



A New Judge's **INTRODUCTION** to Federal Judicial Administration

Second Edition

**A New Judge's Introduction
to Federal Judicial
Administration**

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Introduction

As a new federal judge, you are naturally focused on organizing your chambers and establishing processes and practices that will enable you to decide issues and to resolve cases efficiently and appropriately. You enjoy a great degree of independence in how you do these things, thanks to the Constitution, statutes, and widely accepted social values.

Yet, you could hardly perform these functions without the institutional structure and procedures that support you. The federal judiciary is largely self-governing—it enjoys an institutional independence that undergirds and fosters your individual independence. While many nonjudge employees in the judiciary provide vital services, ultimately the branch is run by judges, at the national, circuit, and local levels. As a judge, you have not only the duty to resolve the cases and controversies before you in accordance with the law, you also have a responsibility to ensure that the business of the branch is conducted effectively and efficiently. This guide serves as a brief introduction to the administrative organization of the federal judiciary, and the organizations, offices, and individuals involved in the governance of the federal judiciary.¹ The Federal Judicial Administration chart on the following pages shows the elements of governance at the national, regional (circuit), and local (district court) levels. An expanded version of this [chart](#) is available on fjc.dcn, the FJC’s website on the judiciary’s intranet.

Marie Leary, senior researcher in the Federal Judicial Center’s Research Division, compiled this second edition.

1. The United States Sentencing Commission and the Judicial Panel on Multidistrict Litigation, two organizations within the judicial branch having administrative responsibilities that are national in scope, are not discussed here. The Sentencing Commission is a quasi-legislative body of seven voting members, appointed by the president and confirmed by the Senate, three of whom must be federal judges, responsible for the development, monitoring, and amendment of the guidelines for sentencing criminal offenders. The Commission also provides training, collects and analyzes data to support its various activities, and serves as an information resource for Congress, the courts, criminal justice practitioners, and the public. *See* 28 U.S.C. §§ 991–998 (2018). The Judicial Panel on Multidistrict Litigation consists of seven judges (district and circuit, with no two from the same circuit) appointed by the Chief Justice who are responsible for considering the transfer of civil actions involving one or more common questions of fact pending in different districts to a single district for coordinated or consolidated pretrial proceedings. *See id.* § 1407 (2018).

Executive Branch

Participates in legislative process, transmits appropriations requests, appoints new Article III judges with Senate approval, provides buildings and security, represented on Judicial Conference rules committees.

Congress

Appropriates funds, enacts legislation on court organization and jurisdiction, determines number of federal judges, Senate approval required for appointment of new Article III judges, reviews procedural rule amendments.

Judicial Branch

Supreme Court

Approves amendments to the Federal Rules of Practice and Procedure.

Chief Justice of the United States

Committees of the Judicial Conference

Members: Judges, practicing lawyers, and legal scholars appointed by the Chief Justice, and ex officio government officials.

Functions: New matters referred to and studied by committee with established jurisdiction over subject matter; make policy recommendations to the Conference and, for those committees involved in the rulemaking process, exercise statutory responsibilities.

U.S. Sentencing Commission

Judicial Panel on Multidistrict Litigation

Judicial Conference of the United States

Members: Chief Justice (chair); the chief judge and one district judge from each of the twelve regional circuits; chief judge, Court of Appeals for the Federal Circuit; chief judge, Court of International Trade.

Functions: Sets national administrative policy for the federal judiciary; approves annual budget requests for submission to Congress; administers judicial branch's appropriations; prescribes procedural rules for, and acts on referrals and certifications from, circuit judicial councils regarding judicial discipline; recommends changes in rules of procedure to the Supreme Court for submission to Congress; other statutory functions.

Administrative Office of the U.S. Courts

The Chief Justice appoints the director and deputy director after consultation with the Judicial Conference.

Functions: Provides, under the supervision of the Judicial Conference, a wide variety of program management, legal, financial, information technology, and administrative support services to the federal courts; staff support, other assistance, and advice to the Judicial Conference and its committees; legislative coordination; other functions mandated by statute and Judicial Conference policy, or assigned by the Supreme Court or the Judicial Conference.

Federal Judicial Center

Board: Chief Justice (chair); Administrative Office director; seven judges elected by the Judicial Conference. Board appoints Center director and deputy director.

Functions: Provides orientation and continuing education for judges and nonjudicial court personnel; research support for the Judicial Conference and its committees and for the courts; programs relating to the history of the judicial branch; information about judicial improvement to judges and others from foreign countries.

Chief Judges of the Circuits

Judicial Councils of the Circuits

Members: Chief circuit judge (chair); active or senior circuit and active or senior district judges in equal numbers; council size determined by majority vote of all Article III judges of the circuit in regular active service.

Functions: (1) Make necessary orders for administration of justice within the circuit, and may institute contempt proceedings if a judge or employee within the circuit fails to comply with the statutory duty to carry out council orders; (2) recommend to Judicial Conference changes in the number of Article III judgeships, and in the number and location of bankruptcy and magistrate judges; (3) consider complaints of judicial misconduct or disability under 28 U.S.C. §§ 351–364 if referred by the chief circuit judge; (4) review and approve district court plans and local court rules; (5) establish a bankruptcy appellate panel service, approve chambers and courtroom space, and other responsibilities assigned by Congress (statute) and the Judicial Conference.

Judicial Conferences of the Circuits

Members: Chief circuit judge (normally chair, but not mandatory); all circuit, district, magistrate, and bankruptcy judges of the circuit, in active service, are invited, but attendance is not mandatory.

Functions (vary between circuits): Optional circuit-wide meetings, called no more than once a year by the chief circuit judge, about various topics related to improving the administration of justice within the circuit. Each court of appeals must adopt local rules to provide for representation and active participation at the conference by members of the circuit's bar.

Circuit Courts of Appeals, District Courts, Bankruptcy Courts

Under the leadership of the chief judge, administrative policy is developed and implemented by the court with the assistance of appointed court committees, liaison judges, and support staff (i.e., clerk of court).

Circuit Executives

Functions (vary between circuits): Appointed by the circuit's judicial council to carry out such duties, under the supervision of the chief judge of the circuit, as the circuit council may delegate, including but not limited to: serve as secretary of the judicial council; administer personnel system and budget of the court of appeals of the circuit; collect statistics and prepare reports relating to administration of the courts within the circuit.

The federal judicial system has evolved, and grown, to meet changing conditions. Today it includes the Supreme Court, thirteen intermediate appellate courts (“courts of appeals”), ninety-four district or trial courts (with each district including a U.S. bankruptcy court as a unit of the district court), and two special trial courts (the Court of International Trade and the U.S. Court of Federal Claims).² As of January 2019, there were 1,816 authorized federal judgeships, composed of 870 Supreme Court, appellate, district, and other Article III federal judicial positions³ and 946 full- and part-time bankruptcy and magistrate judgeships, and other Article I judicial positions.⁴ In addition, there were approximately 532 active senior judges and 117 recalled bankruptcy and magistrate judges serving at the beginning of 2019.⁵ Note that the number of federal judges in active service fluctuates due to judgeship vacancies created by death, disability, elevation, impeachment, resignation, retirement, or completion

2. The Court of International Trade addresses cases involving international trade and customs laws. The U.S. Court of Federal Claims deals with most claims for money damages against the U.S. government.

3. Total Article III judgeships include 9 authorized U.S. Supreme Court judgeships, 179 authorized U.S. Court of Appeals judgeships, 673 authorized U.S. District Courts judgeships, and 9 authorized U.S. Court of International Trade judgeships. Admin. Office of the U.S. Courts, Judicial Vacancies U.S. Courts, <http://www.uscourts.gov/judges-judgeships/judicial-vacancies> (last updated May 7, 2020).

4. Total Article I judgeships include 347 authorized U.S. Bankruptcy Court judgeships (full- and part-time), 579 authorized U.S. Magistrate judgeships (full- and part-time), 16 U.S. Court of Federal Claims judgeships, and 4 authorized territorial courts judgeships (Virgin Islands, Guam, and Northern Mariana Islands). Admin. Office of the U.S. Courts, Authorized Bankruptcy Judgeships (as of Feb. 27, 2019), <http://jnet.ao.dcn/court-services/judges-corner/bankruptcy-judges/authorized-bankruptcy-judgeships>; Admin. Office of the U.S. Courts, Authorized Magistrate Judge Positions as of the September 2019 Judicial Conference, <http://jnet.ao.dcn/court-services/judges-corner/magistrate-judges/authorized-magistrate-judge-positions>. See also Judicial Vacancies, *supra* n. 3; Admin. Office of the U.S. Courts, Authorized Judgeships – From 1789 to Present (2019), <http://www.uscourts.gov/sites/default/files/allauth.pdf>.

