

The Judiciary Should Measure the Utilization of Its Administrative Space

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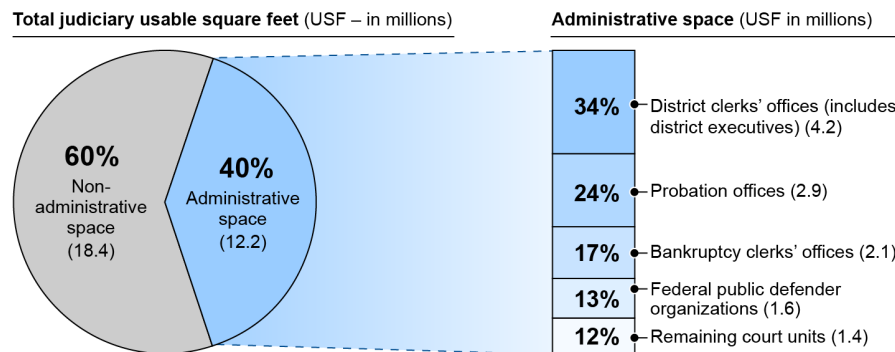
A report to congressional requesters

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What GAO Found

The federal judiciary's administrative space, such as the district clerks' and probation offices that support the judiciary's mission, made up 40 percent of the judiciary's total space in fiscal years 2021 through 2025. In fiscal year 2025, the judiciary's administrative space totaled 12.2 million usable square feet across 716 of the 772 facilities the judiciary occupied nationwide, a decrease of 1 percent from fiscal year 2021. GAO found that administrative space was the sole type of space in over a third of judiciary occupied facilities in fiscal year 2025. Most of these facilities (234 of 272) were commercially owned. Ninety-six percent of the 234 commercially owned facilities were occupied by federal public defender organizations and probation offices. The proportion of the judiciary's annual rent payments spent on administrative space, in both nominal and inflation adjusted dollars, remained steady—between 39 and 40 percent from fiscal year 2021 through fiscal year 2025.

The Federal Judiciary's Fiscal Year 2025 Administrative Space Distribution, in Usable Square Feet



Source: GAO analysis of judiciary data. | GAO-26-108603

Note: The remaining court units include the courts of appeals clerks' offices (including bankruptcy appellate panels); courts of appeals central legal staff; circuit executives', bankruptcy administrators', and pretrial services offices; and the Administrative Office of the U.S. Courts. For more details, see fig. 2 in GAO-26-108603.

While the judiciary has data on the amount of administrative space it occupies and the associated rent costs, it does not collect or review occupancy data. Without occupancy data, the judiciary is unable to measure the extent to which its administrative space is utilized, as utilization is the ratio of the average daily occupancy of a space compared to the usable square feet of the space. Judiciary policies and guidance identify the importance of maximizing the use of its space and taking a data-based approach when doing so. For example, part of the judiciary's Asset Management Planning process includes a physical assessment of how well court units' space functions and meets the judiciary's space standards. But, according to judiciary officials, measuring utilization is not part of the judiciary's practices because it has not identified a business need to do so. Measuring the utilization of its administrative space and identifying utilization benchmarks would enhance the judiciary's decision-making, bolster its efforts to meet its stated goals to efficiently manage and maximize the use of its space, and help ensure it is not wasting resources by leasing more space than it needs.

Why GAO Did This Study

Chronic underutilization of federal buildings is one of the main reasons that federal real property management has been on GAO's High Risk List for more than 20 years. In fiscal year 2025, the judiciary paid over \$1 billion in rent, making rent one of its largest expenses.

GAO was asked to examine the judiciary's utilization of its administrative space. This report (1) describes the characteristics of the judiciary's administrative space and how it has changed from fiscal years 2021 through 2025 and (2) assesses the extent to which the judiciary is measuring the utilization of its administrative space.

GAO selected a nongeneralizable sample of nine judiciary facilities and interviewed officials about the utilization of their administrative space. GAO observed the use of administrative space at four of these facilities. GAO surveyed the 13 judiciary circuit executives who represent all court units nationwide about using occupancy data to measure utilization. GAO also reviewed and analyzed judiciary data and documents and interviewed officials from the Administrative Office of the U.S. Courts (AOUSC) and General Services Administration.

What GAO Recommends

GAO recommends that the Director of the AOUSC establish procedures for the judiciary to collect occupancy data and calculate the utilization of its administrative space at an established, regular interval. Such procedures should include the development of benchmarks and be incorporated into the judiciary's space use decision-making process. The AOUSC stated it would carefully consider the report's findings and recommendations. Implementing GAO's recommendation would help the judiciary better maximize its use of space.