

# Strategic Plan for the Federal Judiciary

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Judicial Conference of the  
United States



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# Strategic Plan for the Federal Judiciary



The federal judiciary is respected throughout America and the world for its excellence, for the independence of its judges, and for its delivery of equal justice under the law. Through this plan, the judiciary identifies a set of strategies that will enable it to continue as a model in providing fair and impartial justice.

This plan begins with expressions of the mission and core values of the federal judiciary. Although any plan is by nature aspirational, these are constants which this plan strives to preserve. The aim is to stimulate and promote beneficial change within the federal judiciary—change that helps fulfill, and is consistent with, the mission and core values.

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## Mission

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The United States Courts are an independent, national judiciary providing fair and impartial justice within the jurisdiction conferred by the Constitution and Congress. As an equal branch of government, the federal judiciary preserves and enhances its core values as the courts meet changing national and local needs.

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## Core Values

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***Rule of Law:*** legal predictability, continuity, and coherence; reasoned decisions made through publicly visible processes and based faithfully on the law

***Equal Justice:*** fairness and impartiality in the administration of justice; accessibility of court processes; treatment of all with dignity and respect

***Judicial Independence:*** the ability to render justice without fear that decisions may threaten tenure, compensation, or security; sufficient structural autonomy for the judiciary as an equal branch of government in matters of internal governance and management

***Accountability:*** stringent standards of conduct; self-enforcement of legal and ethical rules; good stewardship of public funds and property; effective and efficient use of resources

***Excellence:*** adherence to the highest jurisprudential and administrative standards; effective recruitment, development and retention of highly competent and diverse judges and staff; commitment to innovative management and administration; availability of sufficient financial and other resources

***Service:*** commitment to the faithful discharge of official duties; allegiance to the Constitution and laws of the United States; dedication to meeting the needs of jurors, court users, and the public in a timely and effective manner

## The Plan in Brief

The *Strategic Plan for the Federal Judiciary*, updated in 2015, continues the judiciary's tradition of meeting challenges and taking advantage of opportunities while preserving its core values. It takes into consideration various trends and issues affecting the judiciary, many of which challenge or complicate the judiciary's ability to perform its mission effectively. In addition, the plan recognizes that the future may provide tremendous opportunities for improving the delivery of justice.

This plan anticipates a future in which the federal judiciary is noteworthy for its accessibility, timeliness, and efficiency, attracts to judicial service the nation's finest legal talent, is an employer of choice for highly qualified executives and support staff, works effectively with the other branches of government, and enjoys the people's trust and confidence.

This plan serves as an agenda outlining actions needed to preserve the judiciary's successes and, where appropriate, bring about positive change. Although its stated goals and strategies do not include every important activity, project, initiative, or study that is underway or being considered, the plan focuses on issues that affect the judiciary at large, and on responding to those matters in ways that benefit the entire judicial branch and the public it serves.

Identified in the plan are seven fundamental issues that the judiciary must now address, and a set of responses for each issue. The scope of these issues includes the delivery of justice, the effective and efficient management of resources, the workforce of the future, technology's potential, access to the judicial process, relations with the other branches of government, and the public's level of understanding, trust, and confidence in federal courts.

# Strategic Issues for the Federal Judiciary

The strategies and goals in this plan are organized around seven issues— fundamental policy questions or challenges that are based on an assessment of key trends affecting the judiciary’s mission and core values:

**Issue 1: Providing Justice**

**Issue 2: The Effective and Efficient Management of Public Resources**

**Issue 3: The Judiciary Workforce of the Future**

**Issue 4: Harnessing Technology’s Potential**

**Issue 5: Enhancing Access to the Judicial Process**

**Issue 6: The Judiciary’s Relationships with the Other Branches of Government**

**Issue 7: Enhancing Public Understanding, Trust, and Confidence**

These issues also take into account the judiciary’s organizational culture. The strategies and goals developed in response to these issues are designed with the judiciary’s decentralized systems of governance and administration in mind.