5. Data on senior and recalled judges obtained from the AO, Judges Compensation and Retirement Services (August 2019). Article III judges may retire from regular active service but retain judicial office by taking senior status under either 28 U.S.C. § 371(b)(1) (retirement from regular active service based on age and length of service) or 28 U.S.C. § 372(a) (voluntary retirement from regular active service on disability). Senior judges handle about 20 percent of the total district and appellate caseload. Admin. Office of the U.S. Courts, About Federal Judges, <http://www.uscourts.gov/judges-judgeships/about-federal-judges>. Retired bankruptcy and magistrate judges may be appointed for recall service for a specific period of time but no more than three years, which may be renewed. 28 U.S.C. §§ 155(b), 636(h) (2018).

of a term appointment.⁶ Almost 30,000 nonjudicial federal employees serve in the courts and national agencies.⁷

Even with its common set of laws and core administrative policies, the judiciary's national, regional, and local governance structures allow for considerable diversity in local practices and cultures. The instruments of federal judicial governance and administration accommodate this diversity: a national council of judges (the Judicial Conference of the United States), regional judicial councils, and the individual courts themselves. This pamphlet describes the national, regional, and local elements of federal judicial governance and administration.⁸

6. At the beginning of 2019, approximately 12% of Article III authorized judgeships were vacant. Judicial Vacancies, *supra* n. 3.

7. At the beginning of 2019, the majority (96%) of nonjudicial federal employees in the judicial branch were employees of the federal courts, and the remaining 4% staff the Administrative Office of the U.S. Courts, the Federal Judicial Center, and the U.S. Sentencing Commission.

8. See Admin. Office of the U.S. Courts, Guide to Judiciary Policy, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy> (last updated Apr. 27, 2020) [hereinafter *Guide*]. A description of the administrative organization and governance of the federal judiciary at the national, regional (circuit), and local (district court) levels is located in volume 1 of the Guide, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities>.

1

Elements of Federal Judicial Administration at the National Level

At the national level of the federal court system, the individuals, organizations, and offices principally responsible for governance and administration are the Chief Justice of the United States, the Judicial Conference of the United States and its committees, the Administrative Office of the U.S. Courts, and the Federal Judicial Center. The federal judiciary is a separate, independent branch of the government that has been given statutory authority to govern itself, hire and pay its own staff, and maintain its own separate budget.

Although the judicial branch is responsible for its own administration, Congress and the executive branch influence how the federal courts operate. Congress fixes the funding available to the judiciary each year through the appropriations process. Congress acts on the judiciary's requests, developed and defended by judges and judicial branch officials; therefore, congressional outreach is very important to securing sufficient funding for the judiciary, since it competes for funding with the rest of the government.⁹

9. The judiciary's budget funds the requirements of the U.S. Supreme Court, courts of appeals, district and bankruptcy courts, probation and pretrial services offices, federal public defenders and private court-appointed attorneys, court security operations, fees paid to jurors, the United States Sentencing Commission, the Administrative Office of the United States Courts, and the Federal Judicial Center. "In spite of being an independent, co-equal branch of government, the judiciary must compete for funding from Congress along with the rest of government. The judiciary's budget process formally begins 18 months prior to the start of the fiscal year." Hon. Julia S. Gibbons, *How the Judiciary Gets its Funding*, Fed. Lawyer, October 2009, at 30.

The organization of the judiciary, the district and circuit boundaries, the places of holding court, and the number of federal judges are established by laws passed by Congress and signed by the president. Senate approval of the president's nominees is required for a lifetime appointment as an Article III judge. Congress's authority to enact substantive and appropriations legislation gives it an oversight role in judicial branch operations. The executive branch affects federal judicial administration not only by the president's power to nominate new federal judges but by its participation in the legislative process and the Department of Justice's frequent presence as a litigator in the federal court system. Moreover, the judiciary is subject to specific statutes and executive branch regulations governing such administrative matters as finance, procurement, and property management. Executive branch agencies also assist the judiciary with certain administrative operations, including providing security for federal courthouses and judges (U.S. Marshals Service) and building and maintaining federal courthouses (General Services Administration).

Chief Justice of the United States

In addition to serving as the presiding officer of the U.S. Supreme Court, the Chief Justice presides over the Judicial Conference of the United States, the national council of judges at the apex of the judiciary's governance pyramid. In addition to presiding at meetings of the Judicial Conference, the Chief Justice's responsibilities for judicial branch administration include appointing the chairs and members of Judicial Conference committees,¹⁰ appointing the director and deputy director of the Administrative Office of the U.S. Courts, after consulting with the Judicial Conference,¹¹ and chairing the board of the Federal Judicial Center.¹² The Chief Justice assigns Article III judges and retired justices to serve temporarily in other circuits¹³ and designates judges to sit on special courts and the Judicial Panel on Multidistrict Litigation.¹⁴ Moreover, the Chief Justice speaks to Congress and the nation regarding the judicial branch's needs and activities. As the administrative head of the judicial branch of government, the Chief Justice has "substantial authority to shape federal judicial administration."¹⁵

10. 28 U.S.C. § 331 (2018).

11. *Id.* § 601.

12. *Id.* § 621.

13. *Id.* §§ 291(a), 292(d)–(e), 293, 294.

14. 50 U.S.C. § 1803 (2018); 8 U.S.C. § 1532 (2018); 28 U.S.C. § 1407(d) (2018).

15. Guide, vol. 1, § 320, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-3-supreme-court-and-chief-justice#320>.

The Chief Justice must balance these court governance tasks with the role of leader of the Supreme Court. The Chief Justice has statutory authority to appoint a counselor to aid in the overall management of the Supreme Court, provide research in support of the Chief Justice's public addresses and statements, and monitor developments in the field of judicial administration and court reform.¹⁶ The counselor also assists the Chief Justice with other statutory responsibilities, including the Chief Justice's roles as presiding officer of the Judicial Conference, chair of the Federal Judicial Center board, and chancellor of the Smithsonian Institution.

Supreme Court

The Supreme Court's associate justices have practically no formal role in federal judicial administration—the Court does not supervise the administrative operations of the lower courts. This situation distinguishes the Supreme Court from the highest courts of many states, and it reflects a conscious decision by Congress and judicial leaders in 1939 to vest supervision of the newly created Administrative Office in the Judicial Conference rather than in the Supreme Court.

The Supreme Court's only governance task involves reviewing amendments to the Federal Rules of Evidence and of Practice and Procedure forwarded by the Judicial Conference. The Supreme Court, in its discretion, may promulgate these new rules and amendments pursuant to the Rules Enabling Act,¹⁷ although there is a statutory layover period during which Congress can block their taking effect or modify them by legislation. Promulgating the amendments is usually a formality, but the Supreme Court has occasionally disapproved amendments based on their substance. In carrying out its statutory duty to prescribe the federal rules of practice, procedure, and evidence for the district courts and courts of appeals, the Supreme Court relies on the Judicial Conference to conduct “a continuous study of the operation and effect” of the rules and to recommend appropriate amendments to the rules.¹⁸

16. 28 U.S.C. § 677 (2018).

17. *Id.* §§ 2071–2077 (Rules Enabling Act).

18. *Id.* § 331; Guide, vol. 1, § 440, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees#440>.

Judicial Conference of the United States¹⁹

The Judicial Conference serves as the principal policy-making body for the federal judiciary. The fundamental purpose of the Judicial Conference is to make policy for the administration of the federal courts and to speak for the judicial branch as a whole.

The Chief Justice presides over the Judicial Conference, which consists of 26 Article III judges, including the chief judges of the thirteen courts of appeals, one district judge from each of the twelve regional circuits, and the chief judge of the Court of International Trade. The circuit judges and the chief judge of the Court of International Trade are Judicial Conference members as long as they are chief judges, which can be seven years or until they reach age seventy, whichever comes first.²⁰ The district judge members are chosen by the circuit and district judges of their respective circuits for terms of not less than three or more than five years, as established by majority vote of all circuit and district judges of the circuit.²¹ Each member of the Conference has one vote, despite variations in circuit size. The Chief Justice designates, for two-year terms, a bankruptcy judge and a magistrate judge to attend Conference sessions as nonvoting observers.²²

The Judicial Conference meets twice a year, in March and September, in Washington, D.C., at the Supreme Court building.²³ The members are required to attend each session unless excused by the Chief Justice, who may then designate

19. In 1922, Congress responded to Chief Justice Taft's recommendation and created the predecessor to the Judicial Conference, the Conference of Senior Circuit Judges. The Conference was the first national organization of federal judges and the first formal mechanism by which the judiciary could communicate its administrative needs to Congress. It provided an annual forum in which the senior presiding judges of the courts of appeals (later called the chief judges) could try to improve district court performance by developing plans for intercircuit assignments and recommending changes in court operations. The Conference's role increased substantially in 1939, when Congress transferred responsibility for federal court budget preparation and administration and data gathering from the Justice Department to the newly created Administrative Office of the U.S. Courts. Congress directed the Administrative Office to function under the Conference's supervision. 28 U.S.C. § 604(a) (2018). In 1948, with the enactment of 28 U.S.C. § 331, Congress changed the Conference's name to the Judicial Conference of the United States. District judges were added to the membership of the Judicial Conference in 1957.

20. 28 U.S.C. §§ 45, 258 (2018).

21. *Id.* § 331.

22. Admin. Office of the U.S. Courts, The Judicial Conference of the United States and its Committees 2, <http://jnet.ao.dcn/judicial-conference/judicial-conference-and-its-committees> (2013). The current membership of the Judicial Conference is posted in the Judicial Conference area of the JNet (the judiciary's intranet site), and under the "About the Judicial Conference" tab on the AO's public site (www.uscourts.gov).

23. 28 U.S.C. § 331 (2018).

a replacement. Each meeting presents the Conference with a diverse set of proposals, all of which have been considered by a committee prior to Judicial Conference consideration. The Conference approves uncontroversial matters without debate by adopting a “consent calendar” that its Executive Committee proposes in advance.²⁴ The Conference also hears remarks or reports from key Justice Department officials, members of House and Senate judiciary and appropriations committees, the directors of the Administrative Office and the Federal Judicial Center, and the chair of the U.S. Sentencing Commission.

