

THE WHITE HOUSE
WASHINGTON

June 25, 1975

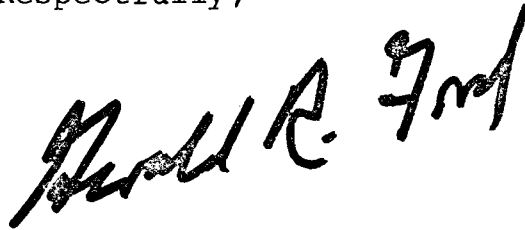
The President
of the Senate

Sir:

I ask the Congress to consider amendments for the fiscal year 1976 in the amount of \$4,771,000 and for the transition period July 1 through September 30, 1976, in the amount of \$1,390,000 for the Judiciary.

The details of these proposals are set forth in the enclosures, one of which is a letter from the Director of the Administrative Office of the United States Courts. As required by law (28 USC 605), these proposals are being transmitted without change.

Respectfully,

A handwritten signature in black ink, reading "Gerald R. Ford". The signature is written in a cursive style and is positioned to the right of the typed name "Gerald R. Ford".

Enclosures

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

SUPREME COURT BUILDING
WASHINGTON, D.C. 20544

ROWLAND F. KIRKS
DIRECTOR

WILLIAM E. FOLEY
DEPUTY DIRECTOR

June 11, 1975

Honorable James T. Lynn
Director, Office of Management
and Budget
New Executive Office Building
17th & Pennsylvania Avenue, N.W.
Washington, D.C. 20503

Dear Mr. Lynn:

Pursuant to the provisions of Section 605, Title 28 of the United States Code, I submit for your consideration and transmittal to the Congress proposed amendments to the Judiciary budget for fiscal year 1976 to include an additional \$1,608,000 to cover the statutory increases in the mileage and subsistence allowances for judges and other officers and employees of the Judiciary under the Travel Expense Amendments Act of 1975, and \$3,163,000 for the employment of 325 additional deputy clerks for the United States district courts to cope with a very sharp and unexpected increase in civil, criminal, and bankruptcy case filings.

In addition to the amounts requested for fiscal year 1976, the estimates for the transition period, July 1 through September 30, 1976, will have to be increased proportionately. I have attached a schedule which shows for each of the appropriations involved the request that is pending, the proposed amendments, and the revised request. Also attached is a statement containing a breakdown of the funds required for the additional deputy clerks and for the increased travel allowances.

With regard to the funds for travel, they are directly and solely attributable to the increases in the per diem and mileage allowances recently approved by the Congress. Naturally, we could not have anticipated the legislation and, therefore, did not provide for the increases in our original budget submission.

Honorable James T. Lynn
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We requested 85 additional deputy clerks for the district courts in our budget for fiscal year 1976 based on a projected total of 150,000 civil and criminal case filings. We also estimated that in fiscal year 1976 there would be approximately 250,000 bankruptcy case filings. During the first ten months of fiscal year 1975, civil and criminal case filings were up 12.8 percent and 11.1 percent, respectively. Bankruptcy case filings in the first ten months of this year were up 35.8 percent. If this trend continues, the district courts in fiscal year 1976 will receive in excess of 180,000 new civil and criminal cases and, conceivably, over 300,000 new bankruptcy cases.

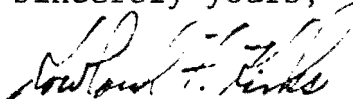
As is evident, we have grossly understated our staffing requirements with respect to the operation of clerks' offices. Based on the established ratio of 100 filings per deputy clerk, we would require approximately 300 additional positions to cope with the increase in civil and criminal work. Approximately 25 additional deputies will be required as a result of the increase in bankruptcy work.

It is imperative that these additional positions be authorized at the earliest possible date so as to obviate a backlog and delay in calendaring, docketing, filing, indexing, and various other functions that are being performed in the clerks' offices and which are so essential and directly related to the disposition of cases by the courts. It becomes even more important that these offices be adequately staffed considering the fact that the courts will soon be in the process of developing plans for expediting the disposition of criminal cases pursuant to the Speedy Trial Act.

The House Appropriations Committee is expected to report out on our Appropriation Bill within the next few days. It is, therefore, extremely important that these amendments be transmitted to the Congress at the earliest possible date so that the Senate Appropriations Committee will have an opportunity to consider them before final action is taken on the Bill.

Your cooperation and early attention to this matter will be greatly appreciated.

Sincerely yours,



Rowland F. Kirks
Director

Enc.

