMPROVEMENTS TO INTERNAL CONTROL PROGRAM**

The Judiciary continues to emphasize reviewing and strengthening internal controls. Broad-based efforts included developing a web-based site to assist individual courts in designing and managing their internal control programs and establishing dollar limits and restrictions on types of purchases for travel and purchase card programs. Targeted internal control efforts included a financial and data quality review of the substance abuse treatment program, the mental health treatment, alternatives to detention program, and the U.S. Marshals Services' (USMS) financial and security operations in support of the federal courts. The USMS requested permission to use the AO's fiscal year 2000 internal control plan as a model for revising its own headquarters internal controls program. In fiscal year 2001, the Judiciary plans to review the FTS 2001 Sprint phone card program and conduct an assessment of the computer security environment for AO applications and operating systems that support court operations. A computer-based training program on financial internal controls will be completed and offered to court employees. These actions will continue the Judiciary's emphasis on a strong internal controls program as a critical part of its efforts to safeguard scarce and valuable resources against fraud, waste, and abuse.

### **COURT REVIEW PROGRAM**

In fiscal year 2000, the AO's court review program was very active. The increased number of decentralized programs and initiatives in the courts led the AO to formalize and enhance its oversight activities. Court reviews are initiated upon request from a chief judge or unit executive, or are scheduled on a cyclical basis for some programs.

Areas of focus in the future include organizational structure, case management, internal and management controls, best practices, case processing, jury management, human resources and budget practices. These reviews provide the courts, clerk's offices, probation and pretrial services offices, and federal public defender offices, with on-site assistance from teams comprised of knowledgeable AO, court, and occasionally contractor staff. Written reports provide the courts with an assessment of the efficiency and effectiveness of court operations, identify and promote better practices, and ensure that delegated AO responsibilities are conducted in accordance with pertinent rules, regulations, and policies. In fiscal year 2001, the AO will continue to expand and improve the court review program. It is anticipated that many courts will request on-site assistance in order to help assess their readiness and ability to implement the new automated case management and docketing system, which will be implemented over the next several years. Efforts also will be made to help courts conduct assessments of their own operations using guidelines and questionnaires currently used in some on-site reviews. In addition, protocols describing the review process, as well as the actual review instruments and guidelines, will be put on the Judiciary's Intranet for court use.

## **RESULTS OF JUDICIARY POSTAGE REVIEW**

The court-wide postage review performed by Clifton Gunderson LLC has been completed. The review included on-site visits to 40 court units in 12 cities, a review of the Bankruptcy Noticing Center (BNC) and the AO's Mail Center. In addition, a survey questionnaire was sent to 900 metered mail locations. According to the consultants, "there were no major cost inefficiencies identified and generally, court mail units are using prudent judgement in their mail operations." A confirming recommendation was made in support of a conversion to commercial meters.

*Qualitative Benefits.* Suggestions to improve efficiencies and convert to commercial meters should allow court units to manage their postage related activities more effectively.

## **CONVERSION TO COMMERCIAL POSTAGE METERS IN THE COURTS**

The Judiciary completed a pilot postage decentralization project. The purpose was to determine if there are advantages in switching from a centrally based (AO) postage payment system to a decentralized one (court unit payments). Begun in fiscal year 2000, the pilot covered 13 court units located across the country. Feedback from the pilot locations has been positive and the Director of the AO approved nationwide conversion in December 2000. The conversion will start in spring 2001 and is scheduled to be completed in fiscal year 2003.

*Qualitative Benefits.* A decentralized postage payment system will allow court units greater financial control of their postage funds, enable an auditing process on a local instead of a national level, and give units an incentive to review and reduce costs.

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# ACTIONS TAKEN DURING FISCAL YEAR 2001

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## Automation and Technology

### DEVELOPMENT OF INFORMATION TECHNOLOGY

#### ENTERPRISE ARCHITECTURE

The Judiciary will engage the services of an outside contractor to begin a 24-month process to develop and implement a nationwide information technology enterprise architecture program that will serve as a framework for technology design principles, guidelines, and standards. A Judiciary-wide enterprise-wide IT architecture will create an effective means for defining, acquiring, deploying, and supporting applications that meet the business needs of the courts. In addition, the IT architecture will allow the Judiciary to follow industry and government best practices and guidelines for all aspects of the IT environment. The development of a Judiciary-wide architecture is especially important given the decentralized nature of the federal court system and will allow effective sharing of information among courts units. The development of an enterprise-wide IT architecture is a complex analytical undertaking requiring broad consultation with representatives from the entire court community.