Because of the range of its actions, the Judicial Conference is called the “federal courts’ national policy-making body.”²⁵ Pursuant to its authorizing statute, the Judicial Conference’s responsibilities are to

- conduct a comprehensive survey of the conditions of business in the courts of the United States
- prepare plans for assigning judges to or from courts of appeals or district courts, where necessary
- submit suggestions to the various courts in the interest of promoting uniformity of management procedures and the expeditious conduct of court business
- exercise authority over judicial discipline as provided in 28 U.S.C. § 372(c), including acting on referrals and certifications from the circuit judicial councils regarding misconduct or disability proceedings against judges and prescribing procedural rules for the same
- carry on a continuous study of the operation and effect of, and to make recommendations for changes in and additions to, the general rules of practice and procedure in use within the federal courts, as prescribed by the Supreme Court pursuant to law
- review local rules, other than those of the Supreme Court and district courts, for consistency with federal law
- consult with the director of the U.S. Marshals Service on a continuing basis regarding the security requirements for the judicial branch
- propose and review legislation affecting the judicial branch through the Chief Justice’s annual report to Congress on Conference proceedings²⁶

24. Approximately ten days before a Judicial Conference session, the Conference’s agenda comprised of a consent calendar and a discussion calendar are posted on the JNet. Guide, vol. 1, § 410.30, http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees#410_30.

25. Admin. Office of the U.S. Courts, *The Federal Court System in the United States* 40 (4th ed. 2016), available at <http://www.uscourts.gov/sites/default/files/federalcourtsystemintheus.pdf>.

26. 28 U.S.C. § 331 (2018).

The Judicial Conference supervises and directs the director of the Administrative Office of the U.S. Courts (AO).²⁷ These responsibilities have grown over the years, and today the Conference oversees the AO on a large number of policy matters, such as human resources, accounting and finance, automation and technology, statistics, and administrative support services. Thus, the Judicial Conference's duties include fixing the compensation of nonjudicial personnel,²⁸ maintaining the federal courts' statistical reporting systems,²⁹ and administering the judicial branch's appropriations.³⁰ In addition, the Conference approves the annual budget request submitted for the federal courts by the AO director, after it is prepared by the AO and the Judicial Conference's budget committee.³¹ Other statutes prescribe various specific duties for the Conference dealing with the administration of the courts, ranging from determining the number of and qualifications for court reporters in each federal district court³² to implementing the financial disclosure requirements of the Ethics Reform Act of 1989.³³

The Judicial Conference does not have plenary authority to issue orders for noncompliance. On matters that do not fall within its limited direct statutory authority or within the broader statutory authority of the AO, the Conference must rely on the willingness of courts and judges to respect Conference policies and on the actions of circuit judicial councils to enforce Conference policy decisions.

The Judicial Conference also addresses policy related to workplace conduct and has over the years revised or amended policies, including a 2019 package of workplace conduct reforms containing amendments to the Code of Conduct for U.S. Judges, the Code of Conduct for Judicial Employees, and the Judicial Conduct and Disability Act Rules.³⁴ In addition to providing specific examples of the behaviors that are considered to rise to the level of "misconduct" under the Act and Rules, these workplace conduct-related amendments state the obligations of judges and judiciary employees to report reliable information likely to constitute misconduct, make clear that confidentiality obligations should never be an

27. *Id.* § 604.

28. *Id.* § 604(a)(5).

29. *Id.* § 604(a)(3), (a)(13), (d)(2).

30. *Id.* § 604(a)(8).

31. *Id.* § 605.

32. *Id.* § 753(a)–(b).

33. 5 U.S.C. App. §§ 101–111 (2018). For a complete listing of the Judicial Conference's duties and responsibilities, see Guide, vol. 1, ch. 4, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees>.

34. Admin. Office of the U.S. Courts, *Judicial Conference Approves Package of Workplace Conduct Reforms* (Mar. 12, 2019), <http://www.uscourts.gov/news/2019/03/12/judicial-conference-approves-package-workplace-conduct-reforms>.

obstacle to reporting judicial misconduct or disability, and specify that retaliation for disclosing misconduct is itself misconduct.

Judicial Conference Committees

The Judicial Conference's committees perform a vital role in its policy making. Prior to consideration by the Conference, all matters are usually studied and considered by committees with established jurisdiction over the subject matter, which then make policy recommendations to the Conference. The Judicial Conference's twenty "standing" committees and five rules advisory committees were created to address and advise on a variety of subjects, including the annual appropriations request, automation and technology policies, amendments to the procedural rules, judges' and top officials' financial disclosure statements, changes in the personnel system, the special needs of the bankruptcy courts and magistrate judges, the federal defender system, the federal courts' codes of conduct, and other areas ranging from docket management to the judiciaries of other countries.³⁵

The Chief Justice has the sole authority to appoint the more than 300 committee members and chairs, with assistance from the secretary of the Judicial Conference³⁶ and the counselor to the Chief Justice. Most committee members (including committee chairs) are not Conference members, and most are Article III judges. Bankruptcy judges and magistrate judges also serve on many committees. Certain committees also have members who are state chief justices, practicing attorneys, law professors, and Justice Department officials, depending on the particular committee's jurisdiction. Committees normally meet twice each year, preceding the spring and fall sessions of the Judicial Conference. Several weeks in advance of a Conference session, committees are required to prepare and distribute reports to the Judicial Conference discussing all committee activities since the prior session and summarizing recommended actions to

35. See Guide, vol. 1, § 430, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees#430>, for jurisdictional statements for all Judicial Conference committees that were last updated and approved by the Executive Committee in September 2018. In addition, a complete list of Judicial Conference Committees, their jurisdictional statements, and current membership can be found on the Judicial Conference area of the JNet.

36. The director of the Administrative Office of the U.S. Courts serves as secretary to the Judicial Conference and is also an ex-officio member of the Executive Committee. Guide, vol. 1, § 410.50(b), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees#410_50.

be considered by the Conference.³⁷ The AO staffs the committees and prepares agenda items and reports.³⁸ Committees of the Judicial Conference also receive requested research and educational support from the Federal Judicial Center.

The Judicial Conference's executive committee serves as the "senior executive arm of the Judicial Conference."³⁹ The executive committee acts on behalf of the Judicial Conference between regular sessions on matters requiring emergency action, as authorized by the Chief Justice. Among its responsibilities, the executive committee reviews the report submitted by each Conference committee and prepares the discussion and consent calendars for meetings of the Conference; approves an annual "spending plan" for judicial branch appropriations, which the AO administers; and reviews the jurisdiction of Conference committees and assigns matters to appropriate committees.⁴⁰ Unlike the members of other Conference committees, all executive committee members (other than the AO director) must be members of the Conference.

Administrative Office of the U.S. Courts

Congress created the AO in 1939.⁴¹ Until then, centralized administrative support for the federal courts had been provided, successively, by the Departments of State, Treasury, Interior, and Justice. The AO's director and deputy director, who were appointees of the Supreme Court until 1990, are now appointed and subject to removal by the Chief Justice, following consultation with the Judicial Conference. The AO's authorizing statute identifies the director as "the administrative officer of the courts" who is to perform the extensive statutory duties assigned to the director under the "supervision and direction of the Judicial Conference."⁴² In order to implement the policies of the Judicial Conference and the laws applicable

37. Judicial Conference and its Committees, *supra* n. 22, at 8.

38. The director of the AO, who serves as the secretary to the Judicial Conference, is assisted by the Judicial Conference Officer, who heads the Judicial Conference Secretariat in the AO. The Judicial Conference Officer coordinates administrative support to the Conference itself and its Executive Committee, and coordinates the activities of senior AO professional staff who support the Judicial Conference and its committees by serving as a resource to the chair, providing for preparation, implementation, or any additional work necessary or desired to conduct committee business, and keeping the committee informed of legislative and other developments. *Id.* at 3, 12.

39. Guide, vol. 1, § 430.10, http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees#430_10.

40. For a complete listing of the Executive Committee's responsibilities, see *id.*

41. 28 U.S.C. §§ 601–613 (2018). An organizational chart of the AO is located on the JNet at <http://jnet.ao.dcn/sites/default/files/pdf/AO-Org-Charts-2019-02-06.pdf>.

42. 28 U.S.C. § 604(a) (2018).

to the federal judiciary, the AO provides administrative support for the courts and legislative and other policy work for the Judicial Conference.

The Judicial Conference has explicitly recognized the AO director as secretary to the Conference and designated the director as an ex officio member of the executive committee.⁴³ The AO provides staff support and other assistance and advice to the Judicial Conference and its committees and assists the Conference in coordinating with Congress and the executive branch on legislation and other matters on behalf of the federal judiciary.

