



Report to the Chairman, Subcommittee
on Financial Services and General
Government, Committee on
Appropriations, House of
Representatives

June 2013

FEDERAL JUDICIARY

Efforts to Consolidate and Share Services between District and Bankruptcy Clerks' Offices

GAO Highlights

Highlights of [GAO-13-531](#), a report to the Chairman, Subcommittee on Financial Services and General Government, Committee on Appropriations, House of Representatives

Why GAO Did This Study

The federal judiciary has the critical responsibility for the fair and swift administration of justice in the United States. Like the rest of the federal government, the judiciary has been affected by decreasing federal resources, and is implementing and considering various cost containment initiatives, including sharing administrative services between district and bankruptcy courts, such as human resources, procurement, or financial management. In most federal judicial districts, the offices of the clerk—responsible for operational and administrative court functions—for the district and bankruptcy courts are separate, but in a few districts, these have been consolidated into one clerk's office.

GAO was requested to examine the potential savings from consolidating or sharing services between district and bankruptcy clerks' offices. This report addresses (1) the steps the judiciary has taken to consolidate these clerks' offices or share services between them and the costs and benefits of doing so, and (2) the extent to which the judiciary is assessing and considering further clerks' office consolidations or shared services. GAO reviewed judicial guidance related to consolidation and shared services, budget documentation, surveys and data on the extent of shared services, and information on potential cost savings from 10 federal judicial districts, selected based on geography and size, and to include courts with consolidated and nonconsolidated clerks' offices. GAO also interviewed court and judiciary officials. While the information and views obtained cannot be generalized, they provided insights.

View [GAO-13-531](#). For more information, contact David C. Maurer at (202) 512-9627 or maurerd@gao.gov.

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Efforts to Consolidate and Share Services between District and Bankruptcy Clerks' Offices

What GAO Found

Few federal judicial districts have consolidated their court clerks' offices; courts are sharing services among the clerks' offices, but the costs and benefits are unclear. Four of the 91 districts served by bankruptcy courts have consolidated the clerks' offices of the district and bankruptcy courts. Court officials in districts that are not considering consolidation told GAO that they are not considering consolidation primarily because the bankruptcy courts in those districts did not want to give up their independence or risk the possibility that services would be prioritized in favor of the district court, and the courts did not have evidence of cost savings or other benefits that would make consolidation worthwhile. Officials from the Administrative Office of the U.S. Courts (AOUSC), which provides a wide range of services to the federal judiciary, were not aware of other districts considering consolidation and noted that the consolidation process is complicated—for example, it requires congressional approval. The judiciary has taken steps to share administrative services as part of its cost containment initiatives, but the cost savings and operational benefits of sharing services are unclear. In an AOUSC survey, 154 of 283 court units—district courts, bankruptcy courts, and probation and pretrial services offices—reported that they are sharing services with other court units, though the extent of this sharing is unknown because the survey did not ask for this information. For example, sharing can comprise various methods, such as shared staff, shared contracts for service, or shared space. According to AOUSC officials, since staff expenses make up the majority of judiciary expenses, sharing staff and eliminating positions may be the most promising way to achieve cost savings through shared services. However, the ability to cut staff based on sharing services is dependent on the attributes of each district, including the level of staff utilization, and courts GAO spoke with did not provide documented evidence of cost savings or the lack thereof. Court opinions on the operational benefits from sharing services also varied. For example, court officials stated that sharing can provide opportunities for staff specialization and better-quality service, but can also negatively affect courts if services are not provided equitably.

In August 2011, AOUSC began a cost savings study on shared administrative services. AOUSC plans to use data collected from the courts to conduct an analysis of the percentage of time devoted to administrative work in court units that share services and consequently whether there are associated cost savings. AOUSC plans to provide a draft report from the study to the Budget Committee of the Judicial Conference—the conference is the judiciary's principal policy-making body—in July 2013, but did not know when the report would be final. In addition to determining whether shared services could save money, the results of the study could provide courts with information to aid in their decisions about sharing services. For example, AOUSC officials said that after the study is completed, they may conduct case studies of courts that are sharing services and disseminate information on these courts' practices. As courts consider whether to begin or increase shared services arrangements, the results of AOUSC's cost savings study will likely be important to help determine whether shared services could result in savings or other benefits. However, since the study is ongoing and case study plans are not firm, it is too early to tell whether the results, the final report, or subsequent AOUSC actions will provide this information.

Contents

Letter		1
	Background	5
	Few Districts Have Consolidated Clerks' Offices, and Courts Are Sharing Services, but the Costs and Benefits Are Unclear	12
	The Judiciary Is Assessing and Considering Further Efforts to Share Services	22
	Agency Comments	25
Appendix I	Comments from the Administrative Office of the U.S. Courts	27
Appendix II	GAO Contact and Staff Acknowledgments	29
Tables		
	Table 1: Size of District and Bankruptcy Courts by Number of Authorized Judgeships	7
	Table 2: Date Consolidation of Clerks' Offices Began in the Four Judicial Districts	13
	Table 3: Various Court Shared Services Examples from GAO Interviews	17
Figures		
	Figure 1: Overview of the United States District and Bankruptcy Courts	5
	Figure 2: Personnel Funding and Staffing Levels for District and Bankruptcy Court Clerks' Offices for Fiscal Years 2011 through 2013	8
	Figure 3: Overview of the Consolidation Process for District and Bankruptcy Clerks' Offices	11
	Figure 4: Sample Organizational Charts for Various Clerk's Office Models	14
	Figure 5: Court Units That Reported Sharing Services as of Fiscal Year 2011	16

Abbreviation

AOUSC Administrative Office of the U.S. Courts

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June 13, 2013

The Honorable Ander Crenshaw
Chairman
Subcommittee on Financial Services and General Government
Committee on Appropriations
House of Representatives

Dear Mr. Chairman:

The federal judiciary has the critical responsibility of the fair and swift administration of justice in the United States and handles all federal civil, criminal, and bankruptcy cases throughout the country. The judiciary, like the rest of the federal government, has been affected by decreasing federal resources, and has been identifying and implementing options for saving money and increasing efficiency. The judiciary's budget increased by less than 1 percent in fiscal years 2011 and 2012, with a fiscal year 2012 budget of \$6.97 billion. For fiscal year 2013, the judiciary is operating under a continuing resolution that generally appropriates funds based on fiscal year 2012 levels, and the judiciary must accommodate an additional 5 percent reduction to all nonexempt appropriations accounts based on the March 1, 2013, sequestration.¹ In recent years, the judiciary has considered and implemented various cost containment strategies to meet the demand for judicial services with limited increases in resources while seeking to avoid delays in cases and other negative consequences that could result when funding for court services is diminished. According to judiciary documentation, cost containment efforts designed to reduce the judiciary's budget have included limiting growth in space rental costs and a new pay policy for employees, among others.

¹For fiscal year 2013, Congress and the President did not enact a regular appropriations act for the federal judiciary; thus the judiciary is operating under a continuing resolution for the remainder of the fiscal year that generally appropriates funds based on fiscal year 2012 levels. See Consolidated and Further Continuing Appropriations Act, 2013, Pub. L. No. 113-6, div. F., tit. I, § 1101. The law provided for a funding level for Defender Services in excess of the fiscal year 2012 enacted amount. *Id.* § 1311. In addition, in accordance with section 251A of the Balanced Budget and Emergency Deficit Control Act, as amended, 2 U.S.C. § 901a, the President ordered a sequestration on March 1, 2013, which applied a 5 percent reduction to all nonexempt appropriations accounts, and must be accommodated by the end of the fiscal year.