## Issue 1. Providing Justice

*How can the judiciary provide justice in a more effective manner and meet new and increasing demands, while adhering to its core values?*

**Issue Description.** Exemplary and independent judges, high quality staff, conscientious jurors, well-reasoned and researched rulings, and time for deliberation and attention to individual issues are among the hallmarks of federal court litigation. Scarce resources, changes in litigation and litigant expectations, and certain changes in law challenge the federal judiciary’s effective delivery of justice. To address this issue, this plan includes three strategies that focus on improving performance while ensuring that the judiciary functions under conditions that allow for the effective administration of justice:

Pursue improvements in the delivery of justice on a nationwide basis. (Strategy 1.1)

Strengthen the protection of judges, court staff, and the public at court facilities, and of judges and their families at other locations. (Strategy 1.2)

Secure resources that are sufficient to enable the judiciary to accomplish its mission in a manner consistent with judiciary core values. (Strategy 1.3)

**Strategy 1.1.** Pursue improvements in the delivery of justice on a nationwide basis.

**Background and Commentary.** Effective case management is essential to the delivery of justice, and most cases are handled in a manner that is both timely and deliberate. The judiciary monitors several aspects of case management, and has a number of mechanisms to identify and assist congested courts. National coordination mechanisms include the work of the Judicial Panel on Multidistrict Litigation, which is authorized to transfer certain civil actions pending in different districts to a single district for coordinated or consolidated pretrial proceedings. The work of chief judges in managing each court’s caseload is critical to the timely handling of cases, and these

local efforts must be supported at the circuit and national level. Circuit judicial councils have the authority to issue necessary and appropriate orders for the effective and expeditious administration of justice, and the Judicial Conference is responsible for approving changes in policy for the administration of federal courts. Cooperative efforts with state courts have also proven helpful, including the sharing of information about related cases that are pending simultaneously in state and federal courts.

Despite ongoing efforts, pockets of delay persist in the courts. With the understanding that some delays and backlogs cannot be avoided and do not reflect upon a court's case management practices, this plan calls for a concerted and collaborative effort among courts, Judicial Conference committees, and circuit judicial councils to make measurable progress in reducing the number of cases that are unduly delayed, and the number of courts with persistent and significant backlogs that may be unwarranted.

The delivery of justice is also affected by high litigation costs. High costs make the federal courts less accessible, as is discussed in Issue 5. Litigation costs also have the potential to skew the mix of cases that come before the judiciary, and may unduly pressure parties towards settlement. Rule 1 of the Federal Rules of Civil Procedure calls for the "just, speedy, and inexpensive determination of every action and proceeding," and this plan includes a goal to reduce unnecessary costs as well as delay.

This strategy also includes a goal to ensure that persons entitled to representation under the Criminal Justice Act are afforded well qualified representation through either a federal defender or panel attorney. Well qualified representation requires sufficient resources to assure adequate pay, training, and support services. Further, where the defendant population and needs of districts differ, guidance and support must be tailored to local conditions.

In addition, the plan includes a goal to enhance the supervision of offenders and defendants. Probation and pretrial services offices have led judiciary efforts to measure the quality of services to the courts and the community, including the use of evidence-based practices in the supervision of offenders and defendants.

Other efforts to improve the delivery of justice should continue. For example, a number of significant initiatives to transform the judiciary's use of technology are underway, including the development and deployment of next-generation case management and financial administration systems. The work of the probation and pretrial services has also been enhanced through the use of applications that integrate data from other agencies with probation and pretrial services data to facilitate the analysis and comparison of supervision practices and outcomes among districts.

**Goal 1.1a:** Reduce delay through the work of circuit judicial councils, chief judges, Judicial Conference committees and other appropriate entities.

**Goal 1.1b:** Reduce unnecessary costs to litigants in furtherance of Rule 1, Federal Rules of Civil Procedure.

**Goal 1.1c:** Ensure that persons represented by panel attorneys and federal defender organizations are afforded well qualified representation consistent with best practices for the representation of criminal defendants.

**Goal 1.1d:** Enhance the supervision of offenders and defendants in order to reduce recidivism and improve public safety.

**Strategy 1.2.** Strengthen the protection of judges, court staff, and the public at court facilities, and of judges and their families at other locations.

**Background and Commentary.** Judges must be able to perform their duties in an environment that addresses their concerns for their own personal safety and that of their families. The judiciary works closely with the U.S. Marshals Service to assess and improve the protection provided to the courts and individuals. Threats extend beyond the handling of criminal cases, as violent acts have often involved pro se litigants and other parties to civil cases.

While judiciary standards for court facilities provide separate hallways and other design features to protect judges, many older court facilities require judges, court personnel, and jurors to use the same corridors, entrances, and exits as prisoners, criminal defendants, and others in custody. Assuring safety in these facilities is particularly challenging. Protection for judges must also extend beyond court facilities and include commuting routes, travel destinations, and the home. A key area of focus for the judiciary has been raising the level of awareness of security issues, assisting judges in taking steps to protect themselves while away from court facilities, and educating judges on how they can minimize the availability of personal information on the internet.