In addition to legislative and policy work for the Judicial Conference, the AO provides a variety of program management, legal, financial, information technology, and administrative support services to the federal courts, as well as services to meet the needs of federal judges and their staffs. Among services provided on behalf of the courts, the AO develops and administers the judiciary's budget, allocates funds to each court, audits court financial records, manages the judiciary's payroll and human resources programs, provides legal services to the judiciary, collects and analyzes statistics to report on the business of the courts, manages the judiciary's automation and information technology programs, conducts studies and reviews of programs and operations, develops new business methods for the courts, and issues manuals, guides, and other publications. The AO also supports and addresses the needs and concerns of federal judges and their staffs.⁴⁴ Finally, the AO director performs other duties assigned by the Supreme Court or the Judicial Conference.⁴⁵

43. Report of the Proceedings of the Judicial Conference of the United States, Sept. 1990, at 66, available at http://www.uscourts.gov/sites/default/files/reports_of_the_proceedings_1990-09_0.pdf. See also Guide, vol 1, § 410.50 (b), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-4-judicial-conference-and-its-committees#410_50.

44. The AO Judicial Services Office operates a duty attorney system making at least two attorneys available every workday to respond to inquiries from judges and chambers staff. Contact the JSO Duty Attorney at (202) 502-1800 or via email at Aodb_AO_Duty_Attorney@ao.uscourts.gov. In addition, the Judicial Services Office Contacts page on the JNet (<http://jnet.ao.dcn/resources/service-finder/judicial-services-contacts>) provides contact information for Special Advisors for each judge type that can be contacted with questions that are unique to a particular judge or court type.

45. 28 U.S.C. § 604(a)(24) (2018). A complete list of the AO's functions and responsibilities is available in the Guide, vol. 1, ch. 5, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-5-administrative-office>.

Federal Judicial Center

Congress created the Federal Judicial Center in 1967,⁴⁶ based on the Conference's view that a separate agency in the judicial branch should be responsible for conducting research on federal court operations and procedures and for providing orientation and continuing education to judges and court employees. The Center's activities are supervised by a nine-member board consisting of the Chief Justice as the permanent chair, the AO director as a permanent member, and two circuit judges, three district judges, one bankruptcy judge, and one magistrate judge.⁴⁷ The seven judge members are elected by the Judicial Conference for four-year terms and are not eligible for reelection to the board. Although the judge members of the Center's board cannot be members of the Judicial Conference, a circuit or district judge elected to the board may be either a judge in regular active service or a judge who elected to take senior status when eligible to retire based on age and length of service.⁴⁸ The director and deputy director of the Center are appointed by the Center's board.⁴⁹ The director appoints the Center's staff, supervises the activities of persons employed by the Center, and performs other duties assigned by the board.⁵⁰

The internal organization of the Center reflects its statutory responsibilities. The education division plans and produces continuing education and training for judges and nonjudicial court personnel, including law clerks, staff attorneys, clerks' office staff, probation and pretrial services personnel, and librarians.⁵¹ The Center provides travel-based and in-district programs that participants attend in person, web-based programs and publications, video programs, and manuals, monographs, and other print publications.⁵²

46. 28 U.S.C. §§ 620–629 (2018). *See also* Guide, vol. 1, ch. 7, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-7-federal-judicial-center>.

47. 28 U.S.C. § 621 (2018).

48. *Id.* § 621(a)(2). *See also id.* § 371 (age and length of service requirements for retirement from regular active service under senior status).

49. *Id.* § 625.

50. *Id.* § 624–625.

51. *Id.* § 620(b)(3). For specific information about the FJC's education programs, contact the Education Division at (202) 502-4050.

52. A schedule of upcoming education and training programs, materials from past programs, research reports, guides, manuals, videos, resource pages regarding specialized topics or directed to particular groups, and other resources for the federal judiciary on a broad range of topics can be found on fjc.dcn, the FJC's website on the judiciary's intranet, which may be accessed from JNet. Many of these resources are also available on the Center's public internet site, fjc.gov. For information about FJC publications, contact its Information Services Office at (202) 502-4153.

The research division conducts empirical and exploratory research on federal judicial processes, court management, sentencing and its consequences, and other issues affecting the judiciary, often at the request of the Judicial Conference and its committees, though sometimes by the courts themselves or other groups in the federal system.⁵³ The Center does most of its research at the request of Judicial Conference committees, including analyses of the operation of procedural rules, assessments of the impact of innovations such as alternative dispute resolution methods or new technologies for presenting evidence at trial, and surveys of judges or lawyers on key policy issues.

The Center's federal judicial history office develops programs relating to the history of the judicial branch and assists courts with their own programs to encourage the study of federal judicial history.⁵⁴ The international judicial relations office provides information about judicial improvement to judges and others from foreign countries to improve the administration of justice in foreign courts and acquires information from foreign courts about international legal developments of importance to personnel of the federal courts.⁵⁵

53. 28 U.S.C. § 620(b)(1), (b)(4) (2018).

54. *Id.* § 623(a)(7).

55. *Id.* § 620(b)(6).

Elements of Federal Judicial Administration at the Regional (Circuit) Level

The twelve regional federal judicial circuits play an important role in the governance of the courts. Please note, although the terms “circuit” and “court of appeals” are often used interchangeably in the context of federal litigation, the circuit is a discrete component of federal judicial administration, distinct from its courts of appeals. Circuits were originally created by the Judiciary Act of 1789 to arrange the geographic regions in which itinerant Supreme Court justices performed the trial court responsibilities that were part of their duties until 1891. In an effort to relieve the caseload burden in the Supreme Court and to handle a dramatic increase in federal filings, Congress, in the Judiciary Act of 1891, established intermediate courts of appeals, one for each of the nine judicial circuits that had been in existence pursuant to the geographical organization Congress adopted in 1866.⁵⁶ Today, ninety-four judicial districts are organized into twelve regional circuits, each of which has a U.S. court of appeals that hears appeals from the district courts located within its circuit, as well as appeals from certain federal administrative agencies. Each circuit except the D.C. Circuit contains more than one state, and many states include more than one district. The U.S. Court of Appeals for the Federal Circuit (the thirteenth appellate court) has nationwide jurisdiction to hear appeals in specialized cases, such as those involving

56. Federal Judicial Center, The U.S. Courts of Appeals and the Federal Judiciary, <http://www.fjc.gov/history/courts/u.s.-courts-appeals-and-federal-judiciary>; Federal Judicial Center, Federal Judicial Circuits, <http://www.fjc.gov/history/administration/federal-judicial-circuits>.

patent laws and cases decided by the U.S. Court of International Trade or the U.S. Court of Federal Claims.⁵⁷ In 1948, Congress changed the title of the federal appellate courts from “circuit court of appeals” to the U.S. “court of appeals” for the respective circuit.⁵⁸

Circuit Judicial Councils⁵⁹

Also referred to as the “circuit councils,” circuit judicial councils consist of equal numbers of active or senior circuit judges and district judges of the circuit, plus the chief judge of the court of appeals, who presides as the chair.⁶⁰ No district is permitted to have more than one judge on the council unless all districts within the circuit have at least one judge on the council.⁶¹ The exact council size and the terms of council members are determined by majority vote of all Article III judges of the circuit in regular active service.⁶² Currently, circuit judicial councils range in size from nine to twenty-nine judges, and there is no direct relationship between the number of judges in a circuit and the size of its judicial council. For example, the Ninth Circuit Court of Appeals and the district courts of the circuit are authorized 141 judgeships, and the Ninth Circuit judicial council has eleven members. The Eighth Circuit’s judicial council is almost three times larger (twenty-nine members), even though the Eighth Circuit Court of Appeals and the district courts of the circuit are authorized one-third as many judgeships (fifty-two).⁶³ The manner by which individual council members are selected from a circuit’s eligible judges varies by circuit. Senior judges are eligible for membership. Bankruptcy and magistrate judges may not be members of the councils,⁶⁴ but in some circuits they meet with the councils as nonvoting members or observers.

57. 28 U.S.C. § 41 (2018).

58. See *id.* § 43(a).

59. Circuit judicial councils were created in 1939, pursuant to the same statute that established the Administrative Office of the U.S. Courts, to see that “the work of the district courts shall be effectively and expeditiously transacted.” Administrative Office Act, Pub. L. No. 76-299, 53 Stat. 1223, 1224 (1939). For discussion of the legislative history of the Act, see Peter G. Fish, *The Politics of Federal Judicial Administration* (1973).

60. 28 U.S.C. § 332(a)(1), (3) (2018).

61. *Id.* § 332(a)(4).

62. *Id.* § 332(a)(1), (2).

63. Admin. Office of the U.S. Courts, U.S. Courts of Appeals Additional Authorized Judgeships (2018), <http://www.uscourts.gov/sites/default/files/appealsauth.pdf>; Admin. Office of the U.S. Courts, U.S. District Courts Additional Authorized Judgeships (2018), <http://www.uscourts.gov/sites/default/files/districtauth.pdf>.

64. 28 U.S.C. § 332(a)(3) (2018).

Circuit judicial councils have broad authority to “make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit.”⁶⁵ Unlike the Judicial Conference, judicial councils or their appointed committees may initiate investigations and institute contempt proceedings in district court if a judge or employee within the circuit fails to comply with an order of the council.⁶⁶ In conjunction with these statutory powers, circuit judicial councils have taken on more formal functions, due to increased delegation of budgetary authority to individual courts, pressure to reduce costs, and enhanced staff support.