An additional cost containment initiative is the implementation of shared administrative services between district and bankruptcy courts, such as sharing human resources, procurement, or finance staff, among other functions.² The clerks' offices for both the district and bankruptcy courts are the primary administrative bodies within the districts and are responsible for operational tasks such as docketing case-related paperwork, among others, and administrative functions. In most federal judicial districts, the offices of the clerk of court for the district and bankruptcy courts are separate, but in a few districts, these functions have been consolidated into one clerk's office for the entire district. Consolidation in these districts has raised questions about the potential savings achieved and benefits gained from this structure, as well as efforts to share administrative services between clerks' offices.

You requested that we examine the potential savings that could be generated if district and bankruptcy clerks' offices were consolidated or shared services, the process required to consolidate them or share services, and the associated impact that consolidation or shared services could have on court operations. This report addresses

1. the steps the judiciary has taken to consolidate district and bankruptcy clerks' offices or share services between them, and the costs and benefits of doing so, and
2. the extent to which the judiciary is assessing and considering further clerks' office consolidations or shared services.

To address our objectives, we reviewed the statutory requirement and judicial guidance related to the consolidation of clerks' offices and shared administrative services, as well as judiciary budget documentation from fiscal years 2011 through 2013. Specifically, to address the first objective, we reviewed documentation from federal district and bankruptcy courts on estimates of cost savings related to consolidation and shared services, and court consolidation and shared services plans, where available. We also reviewed reports on consolidation and shared services to determine the extent of consolidation and sharing and gain additional perspectives

²Shared services can include both administrative services, such as human resources, and operational services, such as case docketing. The judiciary's cost containment initiative focuses on shared administrative services, though some courts share operational services as well. This report focuses primarily on shared administrative services, with occasional references to shared operational services.

on potential cost savings and benefits. In addition, we interviewed officials within the Administrative Office of the U.S. Courts (AOUSC)—which provides a wide range of services for the federal judiciary—about the extent of consolidation and sharing in the courts. Further, we analyzed data from AOUSC’s cost savings study on courts’ sharing arrangements to determine the extent of sharing. We assessed the reliability of these data by, for example, discussing missing and excluded data with officials and reviewing to ensure that all court districts were included in the data, and determined that the data were sufficiently reliable for the purposes of this report. We obtained views and information on consolidation and shared services, including potential cost savings and operational benefits, from 20 federal district and bankruptcy courts in 10 judicial districts, selected based on geography and size, and to include courts with consolidated and nonconsolidated clerks’ offices.³ While the views and information obtained from these courts cannot be generalized to all judicial districts, they provided key insights across a range of different types of districts. In each of the districts with a consolidated clerk’s office, we met with the chief judges of the district and bankruptcy courts—who have primary responsibility for the administration of their courts—and the clerk of court.⁴ In each of the other districts, we met with the chief judges of the district and bankruptcy courts and the clerks of the district and bankruptcy courts. In several locations—including five judicial districts—we also met with the probation and pretrial services chief, probation chief, or pretrial services chief to obtain the perspectives of other court units within the districts.⁵ Overall, from these 10 districts, we met with 10 chief district judges, 10 chief bankruptcy judges, 4 clerks of court serving both the district and bankruptcy courts in a consolidated district, 6 clerks of the district court, 6 clerks of the bankruptcy court, 1 chief of probation and

³These districts included the Central District of California, the District of Arizona, the District of the District of Columbia, the District of Idaho, the District of Kansas, the Eastern District of Pennsylvania, the Northern District of Georgia, the Southern District of California, the Southern District of Texas, and the Western District of Missouri.

⁴In the District of the District of Columbia, the bankruptcy court has only one bankruptcy judge, who has primary responsibility for the administration of the bankruptcy court.

⁵In most federal judicial districts, the probation and pretrial services offices are combined into one office with one chief. In the remaining districts, the offices are separate with two chiefs. The district courts, bankruptcy courts, and probation and pretrial services offices are referred to as court units.

pretrial services, 4 probation chiefs, and 3 pretrial services chiefs.⁶ Further, we met with two court clerks' associations, representing district and bankruptcy court clerks, to obtain a national perspective on consolidation and shared services, including potential cost savings and the benefits of consolidation and shared services.⁷

To address the second objective, we also reviewed survey questions and data from AOUSC's cost savings study. We interviewed program officials within AOUSC about its cost savings study and staffing formulas. In addition, we interviewed the Chair of the Committee on Court Administration and Case Management of the Judicial Conference of the United States (Judicial Conference) to determine its perspective on the potential for cost savings and benefits from consolidation and shared services and the extent to which these models are being encouraged throughout the judiciary.⁸ Further, we obtained views and information on potential cost savings and operational benefits from 20 federal district and bankruptcy courts in 10 judicial districts, as previously mentioned.

We conducted this performance audit from August 2012 to June 2013 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

⁶We also met with 1 additional court official in a district clerk's office at the request of the clerk.

⁷The two associations were the Federal Court Clerks Association, which provided the perspective of district clerks for this review, and the National Conference of Bankruptcy Clerks, which provided the perspective of bankruptcy clerks. These associations were selected based on their longevity and their representation of federal clerks of court.

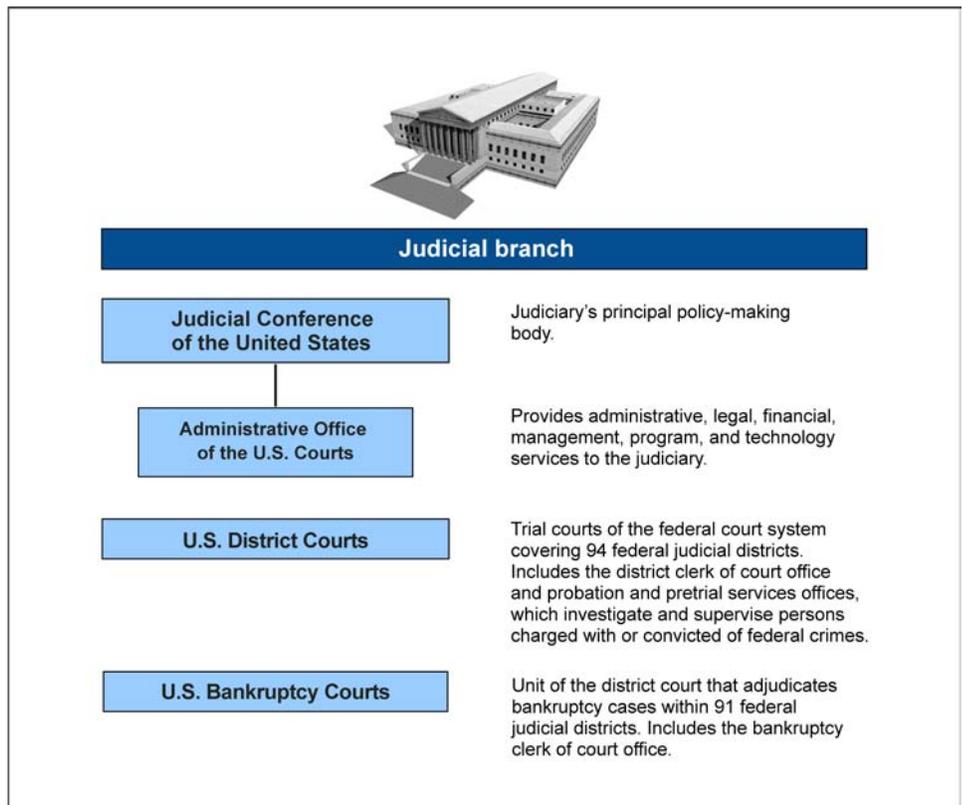
⁸The Judicial Conference is the federal judiciary's principal policy-making body.

Background

Overview of the Federal Judiciary

The federal judiciary consists of the Supreme Court, regional circuit courts of appeals, district courts, bankruptcy courts, as well as courts of special jurisdiction including the Court of Appeals for the Federal Circuit, the Court of International Trade, and the Court of Federal Claims.⁹ Figure 1 provides an overview of the district and bankruptcy courts.

