

GAO Highlights

Highlights of [GAO-24-105638](#), a report to congressional requesters

Why GAO Did This Study

In recent years, various high-profile allegations of workplace misconduct at the federal judiciary drew national attention. More than 30,000 employees work across the judicial branch, and in 2017, the Chief Justice requested that the judiciary evaluate its workplace conduct efforts.

GAO was asked to review the judiciary's policies and practices to prevent and respond to workplace misconduct. This report examines (1) actions the judiciary has taken since 2017 to prevent and respond to workplace misconduct; (2) the extent to which the judiciary's Model Employment Dispute Resolution Plan and related practices align with EEOC recommended practices; (3) the judiciary's data on workplace misconduct and the extent to which opportunities exist to improve data collection; and (4) the judiciary's oversight of workplace conduct policies and the extent to which the judiciary evaluates the effectiveness of these policies. GAO reviewed the judiciary's workplace conduct policies, analyzed data on allegations of misconduct, and interviewed officials at the national and circuit levels.

What GAO Recommends

GAO is making eight recommendations, including that the judiciary take steps to more fully align its workplace conduct efforts with EEOC recommended practices, collect and analyze additional data, and take actions to measure and evaluate its policies and practices. The judiciary neither agreed nor disagreed with our recommendations but noted planned actions and challenges related to addressing the recommendations.

View [GAO-24-105638](#). For more information, contact Gretta L. Goodwin at (202) 512-8777 or goodwing@gao.gov.

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FEDERAL JUDICIARY

Additional Actions Would Strengthen Efforts to Prevent and Address Workplace Misconduct

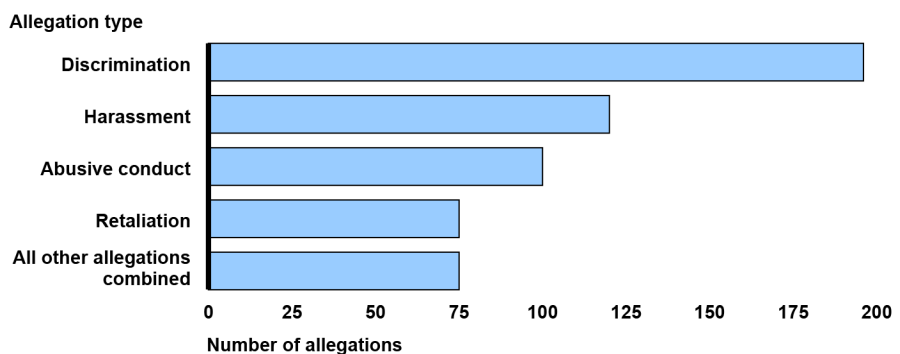
What GAO Found

The federal judiciary has taken several actions at the national and circuit levels to address workplace misconduct. For example, in 2019, the judiciary revised its Model Employment Dispute Resolution Plan and expanded options for reporting wrongful conduct under the employment dispute resolution process. In 2020, the judiciary updated its data collection system.

GAO found that the judiciary's efforts generally aligned with selected recommended practices of the Equal Employment Opportunity Commission (EEOC), although some efforts were partially aligned or not aligned, particularly with circuit-level trainings. For example, none of the training materials had an explanation of the range of possible consequences for engaging in prohibited conduct.

Judiciary data show that individuals filed 161 complaints of wrongful conduct from fiscal year 2020 through fiscal year 2022. Each complaint can contain one or more allegations. The most frequent allegation of wrongful conduct was discrimination (see figure). Data also show that judiciary employees filed 17 complaints of misconduct by judges during this timeframe. GAO found that the judiciary could collect additional data, including on issues described by individuals seeking informal advice and issues reported outside of the dispute resolution process. This additional data could help the judiciary better identify and address specific workplace misconduct issues.

Number of Wrongful Conduct Allegations Reported at the Judiciary, by Type, Fiscal Years 2020–2022



Source: GAO analysis of Administrative Office of the U.S. Courts data. | [GAO-24-105638](#)

Various judiciary entities provide oversight of workplace conduct policies and practices. However, the judiciary does not have performance measures in place for its workplace conduct efforts and has not evaluated the effectiveness of its efforts. In early 2023, the judiciary administered a survey of employees that, according to officials, included questions about workplace conduct policies. As of May 2024, the results of this survey are pending. Officials intend to use the survey results, once finalized, to develop performance measures. Establishing performance measures and evaluating the effectiveness of its policies and practices would help the judiciary better monitor the progress of its workplace conduct efforts and adjust to meet its goals.