The duties and responsibilities of circuit judicial councils, set by statutes and Judicial Conference policy, generally relate to ensuring that all of the individual courts within their circuits are operating efficiently and complying with statutes and Judicial Conference policy.⁶⁷ These specific duties include judge and judgeship matters, review and approval of court plans and rules, administration and operation of the courts, and other workload matters. Circuit judicial councils also recommend to the Judicial Conference changes in the number of Article III judgeships and in the number and location of bankruptcy and magistrate judges,⁶⁸ temporarily transfer bankruptcy and magistrate judges between circuits,⁶⁹ and act on reports of judicial misconduct presented by special committees appointed by the chief circuit judge to investigate complaints, taking appropriate action on the complaints, and, if warranted, recommending action to the Judicial Conference.⁷⁰ Circuit judicial councils are responsible for reviewing and approving district court plans such as Criminal Justice Act plans,⁷¹ jury plans⁷² and Speedy Trial Act plans⁷³ (in conjunction with the chief judge or another judge from the district whose plan is being reviewed), and local court rules.⁷⁴

65. *Id.* § 332(d)(1).

66. *Id.* § 332(d)(2).

67. The duties and responsibilities of circuit councils are detailed in the Guide, vol. 1, ch. 10, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-10-circuit-governance>. See also Admin. Office of the U.S. Courts, Compendium of Chief Judge Authorities ch. 2, at 7–64 (2016), available at <http://jnet.ao.dcn/court-services/judges-corner/publications/judges-information-series/compendium-chief-judge-authorities>; Admin. Office of the U.S. Courts, Getting Started as a Federal Judge 202–211 (4th ed. 2016), available at <http://jnet.ao.dcn/court-services/judges-corner/trainingeducationoutreach/information-new-judges/getting-started-federal-judge>.

68. 28 U.S.C. §§ 152(b), 633(b) (2018).

69. *Id.* §§ 155(a), 636.

70. *Id.* §§ 351–361.

71. 18 U.S.C. § 3006A(a) (2018).

72. 28 U.S.C. § 1863(a) (2018).

73. 18 U.S.C. §§ 3165(c), 3166(f) (2018).

74. 28 U.S.C. §§ 332(d)(4), 2071(c) (2018); Fed. R. Civ. P. 83; Fed. R. Crim. P. 57; Fed. R. Bankr. P. 9029.

Circuit judicial councils perform duties that affect the administration and operations of the courts within the circuit, such as appointing a circuit executive⁷⁵ and, where necessary, issuing orders for the division of business and assignment of cases among judges in a district court.⁷⁶ Other responsibilities assigned by Congress and the Judicial Conference require judicial councils to establish a bankruptcy appellate panel service, as prescribed by statute,⁷⁷ to approve chambers and courtroom space at authorized places of holding court or other places in the circuit,⁷⁸ and to approve certain exceptions to the space standards in the *U.S. Courts Design Guide*⁷⁹ to the extent justified on a case-by-case basis.⁸⁰

Chief Judges of the Circuits

Chief circuit judges have an important role in court governance and administration at both the circuit level and the individual court level. At the court level, the chief circuit judge has the ultimate responsibility for seeing that the circuit court of appeals is administered effectively and efficiently.⁸¹ At the circuit level, the chief circuit judge, as the chair of the judicial council of the circuit, has responsibility for the administration of the circuit as a whole, which encompasses all of the courts and their operating units within the circuit. The chief circuit judge is usually the judge who has served on the court of appeals the longest and is sixty-five years old or younger when becoming chief judge.⁸² The statute permits, but does not require, chief judges to serve seven-year terms.⁸³ However, no

75. 28 U.S.C. § 332(e).

76. *Id.* § 137.

77. *Id.* § 158(b).

78. *Id.* § 462(b), (c).

79. Available at <http://jnet.ao.dcn/facilities-security/facilities/design-and-construction/us-courts-design-guide>.

80. Report of the Proceedings of the Judicial Conference of the United States, Mar. 1999, at 35, available at http://www.uscourts.gov/sites/default/files/1999-03_0.pdf; Report of the Proceedings of the Judicial Conference of the United States, Sept. 1995, at 39, available at <http://www.uscourts.gov/sites/default/files/1995-09.pdf>.

81. The importance of the chief circuit judge as an element of court governance and administration at the local level will be discussed in the next section.

82. Title 28 U.S.C. § 45(a) (2018) provides that when a chief circuit judge vacancy occurs, it will be filled by the judge in regular active service who, at the time of the vacancy, (1) is senior in commission, (2) is under the age of 65, (3) has served at least a year as circuit judge, and (4) has not previously served as chief circuit judge. If no judge qualifies, exceptions to these requirements are provided in § 45(a)(2) and (3).

83. *Id.* § 45(a)(3)(A). A judge qualified to serve as chief judge may elect not to do so and must provide written notice to the Chief Justice of the United States. *Id.* § 45(c).

circuit judge is permitted to serve or act as chief judge of the circuit after reaching age seventy.⁸⁴

Chief circuit judges link national, regional, and local court governance elements. A chief circuit judge's role as the leader of administrative operations is defined by statutes and Judicial Conference policy. Some duties are formally delegated by the AO director or informally or de facto delegated by the judges of the court of appeals as a whole.⁸⁵ At the national level, the chief circuit judge represents the circuit as a member of the Judicial Conference. As the presiding judge of the judicial council in each regional circuit, the chief circuit judge calls and chairs meetings of the judicial council at least twice a year; sets the agenda of the meetings; designates a replacement council member in the event of a member's death, resignation, retirement, or disability; excuses a member from a council meeting; and provides the council with the AO director's semiannual reports.⁸⁶

As well as presiding over the circuit judicial council, the chief circuit judge has several additional responsibilities as chief judge of the circuit, including authorizing or requesting intra- and inter-circuit assignments of judges,⁸⁷ authorizing special types of travel by judges, and approving exceptions to the travel and relocation regulations for both judges and judiciary employees under special circumstances.⁸⁸

The chief circuit judge has circuit-wide responsibility for handling complaints under the Judicial Conduct and Disability Act of 1980⁸⁹ and the Rules for Judicial-Conduct and Judicial-Disability Proceedings.⁹⁰ The Act and Rules establish a process by which a complaint may be submitted by or on behalf of

84. *Id.* § 45(a)(3)(C). For more information on the evolution of the chief circuit judge position, see Marie Leary & Laural Hooper, Resource Guide for Chief Circuit Judges' Deskbooks App. A (Federal Judicial Center 2019), available at <http://www.fjc.gov/content/341465/resource-guide-chief-circuit-judges-deskbooks>.

85. Compendium of Chief Judge Authorities, *supra* n. 67, at 3–4.

86. 28 U.S.C. § 332(a)(1), (a)(5), (a)(6), (c) (2018).

87. *Id.* §§ 291–296.

88. Guide, vol. 19, chs. 2–5, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-19-travel-and-relocation>. For more information about a chief circuit judge's duties and responsibilities, see Compendium of Chief Judge Authorities, *supra* n. 67, chs. 1–2; Leary & Hooper, Resource Guide, *supra* n. 84.

89. 28 U.S.C. §§ 351–364 (2018).

90. Guide, vol. 2, part E, ch. 3, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-2-ethics-and-judicial-conduct/part-e-judicial-conduct-and-disability-act-and-related-materials/ch-3-rules-judicial-conduct-and-judicial-disability-proceedings>. The Rules for Judicial-Conduct and Judicial-Disability Proceedings (JC&D Rules), as amended on March 12, 2019, provide mandatory and nationally uniform provisions governing the substantive and procedural aspects of misconduct and disability proceedings under the Judicial Conduct and Disability Act.

any person alleging a federal judge has engaged in “conduct prejudicial to the effective and expeditious administration of the business of the courts” or has become, by reason of a mental or physical disability, “unable to discharge all the duties” of the judicial office. Under the Act and Rules, the chief circuit judge has the authority to identify a complaint *sua sponte* if the chief judge concludes that information known to the judge constitutes probable cause to believe that misconduct occurred or a disability exists, whether or not the information is framed as, or intended to be, an accusation.⁹¹ A chief circuit judge who does not dismiss a complaint must refer it to an appointed special committee for investigation and possible action by the circuit council.⁹²

Circuit Executives

Congress has authorized each circuit judicial council to hire a circuit executive to carry out such duties as the circuit council may delegate.⁹³ Circuit executives work closely with and are supervised by the chief judge of the circuit. Responsibilities vary from circuit to circuit, but most executives serve the judicial council as its agent in dealing with courts of the circuit and as staff by preparing agendas for and serving as secretaries in judicial council meetings. Executives also administer the personnel system and the budget of the court of appeals of the circuit and oversee operations that assist the circuit's courts in areas such as automation, property control records, space management, and local education programs.⁹⁴ The circuit executive's office may collect statistics, conduct studies, and prepare reports relating to the business and administration of the courts within the circuit for or at the request of the chief judge, the circuit council, the AO, or the Judicial Conference.

In some circuits, the executive has authority to represent the circuit on issues related to the operation and administration of the circuit in a liaison role to the courts of the various states in which the circuit is located, the marshal's office, state and local bar associations, civic groups, news media, and other private and public groups. The circuit executive may appoint, with the approval of the circuit council, necessary employees in such number as may be approved by the AO director.⁹⁵ Most circuit executives have staffs of twenty to thirty employees.

91. 28 U.S.C. § 351(b) (2018); JC&D Rule 5.

92. 28 U.S.C. § 353 (2018), JC&D Rule 12.

93. 28 U.S.C. § 332(e) (2018).

94. *Id.* See also Guide, vol. 1, § 1020, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-10-circuit-governance#1020>.