The effective implementation of this strategy is linked to other efforts in this plan. Strategy 1.3 includes a goal to ensure that judiciary proceedings are conducted in secure facilities. In addition, Strategy 4.1 includes a goal to ensure that IT policies and practices provide effective security for court records and data, including confidential personal information.

**Goal 1.2a:** Improve the protection of judges, court employees, and the public in all court facilities, and the protection of judges in off-site judicial locations.

**Goal 1.2b:** Provide increased training to raise the awareness of judges and judiciary Improve the protection of judges and their families at home and in non-judicial locations.

**Goal 1.2c:** Provide increased training to raise the awareness of judges and judiciary employees on a broad range of security topics.

**Goal 1.2d:** Improve the security of court facilities, including perimeter security at primary court facilities.

**Goal 1.2e:** Work with the U.S. Marshals Service and others to improve the collection, analysis and dissemination of protective intelligence information concerning individual judges.

**Strategy 1.3.** Secure resources that are sufficient to enable the judiciary to accomplish its mission in a manner consistent with judiciary core values.

**Background and Commentary.** The judiciary is likely to face an uncertain federal budget environment, with likely constraints on the ability of congressional appropriations committees to meet judiciary funding requirements. Uncertainty and shortfalls, when they occur, present



particular challenges to clerks' offices, probation and pretrial services offices, and federal defender organizations in ensuring that operations are adequately staffed.

Another key challenge for the judiciary is to address critical longer term resource needs. Many appellate, district and bankruptcy courts have an insufficient number of authorized judgeships. The judiciary has received very few Article III district judgeships, and no circuit judgeships, since 1990.

Resources are also needed for jurors. Compensation for jurors is still limited, with inadequate compensation creating a financial hardship for many jurors. And, while the judiciary has made progress in securing needed space, some court proceedings are still conducted in court facilities that are cramped, poorly configured, and lacking secure corridors separate from inmates appearing in court. As the judiciary's facilities continue to age, additional resources will be needed to provide proper maintenance and sustain courthouse functionality.

Further, the judiciary relies on resources that are within the budgets of executive branch agencies, particularly the U.S. Marshals Service and the General Services Administration. The judiciary must work with these agencies to ensure that the judiciary's resource needs are met.

The ability to secure adequate resources serves as the foundation for a vast majority of the judiciary's plans and strategies. For example, to ensure the well qualified representation of criminal defendants (Goal 1.1c), the defender services program requires funding sufficient to accomplish its mission. Strategy 3.2 and its associated goals focus on the importance of attracting, recruiting, developing and retaining the staff that are required for the effective performance of the judiciary's mission, and will be critical to supporting tomorrow's judges and meeting future workload. Also, a goal under Strategy 4.1 urges the judiciary to continue to build and maintain robust and flexible technology systems and applications, requiring a sustained investment in technology.

**Goal 1.3a:** Secure needed circuit, district, bankruptcy and magistrate judgeships.

**Goal 1.3b:** Ensure that judiciary proceedings are conducted in court facilities that are secure, accessible, efficient, and properly equipped.

**Goal 1.3c:** Secure adequate compensation for jurors.

## Issue 2. The Effective and Efficient Management of Public Resources

*How can the judiciary provide justice consistent with its core values while managing limited resources and programs in a manner that reflects workload variances and funding realities?*

**Issue Description.** The judiciary's pursuit of cost-containment initiatives has helped to reduce current and future costs for rent, information technology, bankruptcy and magistrate judges, the compensation of court staff and law clerks, and other areas. These initiatives have helped the judiciary operate under difficult financial constraints. Cost-containment efforts have also helped the judiciary demonstrate to Congress that it is an effective steward of public resources, and that its requests for additional resources are well justified (Strategy 1.3).

The judiciary relies upon effective decision-making processes governing the allocation and use of judges, staff, facilities, and funds to ensure the best use of limited resources. These processes must respond to a federal court workload that varies across districts and over time. Developing, evaluating, publicizing and implementing best practices will assist courts and other judiciary organizations in addressing workload changes. Local courts have many operational and program management responsibilities in the judiciary's decentralized governance structure, and the continued development of effective local practices should be encouraged. At the same time, the judiciary may also need to consider whether and to what extent certain practices should be adopted judiciary-wide. This plan includes a single strategy to address this issue.