Figure 1: Overview of the United States District and Bankruptcy Courts



Source: GAO analysis.

⁹The federal judiciary's budget is funded as part of the Financial Services and General Government Appropriations Act and also includes entities such as the United States Sentencing Commission and AOUSC, among others.

Note: This figure represents only the portion of the judicial branch that is discussed in this report. Of the 94 federal judicial districts, 91 are served by bankruptcy courts. In the remaining 3—the Virgin Islands, Guam, and the Northern Mariana Islands—the judges of the district courts also serve as the bankruptcy judges. In Arkansas, the bankruptcy judges serve both the Eastern and Western Districts, so there are 90 bankruptcy courts that serve 91 districts.

There are 94 federal judicial districts—at least 1 for each state—organized into 12 regional circuits. Each judicial district is served by at least one district court location, and 91 are served by a U.S. bankruptcy court in one or more locations—a separate unit of the district court.¹⁰

District courts also have probation and pretrial services offices to assist the courts in the fair administration of justice and protect the community. As shown in figure 1, AOUSC within the judicial branch provides a wide range of services for the federal judiciary. The Judicial Conference supervises the Director of AOUSC, is the principal policy-making body for the federal judiciary, and recommends national policies and legislation on all aspects of federal judicial administration.

District courts are the trial courts of the federal court system and, within limits set by Congress and the Constitution, have jurisdiction to hear nearly all categories of federal cases, including both civil and criminal matters. Bankruptcy courts handle bankruptcy cases—federal court proceedings designed to help both individuals and businesses eliminate debts they cannot fully repay as well as help creditors receive payment in an equitable manner.¹¹ Pursuant to the U.S. Constitution, district court judges are nominated by the President and confirmed by the Senate,¹² and have life tenure.¹³ Bankruptcy judges are appointed by the court of

¹⁰In three districts, which are territories of the United States—the Virgin Islands, Guam, and the Northern Mariana Islands—the judges of the district courts also serve as the bankruptcy judges. 28 U.S.C. § 152(a)(4). In Arkansas, the bankruptcy judges serve both the Eastern and Western Districts. 28 U.S.C. § 152(a)(2). So, there are 90 bankruptcy courts that serve 91 districts.

¹¹Congress vested original jurisdiction over all bankruptcy cases in the U.S. District Court. 28 U.S.C. § 1334(a). Congress also provided that the district court could refer all cases in bankruptcy and any and all proceedings arising under, in, or related to cases in bankruptcy, to the bankruptcy court. 28 U.S.C. § 157(a). Some claims, however, must be adjudicated by the district court, even if they arise in a bankruptcy proceeding, such as those that involve both the bankruptcy code and other federal laws regulating organizations or activities affecting interstate commerce, or state law matters. See 28 U.S.C. § 157(d); *Stern v. Marshall*, 131 S. Ct. 2594 (2011).

¹²U.S. CONST. art. II, § 2.

¹³U.S. CONST. art. III, § 1.

appeals of the circuit in which the district is located and serve 14-year terms.¹⁴ District courts and bankruptcy courts can have courthouses in multiple cities in 1 district. In addition, within one city, district courts and bankruptcy courts can be colocated in the same building or can be located in separate buildings. District courts and bankruptcy courts vary in size as shown by the number of authorized judgeships in table 1. The clerks' offices of individual courts have varying numbers of staff, from 7 to 268 for district courts and from 10 to 266 for bankruptcy courts, with more than half of the clerks' offices staffed with under 50 people and the vast majority staffed with under 100 people.¹⁵

Table 1: Size of District and Bankruptcy Courts by Number of Authorized Judgeships

	Total number of courts	1-2 judgeships	3-5 judgeships	6-9 judgeships	10-16 judgeships	17-28 judgeships
Number of district courts	94	9	41	20	17	7
Number of bankruptcy courts	90	41	35	12	1	1

Source: GAO analysis of judiciary information.

Note: Judicial vacancies result in the actual number of judges being lower than the authorized number of judgeships in a judicial district.

Funding for the clerks' offices of federal district and bankruptcy courts is appropriated under the account for "court of appeals, district courts, and other judicial services—salaries and expenses."¹⁶ This account makes up the majority of the judiciary's budget—approximately \$5 billion in fiscal year 2011 and \$5.02 billion in fiscal year 2012, with a fiscal year 2013 budget of about \$4.78 billion after the effect of the sequester is taken into account. As shown in figure 2, funding allocated from this account for the clerks' offices staff of the district and bankruptcy courts decreased from fiscal year 2011 to 2013. During this time period, the clerks' offices' staff numbers were reduced in the bankruptcy courts—from 4,515 to 3,896

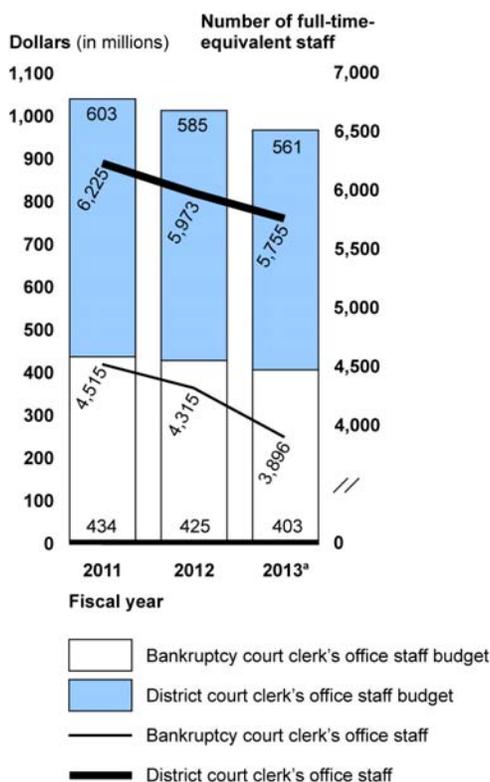
¹⁴28 U.S.C. § 152(a)(1).

¹⁵Clerk's office staff numbers represent the total of onboard staff, which may be lower than authorized staff levels, and are based on the most recently compiled information from the judiciary's human resources management information system—as of June 30, 2012, for district courts and January 27, 2013, for bankruptcy courts.

¹⁶Within the "court of appeals, district courts, and other judicial services" account there are separate appropriations for salaries and expenses, defender services, fees of jurors and commissioners, and court security.

staff as of April 2013—and were reduced in the district courts—from 6,225 to 5,755 staff as of April 2013.

Figure 2: Personnel Funding and Staffing Levels for District and Bankruptcy Court Clerks' Offices for Fiscal Years 2011 through 2013



Source: GAO analysis of judiciary information.

Notes: The number of onboard staff may be lower than the number of full-time-equivalent staff. In addition, the budget numbers are not adjusted for inflation.

*According to judiciary information, fiscal year 2013 budget and staff numbers are estimates as of April 2013.