95. 28 U.S.C. § 332(f)(3) (2018).

Circuit Judicial Conferences

Held every year or every other year, circuit judicial conferences are distinct from the Judicial Conference of the United States. Circuit judicial conferences may be “judges only” or may be open to members of the bar. The general purpose of the conferences is to discuss the business of the courts and to seek improvement in the administration of justice.⁹⁶ All circuit, district, magistrate, and bankruptcy judges of the circuit in active service are invited, but attendance is not mandatory.⁹⁷

Matters discussed at circuit conferences vary. Some circuits focus mainly on issues affecting judicial administration, including recent legislation, federal and local rules, probation and sentencing, jury matters, case management and court congestion, use of pretrial procedures, federal-state cooperation, and rules for admission to the federal bar. Other circuits cover a broader range of topics. Some circuits only invite the active circuit, district, magistrate, and bankruptcy judges of the circuit to conferences, while others invite members of the bar, court unit executives, federal defenders, and other judiciary personnel.⁹⁸ Although circuits are not required to invite attorneys to circuit judicial conferences, each circuit court is required to have a local rule describing how members of the bar will be represented and how they can actively participate at the conference.⁹⁹

The chief circuit judge usually presides at circuit conferences and addresses the conference, often reporting on how the Supreme Court, in the term just ending, disposed of appeals from the circuit court. AO and Federal Judicial Center officials are usually invited to speak at the conferences as well.¹⁰⁰

96. As originally created, circuit conferences were required annually and attendance by circuit judges was mandatory, intending to provide a forum to allow judges and lawyers to meet “for the purpose of considering the business of the courts and advising means of improving the administration of justice within” each circuit. 28 U.S.C. § 333 (2018). The conferences never fully met that goal, at least in most circuits, and in the 1990s, Congress amended their charter to authorize rather than mandate both holding the conferences and judges’ attendance at them. *Id.*

97. *Id.*

98. Guide, vol. 1, § 1030, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-10-circuit-governance#1030>.

99. 28 U.S.C. § 333 (2018).

100. These statutory meetings should not be confused with the periodic “circuit workshops,” which are continuing-education programs for district and circuit judges arranged and funded by the Federal Judicial Center.

Elements of Federal Judicial Administration at the Local (District) Level

Although the Judicial Conference establishes national policies and approves the budget for the judiciary, each court has substantial local autonomy to appoint its own support staff, purchase supplies, equipment, and services, and manage its own affairs. This autonomy over matters of local judicial administration is reinforced by the delegation of substantial responsibilities to individual courts under the federal judiciary's budget decentralization program. Using the AO director's statutory authority to delegate duties to court officials,¹⁰¹ the director's financial, procurement, and human resources authority has been delegated to chief judges and court staff.¹⁰² Although decentralization allows each court to operate with considerable autonomy and encourages innovation and economy, chief judges and other court personnel must manage resources efficiently and prudently, in accordance with statutes and Judicial Conference policies.

101. The director of the AO is authorized to delegate any of the statutory responsibilities and other duties as may be assigned to him [or her] by the Supreme Court or the Judicial Conference to other officers and employees of the judicial branch, subject to appropriate terms and conditions, and to authorize their redelegation to others. 28 U.S.C. § 602(d) (2018). *See also* Guide, vol. 1, ch. 6, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-6-delegations-director's-authorities>.

102. Compendium of Chief Judge Authorities, *supra* n. 67, at 1; The Federal Court System in the United States, *supra* n. 25, at 37.

Individual Courts and Chief Judges

Most of the authority for conducting the basic day-to-day tasks of judicial administration in the federal courts is vested in the court as a whole, defined by statute as the judges of the circuit, district, or bankruptcy court in “regular active service.”¹⁰³ To draw an analogy to corporate decision making, each active judge can be viewed as a member of the “board of directors” of the particular court, and the chief judge may be seen as the “chair of the board,” with ultimate responsibility for seeing that the court is administered effectively and efficiently.¹⁰⁴ In a district court, senior district judges who perform at least 50% of the work of an active judge of their court may exercise the powers of an active district judge in court appointments, rule making, governance, and administrative matters.¹⁰⁵ Some courts, by tradition, allow senior judges with a nonqualifying workload, as well as magistrate judges, to participate in governance and administrative matters.¹⁰⁶ In each district, the bankruptcy judges in regular active service constitute a separate unit of the district court known as the bankruptcy court for that district.¹⁰⁷ Although bankruptcy judges are judicial officers of the district court and bankruptcy courts are units of their district courts, both operate with substantial autonomy in structuring their court operations.

Each federal court is given responsibility by statute and administrative practice to regulate the conduct of its own business.¹⁰⁸ Judges at the local level have considerable latitude to structure their courts’ operations to suit local conditions. Most administrative decisions are made collegially by all the active judges of the court, including in such important matters as approving the court’s annual budget, developing individualized procedures and plans for assigning cases, establishing times for holding regular sessions of court, ordering special sessions of court, reviewing proposals for new places of holding court, and long-

103. 28 U.S.C. § 43 (2018) (courts of appeals); *id.* § 132 (district courts); *id.* § 151 (bankruptcy courts). The Court of Federal Claims is an Article I court comprised of sixteen judges. *Id.* § 171(a). The Court of International Trade is an Article III court comprised of nine judges. *Id.* § 251(a).

104. Judges Administrative Manual, ch. 2, § 3.3 (Admin. Office of the U.S. Courts 2018), available at <http://jnet.ao.dcn/policy-guidance/judges-administrative-manual>; Getting Started as a Federal Judge, *supra* n. 67, at 187.

105. 28 U.S.C. § 296 (2018).

106. Guide, vol. 1, § 1120.10(c), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1120_10.

107. 28 U.S.C. § 151 (2018).

108. *Id.* §§ 41–49 (courts of appeals); *id.* §§ 81–144 (district courts); *id.* §§ 151–159 (bankruptcy judges). See also *id.* § 2071 (authority to prescribe local rules).

range planning.¹⁰⁹ In addition, courts as a collective body are authorized to appoint the clerk of court and hire unit executives, prescribe local rules of court and operating procedures, and adopt plans for jury selection, alternative dispute resolution, and implementation of the Criminal Justice Act.¹¹⁰

Each court of appeals, and each district and bankruptcy court with more than one judge, has a chief judge who has administrative responsibilities relating to the operation of the court, in addition to the judge's caseload.¹¹¹ Like chief circuit judges, chief district judges attain the position through seniority and age, as the chief judge is normally the judge under age sixty-five who has served on the court the longest.¹¹² Chief district judges are also limited to a seven year term, and may not serve beyond age seventy. Although district judges recognize the chief judge as the court's leader, as with the chief circuit judge, no statute gives the chief district judge plenary administrative authority over the district court. As with chief circuit judges, there are many specific statutory responsibilities and a substantial tradition that together make the office of the chief district judge an important element in court governance.

If there is more than one bankruptcy judge within the district, the judges of the district court select a chief bankruptcy judge for the district by majority vote.¹¹³ Many district courts designate as chief judge the bankruptcy judge who is senior in date of appointment, though there are no statutorily imposed age or seniority requirements and no limitation on the term of the chief bankruptcy judge.¹¹⁴ Unlike the chief circuit or chief district judge, the chief bankruptcy judge has a specific statutory charge to ensure that the business of the court is handled effectively and expeditiously.¹¹⁵

Responsibility for court administration has naturally migrated to chief judges, largely because they “represent, speak for, and act for the court as a whole in institutional matters.”¹¹⁶ The responsibilities of chief judges of federal courts at all

109. Guide, vol. 1, ch. 11, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance>.

110. *Id.*

111. 28 U.S.C. §§ 45, 136, 154(b) (2018). The Court of Federal Claims (*id.* § 171(b)), the Court of International Trade (*id.* § 258), and the District Court for the U.S. Virgin Islands (48 U.S.C. § 1614(a) (2018) (the only territorial court with more than one judge)) also each have a chief judge.

112. 28 U.S.C. § 136 (2018).

113. *Id.* § 154(b). The term of a chief bankruptcy judge is determined by the district court. Compendium of Chief Judge Authorities, *supra* n. 67, at 183.

114. Guide, vol. 1, § 1130.20, http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1130_20.

115. 28 U.S.C. § 154(b) (2018).

116. Judges Administrative Manual, *supra* n. 104, ch. 3, § 2.2.

levels have grown significantly since the implementation of decentralization, ensuring that chief judges will continue to play a key leadership role in overseeing the operations of the court, promoting its efficiency, and ensuring accountability to the public.¹¹⁷

Court Committees

Many courts develop court policies and oversee court operations through committees or liaison judges appointed by the chief judge to address specific subject areas (e.g., budget, space, information technology, security, or local rules) or to supervise court units (e.g., the clerk's office or the probation office).¹¹⁸ Since the regional courts of appeals are statutorily responsible for appointing bankruptcy judges, bankruptcy administrators, and federal public defenders to serve in the districts within the circuit,¹¹⁹ the chief circuit judge may appoint a committee to screen and interview applicants for those positions. Also, each court (including bankruptcy courts) must appoint an advisory committee, composed mostly of attorneys who practice before the court, to make recommendations to the court regarding its local rules and internal operating procedures.¹²⁰ In addition, the Judicial Conference has urged each court to create a local information technology committee to provide management oversight of local IT programs¹²¹ and has

117. The Federal Court System in the United States, *supra* n. 25, at 38. For additional information about the duties and responsibilities of chief judges, see Guide, vol. 1, ch. 11, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance>; Compendium of Chief Judge Authorities, *supra* n. 67; Leary & Hooper, Resource Guide, *supra* n. 84; Deskbook for Chief Judges of U.S. District Courts (Federal Judicial Center, 4th ed. 2014), available at <http://fjconline.fjc.dcn/content/deskbook-chief-judges-us-district-courts-fourth-edition>; Deskbook for Chief Judges of United States Bankruptcy Courts (Admin. Office of the U.S. Courts & Federal Judicial Center, 4th ed. 2015), available at <http://fjconline.fjc.dcn/content/307857/deskbook-chief-judges-united-states-bankruptcy-courts>.

