

GAO Highlights

Highlights of [GAO-17-134](#), a report to congressional committees

Why GAO Did This Study

As of fiscal year 2015, the federal judiciary paid over \$1 billion in rent to the General Services Administration (GSA) for court-related space. GAO previously found that the judiciary faced challenges managing increasing space and rental costs, including for the U.S. Courts of Appeals.

GAO was asked to review the judiciary's space reduction efforts, focusing on appellate space. This report examines: (1) the policies and practices that guide space use decisions for federal courts of appeals; (2) trends in rent, space occupied, and use of appellate space; and (3) actions taken to reduce or improve use of appellate space, including any related challenges and the extent to which the judiciary has shared information to support such efforts.

GAO reviewed statutes, GSA and judicial policies and guidance, and information on projects to reduce appellate space; analyzed GSA's billing data on the judiciary from fiscal years 2009 through 2015; and visited 7 appellate courthouses, selected to include those in diverse locations with a variety of caseloads. GAO also interviewed officials in all 12 regional judicial circuits, AOUSC (the judiciary's administrative arm), GSA's central office, and GSA's 11 regional offices.

What GAO Recommends

AOUSC should document and share additional practices across courts on innovative use or design of appellate courtrooms and judges' chambers. AOUSC said it will seriously consider GAO's recommendation.

View [GAO-17-134](#). For more information, contact Rebecca Shea at (202) 512-2834 or SheaR@gao.gov.

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Progress Made in Reducing Appellate Space, but Innovative Practices Should Be Shared across Courts

What GAO Found

Various judicial policies, such as those in the *U.S. Courts Design Guide*, help guide appellate space use decisions. Other key policies include the judiciary's national 3 percent space-reduction target and the No Net New policy, which requires regional judicial circuits—including each circuit's court of appeals—to offset space increases with equivalent reductions. In practice, space use decisions are generally made by appellate courts in conjunction with their regional circuit judicial councils, which exercise authority over all courts in a circuit.

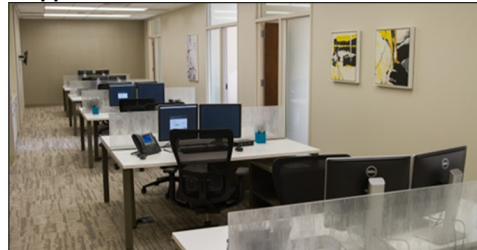
After trending upward through 2014, appellate rent costs and space occupied have recently begun to decrease. Specifically, appellate rent costs rose from about \$107 million in fiscal year 2009 to about \$123 million in fiscal year 2014, but have since decreased to about \$121 million in fiscal year 2015. During the same period, appellate space occupied grew from about 4.61-million square feet to about 4.89-million square feet in fiscal year 2013, but has since decreased to about 4.63-million square feet in fiscal year 2015. In total, courtrooms and judges' chambers account for about half of all appellate space, while libraries account for about 20 percent. Use of appellate courtrooms and judge's chambers varies across circuits, reflecting differences in circuit characteristics.

As of March 2016, circuits had completed 60 appellate space-reduction projects and begun an additional 22 projects, with the largest share of space reductions in circuit libraries. However, officials said that appellate space reductions will become increasingly challenging as easier projects are completed. To meet future requirements, most circuits said they anticipate needing to make reductions in, or changes to, appellate-courtrooms' or judges-chambers' use, such as the Third Circuit's appellate judges-chambers-sharing project (see fig.).

Shared Visiting Judges' Chambers, U.S. Court of Appeals for the Third Circuit



Before: A Third Circuit visiting appellate judge's chambers before the renovation. Chambers typically had three rooms, including a reception area, the judge's office, and another room for law clerks.



After: Newly built, shared staff office space for visiting appellate judges' law clerks, with doors to judges' offices visible. Each judge can travel with up to four staff, whose desks can be seen here. Reconfigured chambers are shared by four visiting judges and up to 16 total staff.

Sources: Photographs taken by GAO. GAO analysis of information and interviews with court officials. | [GAO-17-134](#)

While circuit officials have access to space reduction information provided by the Administrative Office of the U.S. Courts (AOUSC), limited information is available to circuits on innovative practices for design and use of appellate courtrooms and judges' chambers. As space reductions become increasingly difficult, documenting and sharing this type of information could help circuits identify and pursue innovative space-saving options for appellate courtrooms and judges' chambers in the future.