

Judiciary Budget Request, FY2017

Overview

The FY2017 judiciary budget request totals \$7.58 billion, an increase of 3.3% over the FY2016 appropriations. This total includes \$6.99 billion in discretionary funds (an increase of 3.2%), and \$591.2 million in mandatory funding (an increase of 4.5%), which is used to pay the salaries and benefits of judges.

Two accounts fund the Supreme Court, a Salaries and Expenses account and an account for the care of its building and grounds, which is the responsibility of the Architect of the Capitol. Together, these total approximately 1% of the judiciary's budget. The rest of the judiciary's budget provides funding for the lower federal courts and related judicial services.

The largest account—the Salaries and Expenses account for the U.S. Courts of Appeals, District Courts, and Other Judicial Services—is approximately 72% of the total FY2017 budget request, and covers the “salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the U.S. Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the federal judiciary not otherwise specifically provided for,” and “necessary expenses of the courts.” Two other large accounts provide funds for Defender Services (13.9%) and Court Security (7.5%).

The remaining judiciary budget is divided among the U.S. Court of Appeals for the Federal Circuit (0.4% in FY2017 request), U.S. Court of International Trade (0.3%), Fees of Jurors and Commissioners (0.6%), Administrative Office of the U.S. Courts (1.2%), Federal Judicial Center (0.4%), U.S. Sentencing Commission (0.2%), and Judicial Retirement Funds (2.2%).

The judiciary also uses non-appropriated funds to offset its appropriations requirement. The majority of these non-appropriated funds are from the collection of fees, primarily court filing fees. The appropriation request reflects the net needs of the judiciary after use of these funds.

As a co-equal branch of government, the judiciary presents its budget to the President, who transmits it to Congress unaltered, as part of his annual budget request. Appropriations for the judiciary are typically included in the Financial Services and General Government Appropriations Act. Appropriations for the judiciary comprise approximately 0.2% of total budget authority.

Table 1 presents the FY2017 request and FY2016 enacted level for each account.

Table 1. FY2017 Request and FY2016 Appropriations
(in millions of dollars)

Account	FY2017 Request	FY2016 Enacted
Supreme Court		
<i>Buildings and Grounds</i>	\$14.9	\$10.0
<i>Salaries and Expenses</i>	\$79.7	\$78.4
Court of Appeals for the Federal Circuit	\$33.1	\$33.8
Court of International Trade	\$20.5	\$20.2
Courts of Appeals, District Courts, and Other Judicial Services		
<i>Salaries and Expenses</i>	\$5,469.8	\$5,321.7
<i>Vaccine Injury Trust Fund</i>	\$6.3	\$6.1
<i>Defender Services</i>	\$1,056.3	\$1,004.9
<i>Fees of Jurors and Commissioners</i>	\$43.7	\$44.2
<i>Court Security</i>	\$565.4	\$538.2
Administrative Office of the U.S. Courts	\$87.7	\$85.7
Federal Judicial Center	\$28.3	\$27.7
Judicial Retirement Funds	\$161.0	\$155.4
Sentencing Commission	\$18.2	\$17.6
Total	\$7,584.8	\$7,343.7

Source: FY2017 Judicial Branch Budget Justification.

Note: Columns may not sum due to rounding. FY2016 enacted level reflects revisions to mandatory spending requirements.

Individual Accounts

Supreme Court

The total FY2017 request for the Supreme Court, \$94.5 million, is contained in two accounts: (1) Salaries and Expenses of \$79.7 million and (2) Care of the Building and Grounds of \$14.9 million. The total represents a 7.0% increase over the FY2016 enacted level.

U.S. Court of Appeals for the Federal Circuit

This court, consisting of 12 judges, has jurisdiction over, and review of, among other things, certain lower court rulings on patents and trademarks, international trade, and federal claims cases. The FY2017 budget request is \$33.1 million, a decrease of 2.1% over the FY2016 enacted level.

U.S. Court of International Trade

This court has exclusive nationwide jurisdiction over the civil actions against the United States, its agencies and officers, and certain civil actions brought by the United States arising out of import transactions and the administration as well as enforcement of federal customs and international trade laws. The FY2017 request of \$20.5 million is an increase of 1.7% over the FY2016 enacted level.

Courts of Appeals, District Courts, and Other Judicial Services

The total FY2017 funding request of \$7,141.5 million covers 12 of the 13 courts of appeals and 94 district judicial courts located in the 50 states, District of Columbia, Commonwealth of Puerto Rico, Commonwealth of the Northern Mariana Islands, and the territories of Guam and the U.S. Virgin Islands. The account is divided among salaries and expenses, the Vaccine Injury Compensation Trust Fund, court security, defender services, and fees of jurors and commissioners.

Salaries and Expenses

The FY2017 request for this account is \$5,469.8 million, an increase of 2.8% over the FY2016 enacted level.

Vaccine Injury Compensation Trust Fund

Established to address a perceived crisis in vaccine tort liability claims, the Vaccine Injury Compensation Program funds a federal no-fault program that protects the availability of vaccines in the nation by diverting a substantial number of claims from the tort arena. The FY2017 request is \$6.3 million, a 3.5% increase over the FY2016 enacted level.

Court Security

This account provides for protective services, security systems, and equipment needs in courthouses and other federal facilities to ensure the safety of judicial officers, employees, and visitors. Under this account, the majority of funding for court security is transferred to the U.S. Marshals Service to pay for court security officers under the Judicial Facility Security Program. The FY2017 request is \$565.4 million, an increase of 5.1% over the FY2016 enacted level.

Defender Services

This account funds the operations of the federal public defender and community defender organizations, and compensation, reimbursements, and expenses of private practice panel attorneys appointed by federal courts to serve as defense counsel to indigent individuals. The cost for this account is driven by the number and type of prosecutions brought by U.S. attorneys. The FY2017 request is \$1,056.3 million, an increase of 5.1% over the FY2016 enacted level.

Fees of Jurors and Commissioners

This account funds the fees and allowances provided to grand and petit jurors, and compensation for jury and land commissioners. The FY2017 request is \$43.7 million, a decrease of 1.1% over the FY2016 enacted level.

Administrative Office of the U.S. Courts (AOUSC)

As the central support entity for the judiciary, the AOUSC provides a wide range of administrative, management, program, and information technology services to the U.S. courts. AOUSC also provides support to the Judicial Conference of the United States, and implements conference policies and applicable federal statutes and regulations. The FY2017 request for AOUSC is \$87.7 million, an increase of 2.4% over the FY2016 enacted level.

Federal Judicial Center

As the judiciary's research and education entity, the Federal Judicial Center undertakes research and evaluation of judicial operations for the Judicial Conference committees and the courts. In addition, the center provides judges, court staff, and others with orientation and continuing education and training. The center's FY2017 request is \$28.3 million, an increase of 2.2% over the FY2016 enacted level.

Judiciary Retirement Funds

This mandatory account provides for three trust funds that finance payments to retired bankruptcy and magistrate judges, retired Court of Federal Claims judges, and the spouses and dependent children of deceased judicial officers. The FY2017 request is for \$161.0 million.

United States Sentencing Commission

The commission promulgates sentencing policies, practices, and guidelines for the federal criminal justice system. The FY2017 request is \$18.2 million, an increase of 3.3% over the FY2016 enacted level.

Matthew E. Glassman, Analyst on the Congress

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