Consolidation and Shared Services

Prior to the passage of the Bankruptcy Act of 1978¹⁷ federal district courts employed a system whereby “referees” were appointed by the district court judges to serve as administrators for bankruptcy cases. Recognizing that this system was designed in 1898—with the last major overhaul in 1938—and that, among other things, there had been a steady

¹⁷Pub. L. No. 95-598, 92 Stat. 2549. The act became effective October 1, 1979.

growth in the number of bankruptcies leading to great stresses and strains in the bankruptcy system, after almost 10 years of study and investigation, Congress passed a comprehensive revision of the bankruptcy laws.¹⁸ The 1978 act established U.S. bankruptcy courts in each federal judicial district and gave them the authority to hire their own clerks and other staff, among other significant changes to the bankruptcy code.¹⁹ Subsequently, in response to *Northern Pipeline Construction Co. v. Marathon Pipe Line Co.*,²⁰ in which the Supreme Court declared unconstitutional the grant of bankruptcy court jurisdiction to independent courts composed of judges who did not have life tenure and the other protections of Article III of the Constitution, Congress passed the Bankruptcy Amendments and Federal Judgeship Act of 1984.²¹ This law established bankruptcy courts as units of each district court and also authorized the bankruptcy judges in a district to appoint a clerk of the bankruptcy court, upon a certification of need to the judicial council of the circuit involved and to the Director of AOUSC.²²

Once established, the bankruptcy courts began hiring their own clerks of court to oversee the bankruptcy court clerks' offices.²³ In 1986, a new statutory provision was added prohibiting the consolidation of the offices of the district and bankruptcy clerks of court without the prior approval of

¹⁸See S. REP. NO. 95-989, at 2-3 (1978). The Senate Report accompanying the law also noted that the bankruptcy referee has gradually taken over the prime responsibility for the operation of the system from the federal district judges. *Id.* at 5789. Similarly, when establishing a commission to study the bankruptcy laws in 1970, Congress noted that the number of bankruptcies had increased more than 1,000 percent annually in the previous 20 years, and more than one-fourth of the referees had problems arising in their administration of the existing Bankruptcy Act, among other things. Pub. L. No. 91-354, 84 Stat. 468 (1970).

¹⁹See Pub. L. No. 95-598, tit. II, § 233(a), 92 Stat. at 2665-67 (previously codified at 28 U.S.C. § 771) (providing authority to each bankruptcy court to appoint a clerk).

²⁰458 U.S. 50 (1982).

²¹Pub. L. No. 98-353, 98 Stat. 333.

²²*Id.* tit. I, § 104(a), 98 Stat. at 336, 339 (codified at 28 U.S.C. §§ 151, 156(b)).

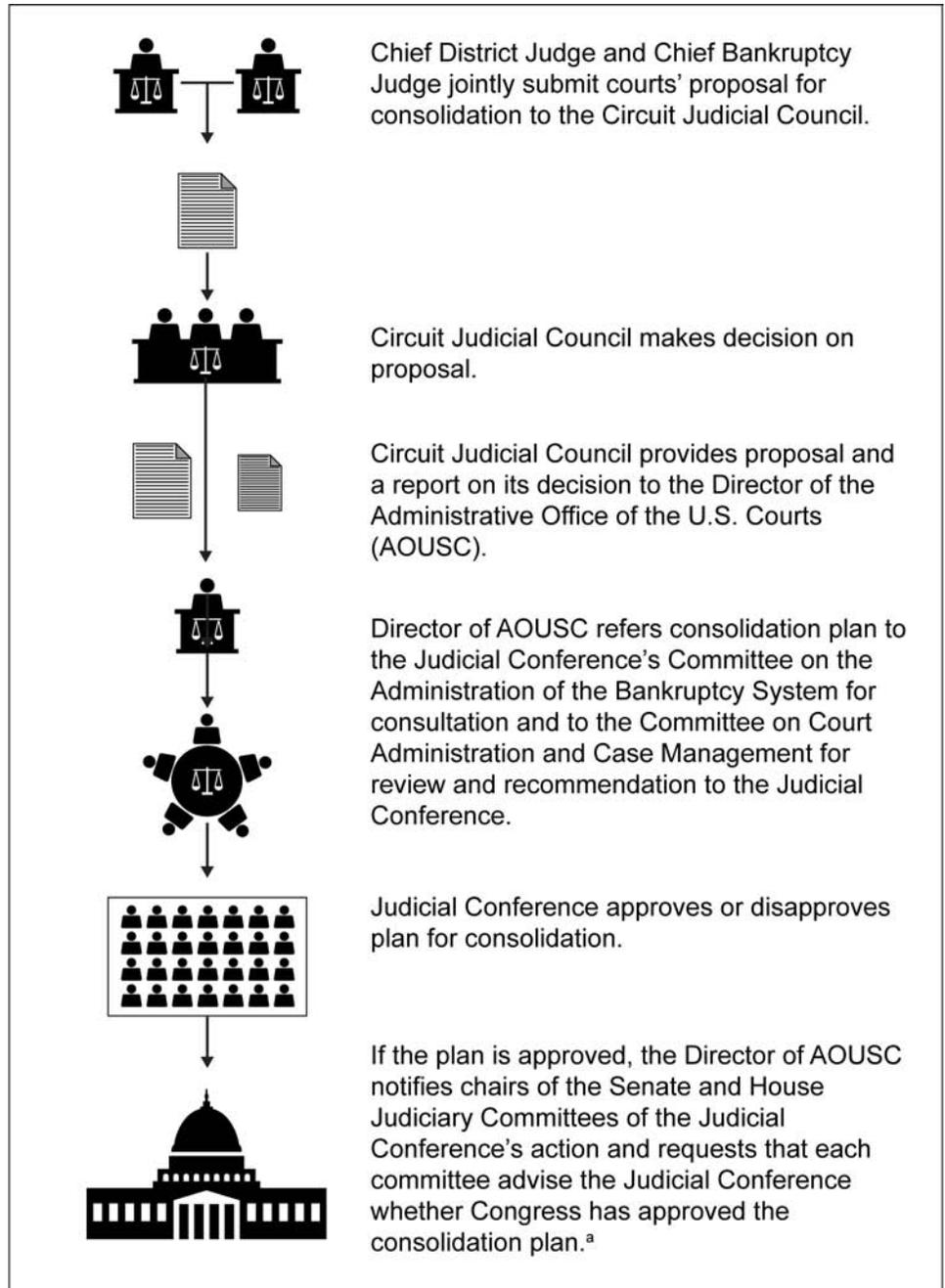
²³The effective date of the sections concerning the bankruptcy court and bankruptcy clerk of the 1978 act was originally April 1, 1984, but was postponed several times and ultimately replaced by provisions of the 1984 act. See generally B-217236, May 22, 1985 (describing changes to provisions related to bankruptcy clerks).

the Judicial Conference and Congress.²⁴ In 1998, the Judicial Conference further clarified the process for consolidation of clerks' offices in the district courts and bankruptcy courts, which was promulgated in the *Guide to Judiciary Policy*. The policy states that the voluntary consent of both the district and bankruptcy courts is necessary before combining or merging functions of the district and bankruptcy court clerks' offices.

The *Guide to Judiciary Policy* also details the process for seeking approval for consolidation. According to the policy, the district and bankruptcy courts are to conduct a cost-benefit and programmatic study of the proposed consolidation to describe the expected programmatic and financial impacts of the consolidation and demonstrate that the consolidation will result in cost savings without decreasing quality of service. The chief district judge and chief bankruptcy judge then are to submit the consolidation proposal, including the cost-benefit and programmatic information, to the circuit judicial council for consideration, and as shown in figure 3, the proposal is to then be considered and approved by the Judicial Conference and Congress.

²⁴Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986, Pub. L. No. 99-554, § 103, 100 Stat. 3088, 3090 (codified at 28 U.S.C. § 156(d)). According to the sponsor of the amendment adding this provision, the reason for the approval process prior to consolidation was "because there is sometimes a slight conflict between the clerks of the bankruptcy courts and the clerks of the U.S. district courts"; however, the approval process would "not prohibit the uniting of these offices and the real cost benefits to be had." 132 Cong. Rec. S5640 (1986) (statement of Senator DeConcini).

Figure 3: Overview of the Consolidation Process for District and Bankruptcy Clerks' Offices



Source: GAO; Art Explosion (graphics).

^aWhen the district and bankruptcy courts of the District of Columbia requested congressional approval to consolidate their clerks' offices in 2006, the Judicial Conference notified congressional leadership and the chairs and ranking members of the Senate and House Judiciary Committees that the consolidation would be deemed approved by Congress unless objections were received within 90 days. Absent objection from Congress, the clerks' offices were consolidated.

