



JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE
OF THE UNITED STATES
Presiding

HONORABLE ROBERT J. CONRAD, JR.
Secretary

April 10, 2025

Honorable Tom Cole
Chairman
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Honorable David Joyce
Chairman
Subcommittee on Financial Services
and General Government
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Honorable Rosa DeLauro
Ranking Member
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Honorable Steny H. Hoyer
Ranking Member
Subcommittee on Financial Services
and General Government
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Chairman Cole, Chairman Joyce, Representative DeLauro, and Representative Hoyer:

We write to inform the Appropriations Committee of the concerning impacts of the recently enacted Full-Year Continuing Appropriations and Extensions Act, 2025 (P.L. 119-4), on the security and operations of the Judicial Branch. Although we submitted to Congress funding anomalies – exceptions to the default hard freeze funding level – for inclusion in the full-year CR legislation, none of those anomalies were included, leaving the entire Judicial Branch funded at a fiscal year (FY) 2024 hard freeze level of \$8.63 billion for FY 2025. This is \$391 million below the \$9.02 billion requested in the Judicial Conference’s December 2024 funding appeal letter to the Appropriations Committees for consideration during conference discussions on a final FY 2025 Financial Services and General Government appropriations bill. We note that 6 of 11 Judicial Branch appropriations are funded at a hard freeze for a *second* year in a row, meaning that those accounts are forced to continue operating this fiscal year at the FY 2023 enacted level (U.S. Court of Appeals for the Federal Circuit, U.S. Court of International Trade, Court Security, Administrative Office of the U.S. Courts, Federal Judicial Center, and U.S. Sentencing Commission).

FY 2025 Funding Shortfall Impacts

Court Security. We have significant concerns about our ability to properly secure federal courthouses given current resource levels. Our Court Security program was already frozen in FY 2024 at the FY 2023 funding level of \$750 million, forcing us to reprioritize security spending and delay essential security upgrades. A second consecutive year at this funding level

Honorable Tom Cole
Honorable Rosa DeLauro
Honorable David Joyce
Honorable Steny H. Hoyer
Page 2

will result in further reductions to courthouse security, particularly in systems and equipment that control access to restricted areas, monitor courthouse activities, and screen individuals and items entering the facility.

The Judicial Branch requested \$797 million for Court Security in its December 2024 funding appeal. Consecutive years of flat security funding comes at a time when threats against federal judges and courthouses are escalating, making this situation unsustainable in the current environment. As Chief Justice Roberts noted in his 2024 year-end report, there has been a significant rise in threats to the courts, including direct threats against individual judges. Some of these threats have necessitated additional security measures by the U.S. Marshals Service, and approximately 50 individuals have been criminally charged in connection with threats. Currently, 67 judges are receiving enhanced online security screening services provided by the Administrative Office and U.S. Marshals Service due to the judges' involvement in high-profile cases or rulings that have garnered attention in the media and on social media platforms. In extreme cases, the U.S. Marshals Service has been required to take extraordinary measures to ensure the safety of judges. We are also concerned about the impact of hiring freezes and staffing losses at the U.S. Marshals Service and General Services Administration on courthouse security and the personal safety of judges.

Defender Services. The Defender Services program is also significantly underfunded for FY 2025. The full-year CR funds Defender Services at \$1.45 billion, \$129 million below the Judicial Branch's December 2024 funding appeal of \$1.58 billion. The hiring freeze currently in place for federal defender offices will remain in effect through at least September 30, 2025. Further, an estimated \$92 million of payments to private attorneys appointed by federal courts to represent defendants under the Criminal Justice Act (CJA) and necessary service providers will have to be suspended effective July 23, 2025, with payments delayed until October 2025 (FY 2026). These are payments for constitutionally required legal work that has already been performed but that will be left unpaid for months simply because we cannot afford to make the payments. Faced with such a long delay in receiving payment, these attorneys and their experts could decline to accept future CJA appointments by a court, potentially creating unlawful delays in the constitutional right of defendants to a speedy and fair trial. In addition, the deferral of payments will substantially increase the Judicial Branch's FY 2026 appropriations requirements to cover the deferred payments and restore base funding.

Courts' Salaries and Expenses. In courts' Salaries and Expenses, the full-year CR funds this account at a FY 2024 hard freeze level of \$6.0 billion for FY 2025, \$221 million below the Judicial Branch's December 2024 funding appeal of \$6.23 billion. We project that 37 percent (130 of 356) of appellate, district, and bankruptcy clerks of court offices and probation and pretrial services offices cannot afford on-board staff which could result in staff downsizing in some of those offices over the remainder of FY 2025. Any downsizing would come on top of year-over-year staffing losses that have occurred in recent years (19,053 FTE on-board in September 2020 to 17,888 FTE on-board as of March 2025, a loss of 1,165 FTE).