*Quantitative Benefits.* While specific dollar savings cannot be determined at this time, an IT architecture will allow the Judiciary to benefit from market competition and industry-based standards resulting in lower prices for mainstream hardware and software products.

*Qualitative Benefits.* Some of the qualitative benefits include an improved ability to attract and retain qualified technical support staff; reduced training and operational support costs; increased availability of state-of-the-market hardware and software products; and assured migration paths to next generation hardware and software platforms.

### DEPLOYMENT OF THE JUDICIARY ELECTRONIC MAIL (E-MAIL)

#### REPLACEMENT PROJECT

The Judiciary is deploying a new Judiciary-wide electronic mail system. One reason for the replacement is that the current system will no longer be supported as of the end of October 2001. The new system is expected to improve reliability of transmitting and receiving e-mail Judiciary-wide. Further, the system will allow the Judiciary for the first time to establish a national e-mail directory, which will facilitate the use of e-mail.

**Quantitative Benefits.** Although not quantified at this time, some additional savings are expected in reduced mailing and postage costs due to a substantial portion of mailings to the courts being accomplished through e-mail. An additional quantitative benefit will come from the expected reduction of equipment associated with the implementation effort. The design of the new enterprise architecture includes consolidating more than 600 e-mail post offices to approximately 140 high-performance servers. This consolidation of electronic services will result in fewer points of failure, reduced training requirements, and reduced system administration requirements.

**Qualitative Benefits.** Some of the qualitative benefits of the new system include improved reliability of transmitting and receiving e-mail and improved communication among the courts. The new system will also include new features such as instant messaging, and calendaring/scheduling. The availability of these additional features, integrated into a single product, will enhance communications and provide end users with additional features and capabilities.

## **USE OF ELECTRONIC INVESTIGATIVE TOOLS**

The Judiciary, through an interagency agreement with the Department of Justice (DOJ), has obtained access to a commercial on-line investigative database for use by probation and pretrial services offices and federal public defenders offices (FPDOs). Use of the database allows for more efficient probation and pretrial services and case investigations. The database, called ChoicePoint, is the most common source of public record information for businesses, government agencies, and consumers, and it is used primarily for locating people. Because the service is provided through a larger DOJ contract, it is more cost effective. The search capability can scan over ten billion records to create a single comprehensive report on an individual. Each search identifies a subject's name, alias names, most current address, previous address, telephone number, social security number, driver's license number, and date of birth. The program also links the subject to possible relatives, real property ownership, bankruptcies, tax liens, judgments, and other important details. This enables users to consolidate numerous electronic searches into one search while yielding more information on the defendant/offender than other methodologies.

**Quantitative Benefits.** The interagency agreement results in cost avoidance of \$120,000 through fiscal year 2002. In addition, the flat monthly fee entitles users to unlimited searches, allowing investigators to conduct more searches electronically and freeing up time for them to provide other investigative services. In sum, use of the database allows users to do more investigations, resulting in greater productivity.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
-	\$0.08	\$0.04	-	-

**Qualitative Benefits.** In addition to avoiding costs, there are several qualitative benefits to the database including allowing a more comprehensive search, locating more people more quickly, and increased satisfaction with searches. In addition, it allows the user

unlimited searches for a flat fee, eliminating the per search charge that existed previously.

## **DEVELOPMENT OF A WIDE-AREA NETWORK FOR FEDERAL PUBLIC DEFENDER ORGANIZATIONS**

The Judiciary is developing a wide-area network to connect Federal Public Defender Offices (FPDOs) to the Data Communications Network, which will provide FPDOs access to the Criminal Justice Act (CJA) Payment System, Financial Accounting System for Tomorrow (FAS<sub>4</sub>T), and the Human Resources Management Information System (HRMIS). In addition, the network will provide improved computer security, remote off-site access to the network, and connections to the Judiciary's intranet, known as the J-Net. The Judiciary used existing staff, rather than more expensive consultants, to design and implement the network.

*Quantitative Benefits.* By utilizing existing staff instead of more expensive contractors, the Judiciary is avoiding costs of about \$150,000 and \$500,000 in fiscal year 2001 and 2002.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
-	\$0.15	\$0.50	-	-

*Qualitative Benefits.* The network will provide faster and broader access to administrative, investigative, and legal information through connection to the Judiciary's automated systems. In addition, the network increases staff's productivity by allowing users to work from off-site locations. Further, the network will facilitate development of a federal defender Intranet that will allow the exchange of information among FPDOs nationwide, promoting efficiency through the sharing of administrative and legal documents and other information.