**Strategy 2.1.** Allocate and manage resources more efficiently and effectively.

**Background and Commentary.** The judiciary has worked to contain the growth in judiciary costs, and has pursued a number of studies, initiatives, and reviews of judiciary policy. Significant savings have been achieved, particularly for rent, compensation, and information technology. Cost containment remains a high priority, and new initiatives to contain cost growth and make better use of resources are being implemented or are under consideration.

This strategy includes two goals to increase the flexibility of the judiciary in matching resources to workload. The intent is to enable available judges and staff to assist heavily burdened courts on a temporary basis, and to reduce the barriers to such assistance. Supporting these goals is a third goal to ensure that the judiciary utilizes its networks, systems, and space in a manner that supports efficient operations. A fourth goal speaks to the critical need to maintain effective court operations when disaster strikes.

**Goal 2.1a:** Make more effective use of judges to relieve overburdened and congested courts.

**Goal 2.1b:** Analyze and facilitate the implementation of organizational changes and business practices that make effective use of limited administrative and operational staff.

**Goal 2.1c:** Manage the judiciary's infrastructure in a manner that supports effective and efficient operations.

**Goal 2.1d:** Plan for and respond to natural disasters, terrorist attacks, pandemics and other physical threats in an effective manner.

## Issue 3. The Judiciary Workforce for the Future

*How can the judiciary continue to attract, develop, and retain a highly competent and diverse complement of judges and staff, while meeting future workforce requirements and accommodating changes in career expectations?*

**Issue Description.** The judiciary can only meet future workload demands if it can continue to attract, develop, and retain highly skilled and competent judges and staff. Chief Justice Roberts has noted that judicial appointment should be the “capstone of a distinguished career” and not “a stepping stone to a lucrative position in private practice.” Attracting and retaining highly capable judges and staff will require fair and competitive compensation and benefit packages. The judiciary must also plan for new methods of performing work, and prepare for continued volatility in workloads, as it develops its future workforce. Two strategies to address this issue follow:

Support a lifetime of service for federal judges. (Strategy 3.1)

Recruit, develop, and retain highly competent staff while defining the judiciary’s future workforce requirements. (Strategy 3.2)

**Strategy 3.1.** Support a lifetime of service for federal judges.

**Background and Commentary.** It is critical that judges are supported throughout their careers, as new judges, active judges, chief judges, senior judges, judges recalled to service, and retired judges. In addition, education, training, and orientation programs offered by the Federal Judicial Center and the Administrative Office will need to continue to evolve and adapt. Technology training, for example, is moving away from a focus on software applications toward an emphasis on the tasks and functions that judges perform. Training and education programs, and other services that enhance the well being of judges, need to be accessible in a variety of formats, and on an as-needed basis.

**Goal 3.1a:** Strengthen policies that encourage senior Article III judges to continue handling cases as long as they are willing and able to do so. Judges who were appointed to fixed terms and are recalled to serve after retirement should be provided the support necessary for them to fully discharge their duties.

**Goal 3.1b:** Seek the views of judges on practices that support their development, retention, and morale.

**Goal 3.1c:** Evolve and adapt education, training, and orientation programs to meet the needs of judges.

**Strategy 3.2.** Recruit, develop, and retain highly competent staff while defining the judiciary’s future workforce requirements.

**Background and Commentary.** The judiciary continues to be an attractive employer, and staff turnover is relatively low. Employees are committed to the judiciary’s mission, and the judicial branch provides staff with many resources and services, including training and education programs.

Nonetheless, ongoing changes that the judiciary must address include an increase in the amount of work performed away from the office, shifting career expectations, and changes in how staff communicate and interact. Changes in how and where work is performed are related to Strategy 2.1, as certain types of changes provide opportunities for the judiciary to reduce its space footprint and rental costs while creating a better and more efficient work environment.

The judiciary also must develop the next generation of executives. The management model in federal courts provides individual court executives with a high degree of decentralized authority over a wide range of administrative matters. The most qualified candidates often come from within the system since the judiciary's management model is not currently replicated in other government systems. To ensure a sufficient internal supply of qualified candidates, the judiciary should initiate a meaningful leadership and executive development training program along with the creation of executive relocation programs to widen the pool of qualified internal applicants.

**Goal 3.2a:** Attract, recruit, develop, and retain the most qualified people to serve the public in the federal judiciary, emphasizing a commitment to nondiscrimination both in hiring and in grooming the next generation of judiciary executives and senior leaders.