Honorable Tom Cole
Honorable Rosa DeLauro
Honorable David Joyce
Honorable Steny H. Hoyer
Page 3

Even at constrained staffing and resource levels, clerks of court offices go to extraordinary lengths to keep case dockets moving without delay, and probation and pretrial services officers are committed to community safety by supervising offenders on post-prison release and defendants on pretrial release. But there are impacts of operating at constrained staffing and resources for a sustained period. For example, some clerks of court offices report they cannot sufficiently staff public counters to assist individuals seeking court information or help with filings. Courts that are short-staffed may not be able to issue timely restitution payments to crime victims, or identify individuals who may be eligible for unclaimed funds held by a court. These impacts will broaden to more courts if staffing and resource levels are not increased to meet workload demands. Probation offices will have to focus limited supervision resources on the most violent, high-risk offenders, leaving low-to-mid risk offenders with less supervision, increasing the risk of offenders committing new crimes. We note that these budget challenges are occurring at the same time the administration has announced its prosecutorial priorities, including fentanyl trafficking and fighting cartels and violent gangs.

FY 2026 Budget Request

As the FY 2026 appropriations cycle gets underway, we ask that the Appropriations Committees take into account the constitutional and statutory role of the Judicial Branch. We do not set our own workload. We must hear all cases prosecuted by the Department of Justice, adjudicate all civil cases brought by the federal government and between private parties, and resolve all bankruptcy cases brought by individuals and businesses. We must provide constitutionally guaranteed representation to individuals charged with federal crimes who are unable to afford an attorney. And we must pay citizens for performing their civic duty of serving on federal juries. This is a broad mission that depends on sufficient funding from Congress to carry out.

The Judicial Branch's FY 2026 budget request will be submitted this month. The adequate funding of that request will be critical to mitigating the adverse impacts of the FY 2025 full-year CR and allow the Judiciary to meet its ongoing and expected workload demands, and address cybersecurity and IT modernization needs. We look forward to working with the Appropriations Committee to highlight our budget priorities and discuss the consequences of further funding shortfalls on the administration of justice.

Please feel free to contact us if you have any questions or require further information.

Sincerely,



Amy J. St. Eve
Chair, Committee on the Budget

Sincerely,



Robert J. Conrad, Jr.
Secretary



JUDICIAL CONFERENCE OF THE UNITED STATES

WASHINGTON, D.C. 20544

THE CHIEF JUSTICE
OF THE UNITED STATES
Presiding

HONORABLE ROBERT J. CONRAD, JR.
Secretary

April 10, 2025

Honorable Susan Collins
Chairwoman
Committee on Appropriations
United States Senate
Washington, DC 20510

Honorable Bill Hagerty
Chairman
Subcommittee on Financial Services
and General Government
Committee on Appropriations
United States Senate
Washington, DC 20510

Honorable Patty Murray
Vice Chairwoman
Committee on Appropriations
United States Senate
Washington, DC 20510

Honorable Jack Reed
Ranking Member
Subcommittee on Financial Services
and General Government
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chairwoman Collins, Chairman Hagerty, Vice Chairwoman Murray, and Senator Reed:

We write to inform the Appropriations Committee of the concerning impacts of the recently enacted Full-Year Continuing Appropriations and Extensions Act, 2025 (P.L. 119-4), on the security and operations of the Judicial Branch. Although we submitted to Congress funding anomalies – exceptions to the default hard freeze funding level – for inclusion in the full-year CR legislation, none of those anomalies were included, leaving the entire Judicial Branch funded at a fiscal year (FY) 2024 hard freeze level of \$8.63 billion for FY 2025. This is \$391 million below the \$9.02 billion requested in the Judicial Conference’s December 2024 funding appeal letter to the Appropriations Committees for consideration during conference discussions on a final FY 2025 Financial Services and General Government appropriations bill. We note that 6 of 11 Judicial Branch appropriations are funded at a hard freeze for a *second* year in a row, meaning that those accounts are forced to continue operating this fiscal year at the FY 2023 enacted level (U.S. Court of Appeals for the Federal Circuit, U.S. Court of International Trade, Court Security, Administrative Office of the U.S. Courts, Federal Judicial Center, and U.S. Sentencing Commission).

FY 2025 Funding Shortfall Impacts

Court Security. We have significant concerns about our ability to properly secure federal courthouses given current resource levels. Our Court Security program was already frozen in FY 2024 at the FY 2023 funding level of \$750 million, forcing us to reprioritize security spending and delay essential security upgrades. A second consecutive year at this funding level

Honorable Susan Collins
Honorable Patty Murray
Honorable Bill Hagerty
Honorable Jack Reed
Page 2

will result in further reductions to courthouse security, particularly in systems and equipment that control access to restricted areas, monitor courthouse activities, and screen individuals and items entering the facility.