Although full consolidation of clerks' offices is a multistep process culminating in Judicial Conference and congressional approval, district and bankruptcy clerks' offices are allowed to share administrative services provided by the clerks' offices without undergoing such formal approval. For example, the sharing of services may be initiated by a memorandum of agreement between a district and a bankruptcy court or may be an informal arrangement. Like full consolidation, however, pursuant to the *Guide to Judiciary Policy*, the sharing of services that falls short of consolidation requires the voluntary consent of both the district and bankruptcy courts. In addition, shared services may occur across district lines, between, for example, two bankruptcy courts in two separate districts. Shared services can include administrative or operational services in a variety of formats. For example, different court units may share a joint contract for telephone service, share individual staff, or share space, among other arrangements.

Few Districts Have Consolidated Clerks' Offices, and Courts Are Sharing Services, but the Costs and Benefits Are Unclear

Four Districts Have Consolidated Clerks' Offices, and No Known Others Plan to Do So in the Future

Of the 91 federal judicial districts served by bankruptcy courts, 4 function with consolidated district and bankruptcy clerks' offices. Three of the 4 districts consolidated clerks' offices in the mid-1980s, and the fourth court consolidated in 2006, as shown in table 2.

Table 2: Date Consolidation of Clerks' Offices Began in the Four Judicial Districts

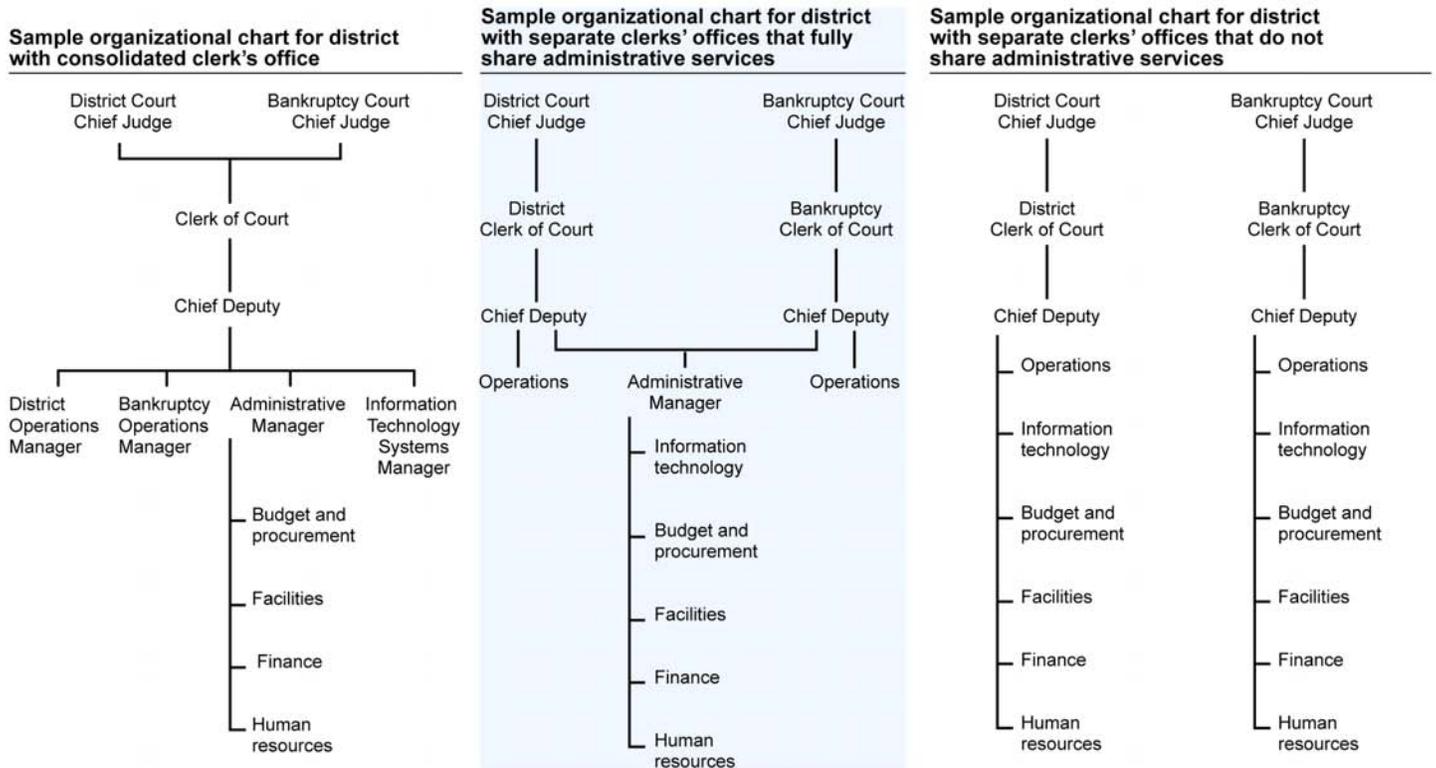
District	Consolidation year
District of Idaho	1985
Southern District of Texas	1985
Western District of Missouri	1986
District of the District of Columbia	2006

Source: GAO analysis.

Consolidation of clerks' offices generally results in one clerk of court serving both the district and bankruptcy courts.²⁵ The districts with consolidated clerks' offices have varying management structures, such as managers or chiefs with responsibilities for operational or administrative functions, or cross-trained staff who serve both courts. Figure 4 shows a sample of an organizational chart for a district with a consolidated clerk's office, compared with districts with two separate clerks' offices that do and do not share administrative services.

²⁵According to the *Guide to Judiciary Policy*, a proposed reorganization of the district and bankruptcy clerks' offices will be considered a consolidation if (1) it affects the bankruptcy court's authority to appoint a clerk or the clerk's authority to appoint and remove deputy clerks, or (2) the bankruptcy court determines that a clerk is no longer required and bankruptcy functions are merged into the district clerk's office, or (3) all administrative functions are merged under the control of one unit executive.

Figure 4: Sample Organizational Charts for Various Clerk’s Office Models



Source: GAO.

Note: These organizational charts are meant to be illustrative, do not represent specific districts, and do not include all the functions of the district and bankruptcy clerks' offices. Each represents one of various possible ways of organizing staff within clerks' offices. Although positions in the charts may have the same names, this does not mean that a duplication of effort necessarily exists. In addition, in some courts, multiple functions (e.g., human resources and facilities) may be performed by one individual.

Court officials in the 4 districts with consolidated clerks' offices stated that they are generally satisfied with the consolidated arrangements, and the court officials noted that colocation, collaboration, collegiality, and a respectful court culture are factors in making consolidation work well. Since each federal court is unique, and only 4 districts have consolidated clerks' offices, it is difficult to draw conclusions about what type of court is best suited for consolidation. For example, the district and bankruptcy courts in these 4 districts vary in size, with both small and large courts. Three of these courts have been consolidated for over 25 years, so it is difficult to determine the effect of consolidation—whether it has resulted in cost savings or other operational benefits, such as increased quality of service. According to court officials, these courts consolidated their clerks'

offices for a variety of reasons, including the departure of the bankruptcy clerk and a desire to increase efficiency. The District of Columbia consolidated more recently and, of the four consolidated courts, is the only court that was subject to the statutory congressional approval requirement as a prerequisite to consolidation. According to the clerk of court and chief district judge, the District of Columbia consolidated clerks' offices because the bankruptcy clerk was retiring and it was an opportune time to consider consolidation. In addition, the District of Columbia has 1 bankruptcy judge, but 15 district court judges, so the bankruptcy court's resource demands on the clerk's office upon consolidation were going to be minimal compared with those of the district court. According to the bankruptcy judge, this was a factor in the decision to consolidate the clerks' offices. However, none of the districts with consolidated clerks' offices provided documentation of actual cost savings or other operational benefits from consolidation.

Court officials we interviewed in the 6 other districts stated that they were not considering consolidation at this time. This was primarily because

- the bankruptcy courts did not want to give up their independence or risk the possibility that services provided by the clerk's office would be prioritized in favor of the district court because of the hierarchy of the court system, and
- the courts did not have evidence of cost savings or other benefits that would make consolidation worthwhile.