**Goal 3.2b:** Identify future workforce challenges and develop programs and special initiatives that will allow the judiciary to remain as an employer of choice while enabling employees to strive to reach their full potential.

**Goal 3.2c:** Deliver leadership, management, and human resources programs and services to help judges (especially chief judges), executives and supervisors develop, assess and lead staff.

**Goal 3.2d:** Strengthen the judiciary's commitment to workforce diversity through expansion of diversity program recruitment, education, and training.

## Issue 4. Harnessing Technology’s Potential

*How can the judiciary develop national technology systems while fostering the development of creative approaches and solutions at the local level?*

**Issue Description.** Implementing innovative technology applications will help the judiciary to meet the changing needs of judges, staff, and the public. Technology can increase productive time, and facilitate work processes. For the public, technology can improve access to courts, including information about cases, court facilities, and judicial processes. The judiciary will be required to build and maintain effective IT systems in a time of growing usage, and judicial and litigant reliance. At the same time, the security of IT systems must be maintained, and a requisite level of privacy assured.

Responsibility for developing major national IT systems is shared by several Administrative Office divisions and Judicial Conference committees, and many additional applications are developed locally. In addition, local courts have substantial responsibilities for the management and operation of local and national systems, including the ability to customize national applications to meet local needs. The judiciary’s approach to developing, managing, and operating national IT systems and applications provides a great deal of flexibility but also poses challenges for coordination, prioritization, and leadership. A key challenge will be to balance the economies of scale that may be achieved through certain judiciary-wide approaches with the creative solutions that may result from allowing and fostering a more distributed model of IT development and administration. The judiciary’s strategy for addressing this issue follows.

**Strategy 4.1.** Harness the potential of technology to identify and meet the needs of court users and the public for information, service, and access to the courts.

**Background and Commentary.** The judiciary is fortunate to be supported by an advanced information technology infrastructure and services that continue to evolve. Next-generation case management and financial administration systems are being developed, while existing systems are being updated and refined. Services for the public and other stakeholders are being enhanced, and systems have been strengthened to provide reliable service during growing usage and dependence. Collaboration and idea sharing among local courts, and between courts and the Administrative Office, foster continued innovation in the application of technology.

The effective use of advanced and intelligent applications and systems will provide critical support for judges and other court users. This plan includes a goal supporting the continued building of the judiciary’s technology infrastructure, and another encouraging a judiciary-wide perspective to the development of certain systems. Another goal in this section focuses on the security of judiciary-related records and information.

The effective use of technology is critical to furthering other strategies in this plan. In particular, the effective use of technology is critical to judiciary efforts to contain costs, and to effectively allocate and manage resources (Strategy 2.1). Technology also supports improvements in the delivery of justice (Strategy 1.1), efforts to strengthen judicial security (Strategy 1.2), the delivery of training and remote access capabilities (Strategies 3.1 and 3.2), the accessibility of the judiciary for litigants and the public (Strategies 5.1 and 5.2), and judiciary accountability mechanisms (Strategy 7.1).

Likewise, an effective technology program is also dependent upon the successful implementation of other strategies in this plan. In a rapidly changing field requiring the support of highly trained people, it is critical that the judiciary succeed in recruiting, developing, and retaining highly competent staff (Strategy 3.2). And, investments in technology also require adequate funding (Strategy 1.3).

- Goal 4.1a:** Continue to build and maintain robust and flexible technology systems and applications that anticipate and respond to the judiciary's requirements for efficient communications, record-keeping, electronic case filing, case management, and administrative support.
- Goal 4.1b:** Coordinate and integrate national IT systems and applications from a judiciary-wide perspective and more fully utilize local initiatives to improve services.
- Goal 4.1c:** Develop system-wide approaches to the utilization of technology to achieve enhanced performance and cost savings.
- Goal 4.1d:** Refine and update security practices to ensure the confidentiality, integrity, and availability of judiciary-related records and information.

## Issue 5. Enhancing Access to the Judicial Process

*How can courts remain comprehensible, accessible, and affordable for people who participate in the judicial process while responding to demographic and socioeconomic changes?*

**Issue Description.** Courts are obligated to be open and accessible to anyone who initiates or is drawn into federal litigation, including litigants, lawyers, jurors, and witnesses. The federal courts must consider carefully whether they are continuing to meet the litigation needs of court users. This plan includes two strategies that focus on identifying unnecessary barriers to court access, and taking steps to eliminate them:

Ensure that court rules, processes, and procedures meet the needs of lawyers and litigants in the judicial process. (Strategy 5.1)

Ensure that the federal judiciary is open and accessible to those who participate in the judicial process. (Strategy 5.2)

The views of participants — including parties, lawyers and jurors — should be solicited as a first step in implementing these strategies.