The Judicial Branch requested \$797 million for Court Security in its December 2024 funding appeal. Consecutive years of flat security funding comes at a time when threats against federal judges and courthouses are escalating, making this situation unsustainable in the current environment. As Chief Justice Roberts noted in his 2024 year-end report, there has been a significant rise in threats to the courts, including direct threats against individual judges. Some of these threats have necessitated additional security measures by the U.S. Marshals Service, and approximately 50 individuals have been criminally charged in connection with threats. Currently, 67 judges are receiving enhanced online security screening services provided by the Administrative Office and U.S. Marshals Service due to the judges' involvement in high-profile cases or rulings that have garnered attention in the media and on social media platforms. In extreme cases, the U.S. Marshals Service has been required to take extraordinary measures to ensure the safety of judges. We are also concerned about the impact of hiring freezes and staffing losses at the U.S. Marshals Service and General Services Administration on courthouse security and the personal safety of judges.

Defender Services. The Defender Services program is also significantly underfunded for FY 2025. The full-year CR funds Defender Services at \$1.45 billion, \$129 million below the Judicial Branch's December 2024 funding appeal of \$1.58 billion. The hiring freeze currently in place for federal defender offices will remain in effect through at least September 30, 2025. Further, an estimated \$92 million of payments to private attorneys appointed by federal courts to represent defendants under the Criminal Justice Act (CJA) and necessary service providers will have to be suspended effective July 23, 2025, with payments delayed until October 2025 (FY 2026). These are payments for constitutionally required legal work that has already been performed but that will be left unpaid for months simply because we cannot afford to make the payments. Faced with such a long delay in receiving payment, these attorneys and their experts could decline to accept future CJA appointments by a court, potentially creating unlawful delays in the constitutional right of defendants to a speedy and fair trial. In addition, the deferral of payments will substantially increase the Judicial Branch's FY 2026 appropriations requirements to cover the deferred payments and restore base funding.

Courts' Salaries and Expenses. In courts' Salaries and Expenses, the full-year CR funds this account at a FY 2024 hard freeze level of \$6.0 billion for FY 2025, \$221 million below the Judicial Branch's December 2024 funding appeal of \$6.23 billion. We project that 37 percent (130 of 356) of appellate, district, and bankruptcy clerks of court offices and probation and pretrial services offices cannot afford on-board staff which could result in staff downsizing in some of those offices over the remainder of FY 2025. Any downsizing would come on top of year-over-year staffing losses that have occurred in recent years (19,053 FTE on-board in September 2020 to 17,888 FTE on-board as of March 2025, a loss of 1,165 FTE).

Honorable Susan Collins
Honorable Patty Murray
Honorable Bill Hagerty
Honorable Jack Reed
Page 3

Even at constrained staffing and resource levels, clerks of court offices go to extraordinary lengths to keep case dockets moving without delay, and probation and pretrial services officers are committed to community safety by supervising offenders on post-prison release and defendants on pretrial release. But there are impacts of operating at constrained staffing and resources for a sustained period. For example, some clerks of court offices report they cannot sufficiently staff public counters to assist individuals seeking court information or help with filings. Courts that are short-staffed may not be able to issue timely restitution payments to crime victims, or identify individuals who may be eligible for unclaimed funds held by a court. These impacts will broaden to more courts if staffing and resource levels are not increased to meet workload demands. Probation offices will have to focus limited supervision resources on the most violent, high-risk offenders, leaving low-to-mid risk offenders with less supervision, increasing the risk of offenders committing new crimes. We note that these budget challenges are occurring at the same time the administration has announced its prosecutorial priorities, including fentanyl trafficking and fighting cartels and violent gangs.

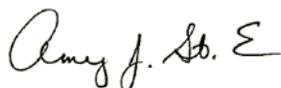
FY 2026 Budget Request

As the FY 2026 appropriations cycle gets underway, we ask that the Appropriations Committees take into account the constitutional and statutory role of the Judicial Branch. We do not set our own workload. We must hear all cases prosecuted by the Department of Justice, adjudicate all civil cases brought by the federal government and between private parties, and resolve all bankruptcy cases brought by individuals and businesses. We must provide constitutionally guaranteed representation to individuals charged with federal crimes who are unable to afford an attorney. And we must pay citizens for performing their civic duty of serving on federal juries. This is a broad mission that depends on sufficient funding from Congress to carry out.

The Judicial Branch's FY 2026 budget request will be submitted this month. The adequate funding of that request will be critical to mitigating the adverse impacts of the FY 2025 full-year CR and allow the Judiciary to meet its ongoing and expected workload demands, and address cybersecurity and IT modernization needs. We look forward to working with the Appropriations Committee to highlight our budget priorities and discuss the consequences of further funding shortfalls on the administration of justice.

Please feel free to contact us if you have any questions or require further information.

Sincerely,



Amy J. St. Eve
Chair, Committee on the Budget

Sincerely,



Robert J. Conrad, Jr.
Secretary