

OPENING STATEMENT
The Honorable José Serrano
Chairman, Financial Services and General Government Subcommittee
House Committee on Appropriations

Hearing on the Judiciary
Fiscal Year 2011 Budget Request
March 18, 2010

The subcommittee will come to order. Before we start, I would like to take a moment to remember the attack that occurred outside the Lloyd D. George U.S. Courthouse and Federal Building in Las Vegas, Nevada this past January, which took the life of one court security officer and wounded a deputy U.S. Marshal. Our hearts go out to the deputy, court security officer and their families. Court security is addressed in your budget submission and this subcommittee will work closely with you to do all that we can to protect employees and members of the public in and around federal facilities.

Today we will hear testimony on the fiscal year 2011 budget request of the Federal Judiciary. The Judiciary, as an independent branch of government, submits its funding request to Congress rather than having the Office of Management and Budget vet it first.

The independent Federal Judiciary plays an important role in our constitutional system. Like other government institutions, the Judiciary needs sufficient resources to properly function and perform its constitutional duties. Unlike other institutions, the workload of the Judiciary is, to some extent, determined by the direct actions of certain parts of the Executive Branch (such as the Departments of Justice and Homeland Security) by the numbers and types of cases they prosecute. Also, as I'm sure will be addressed in this hearing at some point, the Judiciary's caseload has also been affected by the downturn in the economy which is reflected in the increase of bankruptcy filings. This subcommittee has made it a priority to try to ensure sufficient funding for the proper functioning of the courts and the related functions included in the judicial budget, such as probation and pre-trial services and public defenders.

For fiscal year 2011, the Judiciary is requesting \$6.9 billion in discretionary funding, an increase of \$469 million above fiscal year 2010. I look forward to discussion of this request today.

Joining us to testify in support of the Judiciary's budget request is Judge Julia Gibbons of the U.S. Court of Appeals for the Sixth Circuit. Since 2004, Judge Gibbons has also served as Chair of the Budget Committee of the Judicial Conference. Judge Gibbons has testified before this subcommittee for the last few years and we are pleased to have her here again today.

Also appearing before the subcommittee today is James Duff, the Director of the Administrative Office of the U.S. Courts. Mr. Duff was appointed to this position in 2006 by Chief Justice John

Roberts. In the late 1990s he served for four years as Administrative Assistant and Chief of Staff to Chief Justice William Rehnquist. We welcome you both today, and we very much look forward to hearing from you about the resource needs of the Federal Judiciary.

At this time, I'd like to recognize the subcommittee's ranking Member, Mrs. Emerson, for any comments she might have.