Moreover, AOUSC officials were not aware of additional courts considering consolidation of their clerks' offices. They also noted that the process required to consolidate clerks' offices is complicated—since it requires a joint plan from the district and bankruptcy courts and Judicial Conference and congressional approval.

Courts Are Sharing Administrative Services as a Cost Containment Initiative, but the Costs and Benefits Are Unclear

The judiciary has taken steps to share administrative services between the clerks' offices—while maintaining the autonomy of each clerk's office—as part of its cost containment initiatives that began in 2004. One of the seven issues outlined in the September 2010 *Strategic Plan for the Federal Judiciary* is the effective and efficient management of public resources. This issue lists three goals, one of which is to facilitate the sharing of administrative staff and services within courts and, where appropriate, across organizational boundaries. At the Judicial Conference session in September 2012, the Committee on Court Administration and Case Management recommended that the Judicial Conference request

individual court units within each district to work together to adopt a shared administrative services plan and provide the plans to the committee by February 15, 2013, and the Judicial Conference approved the committee’s recommendation. AOUSC officials reported that all 94 federal judicial districts submitted plans. AOUSC is now reviewing and summarizing the plans and expects to complete this process in June 2013. AOUSC officials stated that, according to their review of the plans so far, the majority of the plans stated that court officials met with each other to discuss the possibility of sharing services and determined that they plan to share services as the need arises. In addition, officials stated that some districts’ plans stated that they are not planning to share services, and some said that they are already sharing a lot of services.

As shown in figure 5, according to an AOUSC survey, many court units—district courts, bankruptcy courts, and probation and pretrial services offices—report that they are sharing services with other court units in a variety of ways, though the extent of this sharing is unclear. Specifically, each instance of sharing reported could represent a significant or minimal effort to share, ranging from sharing, for example, a human resources staff person to a contract for telephone service to a training room.

Figure 5: Court Units That Reported Sharing Services as of Fiscal Year 2011

Number of court units that reported	
Sharing services	154^a
Not sharing services	129
Specific areas of sharing	
Budget	49
Finance	51
Human resources	79
Information technology	126
Procurement	69
Property management	34
Space and facilities	53
Training and education	43

Source: GAO analysis of the Administrative Office of the U.S. Courts data.

Notes: The district court, bankruptcy court, and probation and pretrial services offices are referred to as court units. From the surveys sent to 299 court units, AOUSC received responses from 283 court units. The surveys asked whether court units were in a “substantial sharing relationship,” which AOUSC defined as one or more of the following: a written agreement, administrative order, reported on the web, requires joint procurements with other units, requires one or more parties to transfer funds to pay for services, or requires shared management of administrative staff. The extent of the sharing was not requested, so the range of what constitutes a substantial sharing relationship could vary widely.

^aThe specific areas of sharing do not add up to the total number of court units sharing services, since individual court units may share in multiple areas.

There are a variety of ways that courts can share services with varying degrees of integration and reliance on other court units, including the following examples in table 3 from officials we interviewed in various districts.

Table 3: Various Court Shared Services Examples from GAO Interviews

Area of sharing	Examples from court unit officials interviewed
Sharing administrative staff, who perform functions for multiple court units	<ul style="list-style-type: none"> • The district court and the probation and pretrial services office share a director for administrative services and plan to share a human resources staff person with the bankruptcy court in the future. • The district court shares a space and facilities staff person and a mail clerk with the probation office, and provides information technology networking for the probation office. • The district court pays the hourly wages of a staff person—for time spent performing information technology services remotely—from a district court in another circuit.
Sharing technology programs and support	<ul style="list-style-type: none"> • The bankruptcy courts share technology programs and support with other bankruptcy courts in administrative and operational areas, such as automated case-processing applications, a leave-tracking application, and a training database.
Sharing utility services	<ul style="list-style-type: none"> • The bankruptcy court supports the phone system used by the probation office. • The district and bankruptcy courts share a telephone system.
Sharing training resources	<ul style="list-style-type: none"> • The district and bankruptcy courts participate together in district-wide events such as diversity events and sexual harassment training.
Sharing building responsibilities and other responsibilities	<ul style="list-style-type: none"> • The district and bankruptcy courts share a continuity-of-operations plan and emergency preparedness functions. • The district court processes all payments and writes all of the checks for the district court, bankruptcy court, probation office, pretrial services office, and the circuit court. • The district and bankruptcy courts serve as each other's employee dispute resolution officials and internal auditors. • The district and bankruptcy courts share some procurement responsibilities.

Source: GAO analysis of court information.

Although many courts are participating in various shared services arrangements, the extent to which they provide cost savings or other benefits is unclear. According to AOUSC officials and representatives from the National Conference of Bankruptcy Clerks, since staff salaries make up the majority of judiciary expenses, substantial savings from shared services would need to come from sharing some staff and eliminating other staff positions. For example, although sharing telephone service or making purchases jointly with another court unit could build economies of scale and save some money, these are minor expenses and will not result in large savings. Further, 21 of 36 chief judges and clerks of court we spoke with from consolidated courts, district courts, and bankruptcy courts stated that the way consolidation or shared services would save money would be through reducing staff. Further, representatives from the National Conference of Bankruptcy Clerks stated

that the primary way consolidating staff into one department or sharing administrative staff with other court units would save money would be if staff were underutilized or if there were redundancies in employee positions that would allow staff to be eliminated. However, court officials from nonconsolidated courts we spoke with, including those with and without shared services, stated that their court units were already appropriately staffed, were understaffed, or their staff did not have free time to take on additional responsibilities for other court units, and they could not eliminate any positions without reducing the service provided to the courts. For example, one court official we interviewed stated that the court had to eliminate various positions because of budget cuts in the last fiscal year and that the number of staff was already at a minimal level necessary to complete the court's workload.

Moreover, court officials, as well as representatives from the National Conference of Bankruptcy Clerks, said that combining fully utilized staff into one office would not reduce the workload or make staff more effective, and that sharing services between departments that are already fully utilizing staff would not produce cost savings. More specifically, representatives from the National Conference of Bankruptcy Clerks stated that sharing services would succeed if there are underutilized administrative staff who have time for additional work, but since court budgets have been reduced in recent years, there are very few court staff with such extra time. Additionally, a chief bankruptcy judge in one district that we interviewed stated that the court units in the district were operating with a lean staff and have not filled staff positions when employees leave, so there is not extra staff time to take over other duties for another court unit. In this context, sharing services would not be likely to save money. Similarly, one chief district judge stated that combining administrative staff into one department would not be effective at saving costs; rather, the courts need to make sure they have an appropriate number of staff for their individual workloads. Further, several officials we interviewed, including officials from district courts, bankruptcy courts, and probation and pretrial services offices, and representatives from the National Conference of Bankruptcy Clerks, mentioned that if courts combined administrative staff into one large unit, it was possible that the court would have to hire an additional manager to supervise the larger number of people in the administrative unit. The National Conference of Bankruptcy Clerks representatives further stated that it is possible that broader responsibilities of shared staff could lead to upward reclassification of positions, which may result in higher costs.

However, some court officials reported that sharing services by sharing staff between clerks' offices has saved money. For example, three out of the four consolidated courts we spoke to, as well as two courts that share services out of the six other courts we spoke with, reported that they had saved costs by eliminating positions and saving the cost of those salaries, but these courts did not provide documented evidence of the savings, and, in the case of some of the consolidated courts, since they have been consolidated for so long, it is difficult for them to quantify the effects of consolidation. Court officials from these districts stated that by sharing administrative services, their staff have been able to specialize, better serve the courts, and save salaries. Further, 20 out of 36 chief judges and clerks of court we spoke with from consolidated courts, district courts, and bankruptcy courts, and representatives from the Federal Court Clerks Association, stated that smaller courts with only a few judges may have more opportunities for cost savings from sharing administrative services because they do not already have the economies of scale that larger courts have. In smaller courts, officials said that administrative staff typically serve fewer court employees, and therefore could be utilized more efficiently if they provided services to more than one court unit. However, in small or large courts, the opportunity for such arrangements actually reducing costs can be dependent on the unique attributes of each district, including the level of staff utilization and the workload.