**Strategy 5.1.** Ensure that court rules, processes, and procedures meet the needs of lawyers and litigants in the judicial process.

**Background and Commentary.** The accessibility of court processes to lawyers and litigants is a component of the judiciary's core value of equal justice, but making courts readily accessible is difficult. Providing access is even more difficult when people look to the federal courts to address problems that cannot be solved within the federal courts' limited jurisdiction, when claims are not properly raised, and when judicial processes are not well understood.

To improve access, rules of practice and procedure undergo regular review and revision to reflect changes in law, to simplify and clarify procedures, and to enhance uniformity across districts. Rules changes have also been made to help reduce cost and delay in the civil discovery process, to address the growing role of electronic discovery, and to take widespread advantage of technology in court proceedings. National mechanisms to consolidate and coordinate multidistrict litigation avoid duplication of discovery, prevent inconsistent pretrial rulings, and conserve the resources of the parties, their counsel, and the judiciary. In addition, many courts provide settlement conferences, mediation programs, and other forms of alternative dispute resolution to parties interested in resolving their claims prior to a judicial decision. Despite these and other efforts, some lawyers, litigants, and members of the public continue to find litigating in the federal courts challenging. Court operations and processes vary across districts and chambers, and pursuing federal litigation can be time consuming and expensive.

To improve access for lawyers and litigants in the judicial process, this plan includes the following goals:

**Goal 5.1a:** Ensure that court rules, processes, and procedures are published or posted in an accessible manner.

**Goal 5.1b:** Adopt measures designed to provide flexibility in the handling of cases, while reducing cost, delay, and other unnecessary burdens to litigants in the adjudication of disputes.

**Strategy 5.2.** Ensure that the federal judiciary is open and accessible to those who participate in the judicial process.

**Background and Commentary.** As part of its commitment to the core value of equal justice, the federal judiciary seeks to assure that all who participate in federal court proceedings — including jurors, litigants, witnesses, and observers — are treated with dignity and respect and understand the process. The judiciary’s national website and the websites of individual courts provide the public with information about the courts themselves, court rules, procedures and forms, judicial orders and decisions, and schedules of court proceedings. Court dockets and case papers and files are posted on the internet through a judiciary-operated public access system. Court forms commonly used by the public have been rewritten in an effort to make them clearer and simpler to use, and court facilities are now designed to provide greater access to persons with disabilities. Some districts offer electronic tools to assist pro se filers in generating civil complaints. The Judicial Conference is working to enhance citizen participation in juries by improving the degree to which juries are representative of the communities in which they serve, reducing the burden of jury service, and improving juror utilization.

However, federal court processes are complex, and it is an ongoing challenge to ensure that participants have access to information about court processes and individual court cases, as well as court facilities. Many who come to the courts also have limited proficiency in English, and resources to provide interpretation and translation services are limited, particularly for civil litigants. Continued efforts are needed, and this strategy sets forth four goals to make courts more accessible for jurors, litigants, witnesses, and others.

**Goal 5.2a:** Provide jurors, litigants, witnesses, and observers with comprehensive, readily accessible information about court cases and the work of the courts.

**Goal 5.2b:** Reduce the hardships associated with jury service, and improve the experiences of citizens serving as grand and petit jurors.

**Goal 5.2c:** Improve the extent to which juries are representative of the communities in which they serve.

**Goal 5.2d:** Develop best practices for handling claims of pro se litigants in civil and bankruptcy cases.



## Issue 6. The Judiciary's Relationships with the Other Branches of Government

*How can the judiciary develop and sustain effective relationships with Congress and the executive branch, yet preserve appropriate autonomy in judiciary governance, management and decision-making?*