118. Guide, vol. 1, § 1110.40 (courts of appeals), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1110_40; *id.* § 1120.50 (district courts), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1120_50; *id.* § 1130.40 (bankruptcy courts), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1130_40.

119. 28 U.S.C. § 152(a) (2018); Pub. L. No. 99-554, § 302(d)(3), 100 Stat. 3121 (classified as a note to 28 U.S.C. § 581); 18 U.S.C. § 3006A(g)(2)(A) (2018).

120. 28 U.S.C. § 2077(b) (2018).

121. Report of the Proceedings of the Judicial Conference of the United States, Mar. 1998, at 7, available at http://www.uscourts.gov/sites/default/files/1998-03_0.pdf; Guide, vol. 15, § 130.20, http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-15-information-technology/ch-1-overview#130_20.

recommended that each district form a court security committee.¹²² Some district courts participate in state-federal judicial councils, while others have less formal mechanisms for fostering communication and coordination with state courts.¹²³

Although bankruptcy courts are technically units within their respective district courts, chief judges of the bankruptcy courts may appoint committees or liaison judges to supervise the office of the bankruptcy clerk or to oversee other specific subject areas as these pertain to the bankruptcy court, such as budget and human resources. In addition, liaison judges may be appointed to represent the bankruptcy court on district court committees or to serve as the court's liaison with the office of the U.S. trustee.¹²⁴

Support Staff

Individual courts have substantial discretion to hire and set pay for their own employees, enabling each court to structure its own support operations to suit local conditions. Within the national standards and funding allotments established by the judiciary's personnel system, the court and its court unit executives have considerable discretion to organize and compensate their staff. Court employees are supervised by, and responsible to, the judges of their courts, not the AO.

Hiring decisions regarding court staff are made locally. In addition to their own personal chambers staff of law clerks and secretaries or judicial assistants, who are hired by judges individually, judges rely on central support staff to assist with the management of the court. The judges of each court appoint a clerk of court, the court's primary administrative officer, who oversees the court's administrative and financial operations in accordance with the powers and duties

122. Report of the Proceedings of the Judicial Conference of the United States, Sept. 2007, at 28, available at <http://www.uscourts.gov/sites/default/files/2007-09.pdf>; Report of the Proceedings of the Judicial Conference of the United States, Mar. 2012, at 24–25, available at <http://www.uscourts.gov/sites/default/files/2012-03.pdf>; Guide, vol. 17, § 240.20, http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-17-security-and-emergency-management/ch-2-court-security#240_20.

123. For additional information on state-federal judicial councils, see Jason A. Cantone, *Enhancing Cooperation Through State-Federal Judicial Councils* (Federal Judicial Center 2017), available at http://www.fjc.gov/sites/default/files/2017/Enhancing_Cooperation_Through_State-Federal_Councils_for_Web.pdf. This pocket guide was intended to help state and federal judges organize and maintain an active state-federal judicial council, including sample documents. In addition to the pocket guide, the Federal Judicial Center created and maintains a website dedicated to “Federal and State Court Cooperation” that describes how cooperation between state and federal courts can enable more efficient use of time and resources for both courts. See <http://www.fjc.gov/content/323147/federal-and-state-court-cooperation-overview>.

124. Guide, vol. 1, § 1130.40, http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1130_40.

assigned by the court, to which the clerk reports directly through its chief judge.¹²⁵ A court as an entity also appoints its other court executives. The court of appeals may appoint a librarian, senior staff attorney, and chief circuit mediator (also referred to as chief conference attorney).¹²⁶ Each district court appoints a chief probation officer, probation officers, a chief pretrial services officer (if the pretrial services office is separate from the court's probation office), and court reporters in the number determined by the Judicial Conference.¹²⁷

The district courts are authorized to appoint magistrate judges “in such numbers and to serve at such locations within the judicial district as the Judicial Conference may determine.”¹²⁸ District court magistrate judges are appointed by a majority vote of the judges eligible to vote in the district. Duties of magistrate judges have expanded significantly over the years. Congress allows district courts to assign virtually any matter or proceeding to magistrate judges, with the exception of trial and sentencing in felony cases.¹²⁹ An increasing number of courts

125. 28 U.S.C. § 711 (2018) (courts of appeals); *id.* § 751 (district courts); *id.* § 156(b) (bankruptcy courts). For additional information about the duties and responsibilities of a clerk of court, see *id.* § 956; Judges Administrative Manual, *supra* n. 104, ch. 3, § 4.2. Although bankruptcy judges statutorily are judicial officers of the district courts and a unit of the district court, bankruptcy clerks' offices operate independently of the district court clerks. A bankruptcy clerk's office may only be combined with a district clerk's office if the Judicial Conference specifically approves the merger and notifies Congress. 28 U.S.C. § 156(d) (2018).

126. Guide, vol. 1, § 1110.30 (courts of appeals), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1110_30; 28 U.S.C. § 713 (2018) (librarian); *id.* § 715 (senior staff attorney); Report of the Proceedings of the Judicial Conference of the United States, Sept. 1994, at 56–57, available at http://www.uscourts.gov/sites/default/files/1994-09_0.pdf; Report of the Proceedings of the Judicial Conference of the United States, Mar. 1995, at 22 (chief circuit mediators), available at http://www.uscourts.gov/sites/default/files/1995-03_0.pdf. The Court of Appeals for the Federal Circuit may also appoint technical assistants. 28 U.S.C. § 715(c)–(d) (2018).

127. Guide, vol. 1, § 1120.40 (district courts), http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-1-governance-and-authorities/ch-11-individual-court-governance#1120_40; 18 U.S.C. § 3602 (2018) (chief probation officer and probation officers); 28 U.S.C. § 3152 (2018) (In most districts, the probation office also provides pretrial services, but a minority of districts have a separate pretrial services office supervised by an appointed chief pretrial services officer.); *id.* § 753(a) (court reporters).

128. 28 U.S.C. § 631(a) (2018). The number of magistrate judge positions is determined by the Judicial Conference, based on recommendations of the respective district courts, the judicial councils of the circuits, and the director of the Administrative Office. *Id.* § 633(c). A full-time magistrate judge is appointed for a term of eight years; a part-time magistrate judge serves for a term of four years. The standards and procedures for appointing and reappointing magistrate judges adopted by the Judicial Conference are found in the Guide, vol. 3, § 410, <http://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-3-judges/ch-4-selection-appointment-and-reappointment-magistrate-judges#410>.

129. 28 U.S.C. § 636 (2018).

assign a share of their civil cases directly to magistrate judges for all pretrial duties and, if the parties consent, for trial and disposition. Many courts refer guilty plea proceedings in felony cases to magistrate judges.¹³⁰

130. Judges Administrative Manual, *supra* n. 104, ch. 3, § 3.7. For a comprehensive listing of magistrate judge duties with citations to authority, see Inventory of United States Magistrate Judge Duties (Admin. Office of the U.S. Courts 2013), available from the Judicial Services Office and on the Judges' Corner of the JNet at <http://jnet.ao.dcn/court-services/judges-corner/magistrate-judges-system/authority-magistrate-judges/inventory-united-states-magistrate-judge-duties>.

Conclusion

The national-, circuit-, and district-level components of judicial administration play distinct yet interrelated roles in ensuring the orderly, efficient conduct of business in the courts. At each level, judges exercise authority and supervision over virtually all aspects of judiciary operations. This helps to preserve and foster the independence of the judicial branch as an institution and to protect the independence of individual judges. The system benefits when judges are familiar with the judiciary's governing structure and procedures and contribute to their effective execution and improvement.

Resources for New Judges

The Federal Judicial Center publishes numerous resources directly aimed at, or of interest to, new federal judges, including but not limited to the offerings listed below. All of these resources can be found at fjc.dcn, the FJC's website on the judiciary's intranet, which may be accessed from JNet. Many of these resources are also available on the Center's public internet site, fjc.gov. If you have questions, contact the Center's Information Services Office at 202-502-4153 or publications@fjc.gov.

[Anatomy of a Patent Case, Third Edition](#) (2016)

This is a concise narrative summary of the steps required to bring a patent case to trial and of the key elements of such litigation.

[Awarding Attorneys' Fees and Managing Fee Litigation, Third Edition](#) (2015)

This monograph analyzes the law of attorneys' fee awards under fee-shifting statutes, the common fund doctrine and its progeny, and the substantial benefit doctrine.

[The Bail Reform Act of 1984, Third Edition](#) (2006)

This monograph provides a summary of appellate court decisions interpreting provisions of The Bail Reform Act of 1984 on issues of release and detention.