## **Court Security and Facilities**

### **ASSESSMENT OF JUDICIAL SECURITY**

The Judiciary has contracted with an outside contractor to undertake an assessment of how security-related services are provided to the federal courts. The responsibility for providing security-related services to the Judiciary is vested in the United States Marshals Service (USMS) and the Federal Protective Service (FPS), although funding for these services is funded primarily by the Judiciary. USMS facility-related security is funded through the Judiciary's Court Security appropriation and FPS security is funded through GSA rental payments. In light of the growth and complexity of the Judiciary's security program and the costs associated with both the FPS and USMS programs, the Judiciary determined that a comprehensive study of judicial security is needed. The objective of the study is to review the current security standards, policies

and procedures to determine if there are better ways to provide adequate security in a more effective and efficient manner. The contractor has met with judges, court staff, and executive branch officials. The contractor has reviewed pertinent reference materials and is visiting a representative sampling of federal court facilities to conduct security assessments and to interview court and USMS personnel. The contractor is looking at interior and exterior physical security provided at federal court facilities, after-hours and 24-hour security coverage, courtroom security, and the court security officer program. The study also includes a review of the feasibility of using a different approach to providing security guard services for court facilities. In fiscal year 2001, the contractor will provide recommendations and implementation strategies to make the program more efficient and effective.

**Qualitative Benefits.** Potential benefits from the study include enhanced management control and oversight of the funds the Judiciary spends on security. The study will evaluate the current security standards and policies to ensure the Judiciary is using its appropriations effectively.

## DEVELOPMENT OF NEWFACTS

The Judiciary is developing an automated system called NewFACTS to track space and facility information. This system will allow courts to have access to timely data to improve space management decision making and enhance the Judiciary's ability to validate the accuracy of GSA's rent bills, and seek adjustments accordingly. In addition, it will improve and integrate facilities information systems and make timely facility information available to the courts. The system is currently in the design phase and is scheduled to be implemented by April 2002. An information system that contains current, accurate, and comprehensive space and facilities data will provide numerous benefits to the Judiciary.

**Quantitative Benefits.** The system will provide quantitative benefits, including improved accountability of GSA in the accuracy of its rent bill and reduce the possibility of overestimating or underestimating future space expenditures. Budgetary estimates will be more accurate, increasing the accuracy of future space requirements. Partial implementation will allow the Judiciary to start realizing costs avoidances of \$160,000 in fiscal year 2001. Once fully implemented, the system should realize cost avoidances of over \$1 million annually.

<b><u>\$ In Millions</u></b>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
–	\$0.16	\$1.23	\$1.42	\$1.48

**Qualitative Benefits.** In addition to quantifiable benefits, other benefits include better project scheduling at the national and court unit levels by providing consistent information on project milestones and expectations. This would enhance the ability to establish firm deadlines and help avoid project completion delays.

# Judges

## IMPLEMENTATION OF JUDICIAL OFFICERS RESOURCES

### WORKING GROUP RECOMMENDATIONS

The Judiciary has started taking steps to implement the September 1999 report of a study on how judge resources are used in the federal district courts. The study, conducted by a working group of judges, was intended to identify improvements in resource management that might mitigate future requests for additional Article III judgeships. Although the working group concluded that the Judiciary would continue to need more judges to manage growing caseloads, its report recommended various improvements in how existing judicial resources are managed. In addition, the report recommended measures aimed at improving the exchange of resource information among courts, better educating chief judges in resource management and other administrative matters, promoting the effective use of visiting judges, providing assistance to courts with particularly high workloads, and enhancing the processes for assigning visiting judges and tracking their use in the courts through automated systems and better data collection. In fiscal year 2000, the Judiciary began the process of implementing the recommendations by, among other things: (1) reviewing available statistical information on judicial workload to identify high workload courts and determine whether assistance may be needed; (2) developing options to be considered in deciding how best to aid high workload courts and encouraging circuit executives to become more active in providing assistance; (3) using long-term assignments of visiting judges to assist courts in other circuits; (4) preparing a thorough revision (to be completed in fiscal year 2001) of an existing handbook on use of visiting judges in district courts; and (5) proceeding with the development of an automated system for processing and tracking intercourt assignments of Article III judges.