None of the courts we met with provided documented evidence to show whether shared services resulted in cost savings, though the courts in at least 2 of the 10 districts we spoke to have attempted to determine whether sharing services would save money. For example, in 1 district, one court unit executive we interviewed said that the district's bankruptcy court, district court, and probation and pretrial services offices have discussed potentially sharing resources to determine whether cost savings would result. They looked at their staffing ratios and found that if one court unit's staff provided administrative services for the other court units, they would not have sufficient staff to complete the work. For example, pretrial services in this district has one human resources staff member per 100 court employees, and if the staffs were combined such that that one human resources staff member had to serve more people, that person could not complete the duties of the position.

In another district, one chief district judge we interviewed told us that there was a discussion of all the possible sharing arrangements in the district with the chief bankruptcy judge, district and bankruptcy clerks, and probation and pretrial services chiefs. They decided that sharing would not be a good option because the court units' staff did not have extra time

to take on additional duties and if they combined the administrative departments, they would need to hire or promote additional staff with expertise to manage the administrative functions for each of the court units. Further, the bankruptcy clerk compared the administrative staff expenditures between the clerk's district and estimates from another district that shares services, and determined that the sharing district did not save a significant amount in comparison with the clerk's district. After discussing various possible sharing scenarios, the chief district judge said that the officials were convinced that sharing services would not save money in their district, although they did agree to a policy to examine whether there is an opportunity to save money through sharing before replacing staff who leave. The chief bankruptcy judge in this same district further stated that an analysis of cost savings needs to be a court-by-court evaluation because there are so many possible differences between the courts that can affect a comparison of cost savings between courts, such as locality pay and tenure of employees. According to AOUSC officials, documenting such savings is also difficult because court workloads and budgets change over time and isolating the specific impact of the sharing arrangement can be challenging. In addition, staffing arrangements can change over time, and it is possible for one position to be eliminated through a sharing arrangement, but other positions could be created as a result. For example, in a court with a consolidated clerk's office, the elimination of one clerk of court position may require the hiring of an additional chief deputy clerk to handle the workload of the eliminated position.

In addition to varying opinions on cost savings, court officials' opinions varied on the potential for other operational benefits to sharing services. One clerk from a district court that shares services stated that sharing administrative services results in having a larger pool of staff to help out when problems arise and promotes more cooperation between court units. Similarly, two district clerks we interviewed said sharing administrative services in smaller courts could allow staff to specialize and provide better-quality service to the courts. Another court official we interviewed said that shared administrative services improves the consistency of the district's policies and procedures between the court units, enhances trust between court units, eliminates duplication of services, and results in greater transparency in staffing and financial decisions. Other court officials said that sharing staff allowed the clerks' offices to provide better support to the smaller courthouses within a district, since those locations were not fully staffed.

However, 15 out of 44 court officials we interviewed from consolidated, district, and bankruptcy courts, and both associations we spoke with, expressed concern about sharing services between the district and bankruptcy courts, since the functions of the two courts are so different, especially for operational functions such as docketing and case administration. However, 11 out of 36 chief judges and clerks of court from consolidated, district, and bankruptcy courts, and both associations we spoke with, stated that for administrative functions, such as human resources or procurement, these differences would not negatively affect work quality. Officials we spoke with from both bankruptcy and district courts, and representatives from the National Conference of Bankruptcy Clerks, were particularly concerned about sharing information technology services between courts because the bankruptcy case process is very reliant on various automated technology tools. For example, seven chief judges and clerks of the bankruptcy courts we spoke with, one chief judge and four clerks of the district courts we spoke with, and representatives from the National Conference of Bankruptcy Clerks, said that sharing information technology staff would negatively affect the functioning of the bankruptcy court. One chief bankruptcy judge elaborated that such sharing can negatively affect courts if services are not provided equitably—for example, if services for the district court are prioritized over those for the bankruptcy court. One district court clerk explained that while the district court can function without information technology services, the bankruptcy court comes to a standstill if there is a problem with its information technology systems because the bankruptcy court is so reliant on electronic case processing. The official stated that with this in mind, bankruptcy courts need dedicated information technology staff who can respond quickly to problems. However, officials from the four consolidated courts said that they had few difficulties sharing information technology administration between court units.

To assist the courts in making decisions about implementing shared services arrangements, in February 2012, the Budget and Finance Advisory Council at AOUSC published a guidebook to provide information to courts on sharing administrative services. According to the guidebook, it is intended to serve as a guide, not judiciary policy, to help courts understand the challenges of sharing services, build enthusiasm for shared services arrangements, and provide a blueprint for how courts can proceed with sharing services. The guidebook provides suggestions on several ways that courts can share administrative services, provides a checklist for sharing services, and presents potential challenges to sharing services as well as examples of how particular courts addressed the challenges. Among other things, the guidebook lists the potential

advantages of sharing administrative services, such as allowing administrative staff to specialize in one area and develop expertise, maximizing volume buying, and serving as a management tool by streamlining administrative functions.

The Judiciary Is Assessing and Considering Further Efforts to Share Services

Since the extent of cost savings and other benefits in courts with consolidated clerks' offices or shared services is unclear at this time, AOUSC is assessing whether additional arrangements would be beneficial. Because, according to AOUSC officials and court officials we interviewed, consolidation of clerks' offices in additional districts is unlikely, AOUSC has focused on assessing whether shared services results in cost savings, and its efforts are ongoing. In August 2011, AOUSC began a study to determine the extent to which court units have been sharing administrative services; what the results have been, including any cost savings; and how courts may be able to contain costs through sharing more services. For the study, AOUSC distributed surveys to district and bankruptcy courts and probation and pretrial services offices to collect data on the number of court units that are sharing services and the number of court unit employees categorized as performing administrative versus operational functions.²⁶

As previously discussed, the first survey asked the court units to report whether they had a substantial sharing arrangement with other court units.²⁷ The responses indicated that over half of the court units that responded to the survey are involved in some sort of sharing arrangement, although the extent of the sharing was not requested, so the range of what constitutes a substantial sharing relationship could vary

²⁶Administrative functions in the survey included information technology, human resources, finance, budget, contracts and procurement, space and facilities, and education and training. There was also an option labeled "other" for court units to indicate that they were participating in a sharing arrangement that was not captured by one of these seven areas.

²⁷From the surveys sent to 299 court units, AOUSC received responses from 283 court units, of which 154 reported that they were sharing at least one service. The surveys asked whether court units were in a "substantial sharing relationship," which AOUSC defined as one or more of the following: a written agreement, administrative order, reported on the web, requires joint procurements with other units, requires one or more parties to transfer funds to pay for services, or requires shared management of administrative staff.

widely—for example, from sharing a contract for telephone service to sharing a human resources staff person to sharing a training room.

The second survey requested information from the court units about the breakdown of their administrative and operational employees, and how much time staff spend on administrative tasks. For example, court unit employees are sometimes cross-trained in both operational and administrative positions, or in some cases they work in more than one administrative area. AOUSC plans to use the data collected from these surveys to conduct an analysis of the percentage of time devoted to administrative work in court units that share services and consequently whether there are associated cost savings with sharing services. According to officials, AOUSC is still analyzing the data and has drafted a report from the study, which after further review, they anticipate providing to the Judicial Conference's Committee on the Budget in July 2013, but they did not know when the report would be final.