**Issue Description.** Increasingly, the judicial branch's ability to deliver justice in a manner consistent with its core values is dependent upon its relationships with the other two branches of the federal government. An effective relationship with Congress is critical to success in securing adequate resources. In addition, the judiciary must provide Congress timely and accurate information about issues affecting the administration of justice, and demonstrate that the judiciary has a comprehensive system of oversight and review. The judiciary's relationships with the executive branch are also critical, particularly in areas where the executive branch has primary administrative or program responsibility, such as judicial security and facilities management. Ongoing communication about Judicial Conference goals, policies, and positions may help to develop the judiciary's overall relationship with Congress and the executive branch. By seeking opportunities to enhance communication among the three branches, the judiciary can strengthen its role as an equal branch of government while improving the administration of justice. At the same time, the judiciary must endeavor to preserve an appropriate degree of self-sufficiency and discretion in conducting its own affairs. This plan includes two strategies to build relationships with Congress and the executive branch:

Develop and implement a comprehensive approach to enhancing relations between the judiciary and the Congress. (Strategy 6.1)

Strengthen the judiciary's relations with the executive branch. (Strategy 6.2)

**Strategy 6.1.** Develop and implement a comprehensive approach to enhancing relations between the judiciary and the Congress.

**Background and Commentary.** This strategy emphasizes the importance of building and maintaining relationships between judges and members of Congress, at the local level and in Washington. The intent is to enhance activities that are already underway, and to stress their importance in shaping a favorable future for the judiciary. Progress in implementing other strategies in this plan can also help the judiciary to enhance its relationship with Congress. Goals relating to timeliness and accessibility directly affect members' constituents, and the ability to report measurable progress in meeting goals may bring dividends.

**Goal 6.1a:** Improve the early identification of legislative issues in order to improve the judiciary's ability to respond and communicate with Congress on issues affecting the administration of justice.

**Goal 6.1b:** Implement effective approaches, including partnerships with the legal, academic, and private sector organizations, to achieve the judiciary's legislative goals.

**Strategy 6.2.** Strengthen the judiciary's relations with the executive branch.

**Background and Commentary.** The executive branch delivers critical services to the judiciary, including space, security, personnel and retirement services, and more. In addition, the executive branch develops and implements policies and procedures that affect the administration of justice. This strategy focuses on enhancing the ability of the judiciary to provide input to the Department of Justice and others regarding proposed actions and policies that affect the administration of justice.

**Goal 6.2a:** Improve communications and working relationships with the executive branch to facilitate greater consideration of policy changes and other solutions that will improve the administration of justice.

## Issue 7. Enhancing Public Understanding, Trust, and Confidence

*How should the judiciary promote public trust and confidence in the federal courts in a manner consistent with its role within the federal government?*

**Issue Description.** The ability of courts to fulfill their mission and perform their functions is based on the public's trust and confidence in the system. In large part, the judiciary earns that trust and confidence by faithfully performing its duties, adhering to ethical standards, and effectively carrying out internal oversight, review, and governance responsibilities. However, public perceptions of the judiciary are also often colored by misunderstandings about the institutional role of the federal courts and the limitations of their jurisdiction, as well as attitudes toward federal court decisions on matters of public interest and debate.

Changes in social networking and communication will continue to play a key role in how the judiciary is portrayed to and viewed by members of the public. These changes provide the judicial branch an opportunity to communicate broadly with greater ease and at far less cost. However, they also present the challenge of ensuring that judiciary information is complete, accurate, and timely. For the judiciary, this challenge is an especially difficult one because judges are constrained in their ability to participate in public discourse. This plan includes two strategies to enhance public understanding, trust and confidence in the judiciary:

Assure high standards of conduct and integrity for judges and staff. (Strategy 7.1)

Improve the sharing and delivery of information about the judiciary. (Strategy 7.2)

**Strategy 7.1.** Assure high standards of conduct and integrity for judges and staff.

**Background and Commentary.** Judges and judiciary staff are guided by codes of conduct, internal control policies, and robust accountability mechanisms within the judiciary that work together to uphold standards relating to conduct and the management of public resources. These mechanisms include complaint and dispute resolution processes, audits, and reviews of judiciary operations.

Accountability mechanisms must address critical risks and keep pace with changes in regulations and business practices. The regular review and update of policies, along with efforts to ensure that they are accessible to judges and staff, will help to improve judiciary compliance and controls. In addition, guidance relating to conduct that reflects current uses of social media and other technologies can help to avoid the inappropriate conveyance of sensitive information.

This strategy emphasizes up-to-date policies, timely education, and relevant guidance about ethics, integrity, and accountability. The strategy also relies upon the effective performance of critical internal controls, audit, investigation, and discipline functions.

**Goal 7.1a:** Enhance education and training for judges and judiciary employees on ethical conduct, integrity, and accountability.