*Quantitative Benefits.* The impact of implementing the recommended measures for improving information in the courts about the availability and management of judge resources cannot be directly quantified. Over time, however, the recommended improvements in data collection on resource utilization might make it possible to demonstrate the extent to which the courts are making greater use of supplemental resources (e.g., visiting judges, senior judges, and magistrate judges) to manage their workload.

*Qualitative Benefits.* As the working group itself acknowledged, implementation of the recommendations in its report should enhance the Judiciary's ability to manage increasing caseloads but have little, if any, impact on the need for additional judgeships.

## Probation and Pretrial Services

### INDEPENDENT ASSESSMENT OF THE PROBATION AND PRETRIAL SERVICES PROGRAM

The Judiciary is engaging the services of an outside contractor to conduct a comprehensive assessment of the probation and pretrial services system. The assessment will

address a number of important issues raised by a confluence of increasing responsibilities, changing federal criminal populations, and constrained budgets. The broadest issue is whether there are ways to accomplish the system mission more effectively--or as effectively, but more efficiently—through changes in functions, policies, management systems, processes, organization, assignment of responsibilities, resources, operational approaches, statutes, or regulations. The consultants will examine existing documentation, studies, and recommendations; analyze program trends and outcomes; and conduct interviews, on-site visits, and roundtable discussions with a broad base of relevant parties. This approach will combine the analytical, objective perspective of an independent consultant with the subject-matter and practical expertise of Judiciary personnel and other stakeholders in the executive and legislative branches. The assessment will include recommendations to improve services, management, organization, policy-making, and resource management, and align these objectives in a single, coordinated plan. The contract was awarded in October 2000, and the assessment will take approximately two years to complete.

## **DEVELOPMENT OF A PROBATION AND PRETRIAL SERVICES ELECTRONIC CASE MANAGEMENT SYSTEM**

The Judiciary is developing a probation and pretrial services electronic case management system. The purpose is to provide probation and pretrial services users with the automated functionality they need to more efficiently perform the duties required of them by law. The system's functions include: (1) electronic generation, storage, and retrieval of all investigation and supervision case information; (2) electronic retrieval for Judiciary personnel of vital case information including the presentence report, pretrial services report, and chronological records; (3) integrated access with the Integrated Case Management System's (ICMS) criminal component; and (4) defendant/offender imaging. In addition, the project will increase substantially the electronic storage of documents and data in probation and pretrial services offices. Finally, the expansion of the electronic storage capability will reduce space through a significant reduction in paper files. The first districts will begin to use the system in June 2001 with nationwide implementation scheduled for December 2003.

***Quantitative Benefits.*** The system is expected to achieve quantitative benefits by reducing processing time, eliminating manual production of forms, increasing availability of presentence/pretrial reports and records, reducing duplicate data entry, copying, filing, and retrieval. Preliminary analysis indicates that efficiency gains for probation/pretrial officers is expected to be between two percent and five percent, which could result in annual cost avoidances between \$4.6 million and \$11.5 million. For support personnel, efficiencies are expected to be between two percent and seven percent, which could result in annual cost avoidances between \$1.3 million and \$4.5 million.

***Qualitative Benefits.*** In addition to cost avoidances, additional benefits include increased validity of data, timely access to information and elimination of data redundancy.

## Libraries and Lawbooks

### STUDY OF LAWBOOKS AND LIBRARIES

The Committee on Automation and Technology, working with the Committee on Security and Facilities and the AO, are conducting a study on the libraries and lawbooks programs. The study will review existing guidelines for library and chambers lawbook collections and for sizing libraries. Among other things, the study will consider the results of a survey of all judges, law clerks, and others on their use of and needs for research materials and facilities. In addition, lawbook expenditures and inventories, as well as library space inventories, are being reviewed. The study will consider ways to enhance research and cost efficiencies, improve planning and decision-making, and enhance training programs in the use of legal research materials and facilities. A report with recommendations is expected to be completed in the fall of 2001.

## Financial Management

### DEVELOPMENT OF THE FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM - KNOWLEDGE AND SKILLS ENHANCEMENT

The Judiciary is continuing its multi-year effort to improve its approach to financial management through the development and delivery of financial management training in the courts. The effort focuses on a blended use of distance-learning technologies to deliver training content in the core competency areas of Judiciary budgeting, appropriations law, financial internal controls, and accounting operations. In fiscal year 2001, the Judiciary will move forward by delivering training on budgeting and internal controls, while developing training on appropriations law and accounting policies and procedures.