[Benchbook for U.S. District Court Judges, Sixth Edition](#) (2013)

The *Benchbook* is an ongoing compilation of information that federal judges have found useful for immediate bench or chambers reference in civil and criminal proceedings.

[Capital § 2254 Habeas Cases: A Pocket Guide for Judges](#) (2012)

This pocket guide provides a basic overview of the issues judges can expect to face when assigned a capital habeas case.

[Case Management Manual for United States Bankruptcy Judges, Second Edition](#) (2012)

The objective of this manual is to help judges manage the bankruptcy cases and proceedings on their dockets by describing principles and techniques judges from around the country have found most effective.

[Civil Litigation Management Manual, Second Edition](#) (2010)

This manual provides trial judges with a handbook on managing civil cases.

[Confidential Discovery: A Pocket Guide on Protective Orders](#) (2012)

The protective orders discussed in this pocket guide are different from sealing orders that protect the courts' own records and protective orders that protect information from discovery; among the topics addressed here are blanket orders, stipulated orders, and designating discovery for attorney eyes only.

[Consumer Bankruptcy Law: Chapters 7 & 13](#) (2014)

This monograph describes the statutory framework for bankruptcy relief under the Bankruptcy Code and analyzes the fundamental issues that arise in bankruptcy litigation.

[The Crime Victims' Rights Act of 2004 and the Federal Courts](#) (2008)

This paper provides an overview of key provisions of the CVRA, notes on the CVRA's potential application at various stages of criminal proceedings, and potential issues that may arise under the CVRA.

[The Elements of Case Management, Third Edition](#) (2017)

This primer for judges focuses on techniques and methods of case management.

[The Federal Courts: An Essential History](#) (2016)

This volume describes the three key features that shape the federal courts' narrative—separation of powers, federalism, and the party framework of American self-government—and examines how the independence that lifetime tenure theoretically confers did not and does not isolate the judiciary from political currents, partisan quarrels, and public opinion.

[Federal Sentencing: The Basics](#) (2018)

This paper, designed to be read by new judges prior to their Phase I Orientation Seminar, provides an overview of the federal sentencing system.

[A Guide to the Judicial Management of Bankruptcy Mega-Cases, Second Edition](#) (2009)

This guide pools the knowledge of bankruptcy judges and clerks of court experienced in handling mega-cases in a written resource for others.

[Guide to Judicial Management of Cases in ADR](#) (2001)

This publication offers guidance to federal trial and bankruptcy courts on when and how to refer appropriate cases to ADR and how to manage cases referred to ADR.

[A Guide to the Preservation of Federal Judges' Papers, Third Edition](#) (2018)

This guide provides information for judges about organizing, managing, and storing physical documents and electronic materials in chambers.

[Guide to Judicial Well-Being](#) (2013)

Prepared by a chief district judge, this is an informal, commonsense, and sometimes irreverent guide to achieving life-long satisfaction and well-being on the bench.

[Judicial Disqualification: An Analysis of Federal Law, Third Edition](#) (2020)

This monograph outlines the statutory framework of federal statutory judicial disqualification law and analyzes the case law, with a focus both on substantive disqualification standards and procedural requirements.

[Judicial Management of Mass Tort Bankruptcy Cases](#) (2005)

Designed as resource for judges to guide them through the complexities of managing mass tort bankruptcy reorganizations, this publication draws lessons from difficult-to-find sources and presents them in a form that is part judicial manual, part treatise, and part case study.

[Judicial Writing Manual: A Pocket Guide for Judges, Second Edition](#) (2013)

Prepared with the assistance of judges, law professors, and writers, this manual offers advice on writing tailored to the needs of the federal judiciary.

[Keeping Government Secrets: A Pocket Guide on the State-Secrets Privilege, the Classified Information Procedures Act, and Classified Information Security Officers, Second Edition](#) (2013)

This pocket guide is designed to familiarize judges and court staff with statutes and procedures established to help public courts protect government secrets when courts are called upon to do so.

[Law Clerk Handbook: A Handbook for Law Clerks to Federal Judges, Fourth Edition](#) (2020)

The *Law Clerk Handbook* provides an overview of law clerk responsibilities, chambers operations, and the work of the federal courts. Potential and current law clerks, as well as their colleagues, will find helpful information on conduct, ethics, types of federal court litigation, chambers and case management, court governance and administration, legal research and writing, and resources for additional information on these topics.

[Maintaining the Public Trust: Ethics for Federal Judicial Law Clerks, Revised Fourth Edition](#) (2019)

This pamphlet provides an overview of law clerks' ethical obligations as well as resources they can consult for further information.

[Managing Class Action Litigation: A Pocket Guide for Judges, Third Edition](#) (2010)

This pocket guide is designed to help federal judges manage the increased number of class action cases filed in or removed to federal courts as a result of the Class Action Fairness Act of 2005 (CAFA)

[Managing Discovery of Electronic Information: A Pocket Guide for Judges, Third Edition](#) (2017)

This pocket guide encourages judges to actively manage cases that involve electronically stored information through early intervention and sustained supervision and to use the many tools available to them to facilitate cooperation and ensure that discovery is fair, reasonable, and proportional to each case.

[Manual for Complex Litigation, Fourth Edition](#) (2004)

The manual describes approaches that trial judges have found to be useful in managing complex cases; topics include electronic discovery, scientific evidence, and major changes affecting case management in the substantive and procedural law in various types of litigation.

[Manual on Recurring Problems in Criminal Trials, Sixth Edition](#) (2010)

This manual outlines the law governing many of the specific issues and procedural matters that arise frequently in criminal trials.

[Mindfulness and Judging](#) (2003)

This primer on mindfulness and its uses in judging explores how while much of the discussion of mindfulness in relation to judges focuses on health and wellness, mindfulness also has obvious implications for the actual work that judges do.

[Patent Case Management Judicial Guide, Third Edition](#) (2016)

This is a comprehensive, user-friendly, and practical judicial guide for managing patent cases, organized around the stages of patent litigation.

[Preserving the Trust: Ethics and Federal Judges](#) (2009)

This video program and accompanying print materials introduce the five canons of the Code of Conduct for United States Judges and the Gift and Outside Income Regulations, while taking a closer look at some ethics issues and questions that arise most often.

[A Primer on the Jurisdiction of the U.S. Courts of Appeals, Second Edition](#) (2009)

Providing an introduction to the complexity and nuance in the subject-matter jurisdiction of the U.S. courts of appeals, this monograph examines procedural issues related to the exercise of appellate jurisdiction in appeals from final judgments and interlocutory appeals.

[Pro Se Case Management for Nonprisoner Civil Litigation](#) (2016)

This manual provides a practical guide to steps that courts can take before and during litigation to manage nonprisoner pro se litigation more efficiently—steps that may also help pro se litigants better navigate the complexities of federal civil litigation.

[Reference Manual on Scientific Evidence, Third Edition](#) (2011)

The manual assists judges in managing cases involving complex scientific and technical evidence by describing the basic tenets of key scientific fields from which legal evidence is typically derived and by providing examples of cases in which that evidence has been used.

[Roundtable on the Use of Technology to Facilitate Appearances in Bankruptcy Proceedings](#) (2006)

This report summarizes the proceedings at a 2005 program at which bankruptcy judges discussed the use of distance participation technology to conduct bankruptcy proceedings.

[Sealing Court Records and Proceedings: A Pocket Guide](#) (2010)

This pocket guide summarizes the case law on sealing records and proceedings and presents a useful procedural checklist of seven principles to follow when denying public access.

[Ten Steps to Better Case Management: A Guide for Multidistrict Litigation Transferee Judges, Second Edition](#) (2014)

This guide is intended to help transferee judges with their MDL cases, introducing briefly some of the “best practices” they have developed over the years, focusing on core responsibilities.

[A Word of Welcome to the Federal Judicial System](#) (2018)

A brief video provides a welcome to the federal judicial system from Chief Justice John G. Roberts, Jr., and John S. Cooke, director of the Federal Judicial Center, who also describes the services the Center provides to federal judges.

The Federal Judicial Center

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About the Federal Judicial Center

The Federal Judicial Center is the research and education agency of the federal judicial system. It was established by Congress in 1967 (28 U.S.C. §§ 620–629), on the recommendation of the Judicial Conference of the United States.

By statute, the Chief Justice of the United States chairs the Center's Board, which also includes the director of the Administrative Office of the U.S. Courts and seven judges elected by the Judicial Conference.

The organization of the Center reflects its primary statutory mandates. The Education Division plans and produces education and training for judges and court staff, including in-person and virtual programs, videos and podcasts, publications, curriculum packages for in-district training, and web-based resources. The Research Division examines and evaluates current and alternative federal court practices and policies. This research assists Judicial Conference committees, who request most Center research, in developing policy recommendations. The Center's research also contributes substantially to its educational programs. The Federal Judicial History Office helps courts and others study and preserve federal judicial history. The International Judicial Relations Office provides information to judicial and legal officials from foreign countries and informs federal judicial personnel of developments in international law and other court systems that may affect their work. Two units of the Director's Office—the Information Technology Office and the Editorial & Information Services Office—support Center missions through technology, editorial and design assistance, and organization and dissemination of Center resources.

This guide serves as a brief introduction to the administrative organization of the federal judiciary, and the organizations, offices, and individuals involved in the governance of the federal judiciary.



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