

FEDERAL JUDICIARY BUDGET

March 2004

- Unless Congress makes the Third Branch as high a priority as Defense and Homeland Security, we run the risk of creating a second class system of justice.
- The courts' workload and the resources provided to handle that workload are headed in opposite directions.
- As a result of lower appropriations over the last two fiscal years, court operating expenses (automation, supplies, equipment, travel, training, etc.) were reduced by 32 percent below requirements. These expenses can not be cut again in fiscal year 2005 without adversely affecting court operations.
- Not only will there be fewer court support staff on board in September 2004 than in September 2003, but court staff will be below the level funded in fiscal year 2001. Staffing was reduced to 93 percent of needs in FY 2003 and 89.7 percent of needs in FY 2004.
- To cope with the fiscal year 2004 funding level, most vacant court positions are not being filled. Several hundred positions will be eliminated through buyouts, early outs and involuntary separations. Over 2,600 court employees (out of 21,000) will be furloughed for an average of more than a week each.
- For fiscal year 2005, Congress received an overall non-defense, non-homeland security budget request from the President that is only 0.5 percent above last year.
- If the Judiciary's fiscal year 2005 enacted appropriation is limited to this 0.5 percent growth rate, we will be forced to slash court operating expenses in half, and to fire or lay off an estimated 3,800 court employees—almost 20 percent of the probation and clerks' office personnel. The impact will be felt throughout the Judiciary and by the public.
 - The sentencing process will be jeopardized because too few probation officers will be available to help judges fashion appropriate sentences.
 - Testing and supervision of released prisoners will be limited to only the most dangerous felons, resulting in a significant degradation of public safety.
 - Funding to pay jurors in civil trials will run out in July, three months before the end of the fiscal year, bringing a halt to all civil jury trials.
 - Funds to pay Constitutionally-mandated counsel for indigent defendants will expire in June, resulting in significant delays in criminal proceedings.
 - Victim advocacy responsibilities, including the determination of monetary losses and the collection of victim restitution and criminal fines, will be substantially impaired.
- Courts have no control over the number of cases filed, the number of felons released from prison that must be supervised, or the number of indigent defendants requiring representation under the Constitution of the United States.
- In a March 11 House hearing, the Judiciary presented its FY 05 budget request — \$5.7 billion — which is less than two-tenths of one percent of the entire federal budget.