*Quantitative Benefits* The financial management training will use distance-learning technologies that will avoid costs in travel of court personnel and their time away from the office associated with traditional methods of training. The training is Judiciary-wide and quantified cost avoidances will be \$5.5 million in fiscal year 2001 and \$4.7 million in fiscal year 2002.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
–	\$5.5	\$4.7	\$1.1	\$1.2

*Qualitative Benefits* In addition to cost avoidances, financial management training will increase the awareness, knowledge, and skills associated with an individual's roles and responsibilities in exercising proper stewardship of government funds and assets. This training also will enhance a financial staff's analytical skills, thereby enabling them to improve decision making at the local court level and improve the execution of day-to-day responsibilities.

## **IMPLEMENTATION OF THE CERTIFYING OFFICER LEGISLATION**

The Judiciary is taking steps to prepare for implementation of Certifying Officer legislation, which was passed in November 2000 (Federal Courts Improvement Act of 2000; P.L. 106-518). The legislation enables the Director of the AO to appoint certifying officers in the various court units. Currently, district court clerks perform both the certifying officer and disbursing officer roles and are accountable for the propriety of payments made for the entire court. The passage of this legislation allows the Judiciary to streamline the methods available to the courts for ensuring that payments are legal, proper, and correct.

***Qualitative Benefits.*** Certifying officer legislation will enable the Judiciary to make full use of the electronic authorization and payment functions of our new financial and accounting system (FAS<sub>4</sub>T) as it is deployed throughout the Judiciary. The use of the electronic payment procedures will speed up the payment process and will greatly reduce the need to photocopy documents and send them to the district court clerk's office. The district court clerk will have more time to focus on other core responsibilities. The certification of payments will be made by persons who are directly associated with the programs making the payments. More employees will be aware of the certifying officer's functions and of attendant responsibilities and safeguards regarding payments. Overall, the implementation of the certifying officers procedures will be a positive step in the direction of the paperless office environment.

## **ELECTRONIC FUNDS TRANSFER PAYMENTS**

The Judiciary is in the process of implementing electronic fund transfer (EFT) payments for travel reimbursements. These payments are currently accomplished by check payment. This EFT capability is expected to be fully operational in fiscal year 2001. Work has been performed with the U.S. Department of Treasury's Financial Management Service to establish EFT capability within the Judiciary's Central Accounting System. Training will begin in early fiscal year 2001 for selected personnel to certify and schedule payments electronically. Testing has begun in the central accounting system to segregate check disbursements from EFT payments.

***Qualitative Benefits.*** The EFT process will allow payments to be deposited directly to employees' banking accounts, making it easier, faster and more efficient for employees to receive travel reimbursement funds. It will eliminate much of the time, labor costs, and delays associated with check payments. Establishing this payment mechanism within our financial operations will provide the necessary model for a successful conversion of vendor payments currently accomplished by check to the EFT process.

## **Statistical Reporting**

### **IMPROVEMENTS TO STATISTICAL DATA COLLECTION REPORTING**

The Judiciary continued two efforts to improve statistical reporting. First, the Judiciary is examining statistical data collection efforts to assess current and future data

needs. Improvements in data collection for the bankruptcy area have been implemented and recommendations for the appellate area have been made and are being implemented. A review is ongoing in civil, criminal, and trial areas. The purpose is to ensure the Judiciary collects the best type of data to support its needs, as well as the needs of Congress, executive branch agencies, the legal community and the general public. Second, the Judiciary is implementing electronic processes for collecting a large volume of statistical data currently submitted in hard copy by courts around the country. This initiative will eliminate the remaining manual collection of statistical data. The project is scheduled for completion in fiscal year 2001.

***Quantitative Benefits.*** Implementing electronic statistical collection processes will produce annual personnel and postage efficiencies of about \$370,000 through 2004.

<u>\$ In Millions</u>				
<u>FY 2000</u>	<u>FY 2001</u>	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>
–	\$0.05	\$0.10	\$0.11	\$0.11

***Qualitative Benefits.*** Improved data collection and reporting will increase satisfaction with the Judiciary’s statistics. In addition, improved data will improve decision making. Electronically capturing statistical data will increase data accuracy and eliminate duplicate input and the accompanying manual intervention. Further, built-in edit features will catch immediately many errors. Also, the more efficient process will result in more timely availability of data.



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