While AOUSC studies the potential cost savings, the Judicial Conference continues to encourage shared services as a way to save money while maintaining high-quality court services. In a 2012 hearing, the Chair of the Budget Committee of the Judicial Conference stated that shared administrative services would reduce the duplication caused by multiple human resources, procurement, financial management, and information technology staffs in a single judicial district.²⁸ The Chair also stated that shared administrative services would reduce staffing and overhead costs and streamline the administrative process in the courts. Furthermore, in September 2012, the Judicial Conference approved a revised bankruptcy court staffing formula that included an assumption that shared services will save money and reduce staffing needs. The staffing formula, which is developed by AOUSC and approved by the Judicial Conference, determines the number of staff that individual clerks' offices need. The revised staffing formula has resulted in lower staffing allocations and decreased funding for the courts.

The Judicial Conference specified the administrative areas considered suitable for sharing, including human resources, education and training, finance, budget, information technology, property management, contracts

²⁸ *Fiscal 2013 Appropriations: Financial Services: Hearing Before the Subcomm. on Fin. Servs. and Gen. Gov't of the H. Comm. on Appropriations*, 112th Cong. 1 (2012) (statement of Julia S. Gibbons, chair, Judicial Conference of the United States).

and procurement, space and facilities, mail room management, and continuity of operations and emergency planning. According to the Chair of the Judicial Conference's Committee on Court Administration and Case Management, the Judicial Conference identified these areas as administrative functions, and determined that administrative functions are conducive to sharing. According to judiciary documentation, the staffing formula reductions are to be rolled out over the next several years based on the assumption of gradual increases in shared services in these administrative areas, with full sharing of information technology functions, for example, anticipated in fiscal year 2016. However, AOUSC officials stated that the total dollar amount of the budget savings from the reduction in the staffing formula was not yet known. Further, according to AOUSC officials, the district court staffing formulas are still being calculated, but will likely include reductions based on shared administrative services.

AOUSC officials stated that some court units have told them anecdotally that they have saved money through sharing administrative services, and preliminary results from the cost savings study indicate that courts with at least one shared services arrangement operated with fewer administrative staff per court employee than courts that did not report sharing services, thus potentially saving resources. However, AOUSC officials said that these preliminary results did not take into account the varying levels of shared services that courts have, since the self-reported surveys did not ask for this information.

Further, AOUSC officials stated that there are multiple factors that could play a role in the efficiency of court operations, such as the size of the court, as well as local management practices, and that the study was not able to isolate the potential savings associated with shared services. Moreover, AOUSC's guidebook for courts on shared administrative services states that sharing services will not necessarily result in immediate redundancies and therefore opportunities to reduce staff, and thus does not suggest that sharing will produce cost savings. As courts consider whether to begin or increase shared services arrangements, the results of AOUSC's cost savings study will likely be important to help determine whether shared services could result in savings or other benefits. However, since the study is ongoing, it is too early to tell whether the results or the final report will provide this information.

In addition to determining whether shared services could save money, as courts consider how to reduce costs and meet decreasing budgets, the results of AOUSC's study could provide courts with information or

promising practices to aid in their decisions about sharing services in their particular districts. For example, AOUSC officials said that after the study is completed, they may conduct case studies of courts that, according to the survey data, are sharing services and show an efficient use of administrative staff, and disseminate information on these courts' practices to all courts. Several court officials we interviewed stated that they would like AOUSC to provide such information as they consider whether to share services. For example, courts noted that they did not have access to measures that would allow them to compare their staff numbers and utilization with those of other similarly sized courts, such as if their human resource staff numbers were at an optimal level. Since each court is unique, such ratios could be different for courts of different sizes and could take into account the unique functions and operations of district and bankruptcy courts, as well as other factors. In addition, several court officials we interviewed described a promising practice that could be useful to other courts, stating that they had agreed with the other court officials in their district to consult with each other when a vacancy arose to determine whether the lost functions could be performed through a shared services arrangement without hiring new staff. The results of the study and subsequent case studies could provide useful information that courts can use in assessing whether shared services would be beneficial in their particular districts and whether to implement additional shared services. However, since the study is ongoing and subsequent case study plans are not firm, it is too early to tell whether the results, the final report, or subsequent AOUSC actions will provide this information.

Agency Comments

We provided a draft of this report to AOUSC on May 15, 2013, for review and comment. On June 5, 2013, AOUSC provided written comments, which are reprinted in appendix I. AOUSC underscored the financial challenges facing the federal courts because of budget reductions and sequestration, and its hope that sharing administrative services will help control costs and improve services. AOUSC stated that the judiciary's cost containment efforts, including sharing administrative services, will not fully offset the effects of sequestration on the judiciary's budget. AOUSC also provided us with technical comments, which we considered and incorporated into the report where appropriate.

We are sending copies of this report to the Judicial Conference, the Director of the Administrative Office of the U.S. Courts, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-9627 or maurerd@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix II.

Sincerely yours,

A handwritten signature in black ink that reads "David C. Maurer". The signature is written in a cursive style with a long, sweeping tail on the final letter.

David C. Maurer
Director
Homeland Security and Justice Issues

Appendix I: Comments from the Administrative Office of the U.S. Courts



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

HONORABLE THOMAS F. HOGAN
Director

WASHINGTON, D.C. 20544

June 5, 2013

Mr. David C. Maurer
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, N.W.
Washington, DC 20548

Dear Mr. Maurer:

Thank you for the opportunity to review the draft U.S. Government Accountability Office (GAO) report entitled *FEDERAL JUDICIARY: Efforts to Consolidate and Share Services between District and Bankruptcy Clerks' Offices*. Some technical corrections to the report are included as an enclosure to this letter. Overall, the report is balanced, providing the perspectives of judges and other court officials as they consider and implement organizational changes that allow for the effective administration of justice in a difficult budget environment.

The financial challenges facing the federal courts are unprecedented. Budget reductions and sequestration have reduced the Judiciary's funding in fiscal year 2013 by nearly \$350 million below fiscal year 2012 funding. Addressing the impact of sequestration on the Judiciary is particularly difficult because the Judiciary has no control over its workload and has no lower-priority programs that can be suspended or curtailed in order to redirect available funds to higher priority activities. As a result, the courts have had to reduce and contain costs within their core functions, while struggling to provide effective service to the public.

To maintain service levels and reduce costs, the Judiciary is encouraging the voluntary sharing of administrative services. Private sector organizations often share administrative services to control costs and improve services. It is hoped that this approach will produce similar results for clerks' offices and probation and pretrial services offices by reducing the duplication of efforts in human resources, procurement,

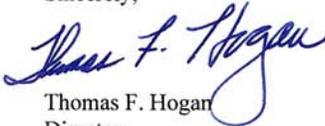
A TRADITION OF SERVICE TO THE FEDERAL JUDICIARY

Mr. David C. Maurer
Page 2

financial management, and information technology. Shared administrative services may also present opportunities for courts to improve expertise, effectiveness, and efficiency.

The Judiciary has accelerated its cost-containment efforts in response to the dire budget outlook. Cost-containment efforts such as the sharing of administrative services have shown some promise in helping the Judiciary to manage several years of flat budgets. However, they do not come close to offsetting the major reductions the Judiciary faces due to sequestration.

Sincerely,



Thomas F. Hogan
Director

Enclosure

Appendix II: GAO Contact and Staff Acknowledgments

GAO Contact

David C. Maurer, (202) 512-9627 or maurerd@gao.gov

Staff Acknowledgments

In addition to the contact named above, William O. Jenkins, Jr. (Director); Chris Currie (Assistant Director); Samantha Carter; Brendan Kretzschmar; Jean Orland; and Rebecca Kuhlmann Taylor made significant contributions to the report. Also contributing to this report were Benjamin A. Bolitzer, Keith B. Cunningham, Elizabeth H. Curda, Katherine M. Davis, Eric D. Hauswirth, Judith Kordahl, Amanda K. Miller, and Janet G. Temko.

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