**Goal 7.1b:** Ensure the integrity of funds, information, operations, and programs through strengthened internal controls and audit programs.

**Goal 7.1c:** Perform investigative, disciplinary, and other critical self-governance responsibilities to achieve appropriate accountability.

**Strategy 7.2.** Improve the sharing and delivery of information about the judiciary.

**Background and Commentary.** Sources of news, analysis and information about the federal judiciary continue to change, as do communication tools used by the public. These changes can present challenges to the accurate portrayal of the judiciary and its work. At the same time, it is now easier to communicate directly with the public, which can help to improve the public's understanding of the federal judiciary's role and functions. The judiciary must keep pace with ongoing changes in how people access news and information when formulating its own communications practices.

Voluntary public outreach and civic education efforts by judges and court staff take place inside courthouses and in the community. These efforts could be facilitated through greater coordination and collaboration with civic education organizations. Resources to help judges and court staff participate in educational outreach efforts are available from the [Administrative Office](#), the [Federal Judicial Center](#), and private court administration and [judges' associations](#).

The federal judiciary also serves as a model to other countries for its excellence, judicial independence, and the delivery of equal justice under the law. The executive branch, in carrying out its foreign relations duties, often requests the assistance of federal judges in communicating with representatives of other countries about the mission, core values, and work of the federal judiciary.

**Goal 7.2a:** Develop a communications strategy that considers the impact of changes in journalism and electronic communications.

**Goal 7.2b:** Communicate and collaborate with organizations outside the judicial branch to improve the public's understanding of the role and functions of the federal judiciary.

**Goal 7.2c:** Facilitate the voluntary participation by judges and court staff in public outreach and civic education programs.

**Goal 7.2d:** Communicate with judges in other countries to share information about the federal judiciary in our system of justice and to support rule-of-law programs around the world.

# Strategic Planning Approach for the Judicial Conference of the United States and its Committees

Committees of the Judicial Conference are responsible for long-range and strategic planning within their respective subject areas, with the nature and extent of planning activity varying by committee based on its jurisdiction.

The Executive Committee is responsible for facilitating and coordinating planning activities across the committees. Under the guidance of a designated planning coordinator, the Executive Committee hosts long-range planning meetings of committee chairs, and asks committees to consider planning issues that cut across committee lines.

At its September 2010 session, the Judicial Conference approved a number of enhancements to the judiciary planning process:

**Coordination:** The Executive Committee chair may designate for a two-year renewable term an active or senior judge, who will report to that Committee, to serve as the judiciary planning coordinator. The planning coordinator facilitates and coordinates the strategic planning efforts of the Judicial Conference and its committees.

**Prioritization:** With suggestions from Judicial Conference committees and others, and the input of the judiciary planning coordinator, the Executive Committee identifies issues, strategies, or goals to receive priority attention every two years.

**Integration:** The committees of the Judicial Conference integrate the *Strategic Plan for the Federal Judiciary* into committee planning and policy development activities.

**Assessment of Progress:** For every goal in the *Strategic Plan*, mechanisms to measure or assess the judiciary's progress are developed.

Substantive changes to the *Strategic Plan for the Federal Judiciary* require the approval of the Conference, but the Executive Committee has the authority, as needed, to approve technical and non-controversial changes to the *Strategic Plan*. A review of the *Strategic Plan* takes place every five years. (JCUS-SEP 10, p. 6)

Once approved by the Judicial Conference, updated or revised editions of the *Strategic Plan for the Federal Judiciary* supersede previous long range and strategic plans as planning instruments to guide future policy-making and administrative actions within the scope of Conference authority. However, the approval of an updated or revised strategic plan should not necessarily be interpreted as the rescission of the individual policies articulated in the recommendations and implementation strategies of the December 1995 *Long Range Plan for the Federal Courts*.

## Acknowledgements

On recommendation of its Executive Committee, the 2015 edition of the *Strategic Plan for the Federal Judiciary* was approved by the Judicial Conference of the United States on September 17, 2015. This edition was prepared following an assessment of the implementation of the 2010 *Strategic Plan*, an analysis of trends and issues likely to affect the federal judiciary, and the consideration of updates and revisions proposed by Judicial Conference committees. An Ad Hoc Strategic Planning Group prepared drafts of the revised plan for review by Judicial Conference committees and consideration by the Executive Committee, which facilitates and coordinates strategic planning for the Conference and its committees.

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