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	<u>Proposed Amendments</u>	
	<u>F. Y. 1976</u>	<u>Transition Period</u>
<u>325 Additional Deputy Clerks for the U. S. District Courts</u>		
Salaries of Supporting Personnel.....	\$2,750,000*	\$ 916,000
Travel and Miscellaneous Expenses:		
Recurring Expenses.....	218,000*	73,000
Nonrecurring Expenses.....	<u>195,000</u>	<u>.....</u>
	<u>\$3,163,000</u>	<u>\$ 989,000</u>
 <u>Increased Travel Allowances</u>		
Representation by Court-Appointed Counsel and Operation of Defender Organizations.....	\$ 39,000	\$ 10,000
Travel and Miscellaneous Expenses.....	1,240,000	310,000
Administrative Office of the United States Courts.....	93,000	23,000
Salaries and Expenses of U. S. Magistrates.....	21,000	5,000
Salaries and Expenses of Referees.....	50,000	12,000
Federal Judicial Center.....	<u>165,000</u>	<u>41,000</u>
	<u>\$1,608,000</u>	<u>\$ 401,000</u>
 GRAND TOTAL	 <u>\$4,771,000</u>	 <u>\$1,390,000</u>

*Represents 9 months provision.

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Budget Appendix Page		1976 Request Pending	1976 Proposed Amendments	1976 Revised Request
55	Salaries of Supporting Personnel.	\$119,221,000	\$2,750,000	\$121,971,000
56	For "Salaries of Supporting Personnel" for the period July 1, 1976 through September 30, 1976..	29,939,000	916,000	30,855,000
56	Representation by Court-Appointed Counsel and Operation of Defender Organizations.....	16,551,000	39,000	16,590,000
56	For "Representation by Court-Appointed Counsel and Operation of Defender Organizations" for the period July 1, 1976, through September 30, 1976.....	4,138,000	10,000	4,148,000
57	Travel and Miscellaneous Expenses	19,804,000	1,653,000	21,457,000
57	For "Travel and Miscellaneous Expenses" for the period July 1, 1976, through September 30, 1976.	4,718,000	383,000	5,101,000
58	Administrative Office of the United States Courts.....	8,097,000	93,000	8,190,000
58	For "Administrative Office of the United States Courts" for the period July 1, 1976, through September 30, 1976.....	1,995,000	23,000	2,018,000
58	Salaries and Expenses of United States Magistrates.....	10,489,000*	21,000	10,510,000
58	For "Salaries and Expenses of United States Magistrates" for the period July 1, 1976, through September 30, 1976.....	2,589,000*	5,000	2,594,000
60	Salaries and Expenses of Referees	24,046,000*	50,000	24,096,000
60	For "Salaries and Expenses of Referees" for the period July 1, 1976, through September 30, 1976.	5,996,000*	12,000	6,008,000
61	Federal Judicial Center.....	10,548,000	165,000	10,713,000
61	For "Salaries and Expenses of the Federal Judicial Center" for the period July 1, 1976, through September 30, 1976.....	1,561,000	41,000	1,602,000

*Revised estimate included in House Document 94-153 which was referred to the Committee on Appropriations on May 15, 1975.

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Budget appendix page	Heading	1976 budget request pending	Proposed amendments	1976 revised request
55	Salaries of supporting personnel	\$119,221,000	\$2,750,000	\$121,971,000
56	Representation by court-appointed counsel and operation of defender organizations	16,551,000	39,000	16,590,000
57	Travel and miscellaneous expenses	19,804,000	1,653,000	21,457,000
58	Administrative Office of the United States Courts	8,097,000	93,000	8,190,000
58	Salaries and expenses of United States Magistrates	10,489,000*	21,000	10,510,000
60	Salaries and expenses of referees	24,046,000*	50,000	24,096,000
61	Federal Judicial Center, Salaries and expenses	10,548,000	165,000	10,713,000

*Revised estimate included in House Document 94-153 which was referred to the Committee on Appropriations on May 15, 1975.

Budget appendix page	Heading	Transition quarter budget request	Transition quarter proposed amendment	Transition quarter revised request
56	Salaries of supporting personnel	\$29,939,000	\$ 916,000	\$30,855,000
56	Representation by court-appointed counsel and operation of defender organizations	4,138,000	10,000	4,148,000
57	Travel and miscellaneous expenses	4,718,000	383,000	5,101,000
58	Administrative Office of the United States Courts	1,995,000	23,000	2,018,000
58	Salaries and expenses of United States Magistrates	2,589,000*	5,000	2,594,000
60	Salaries and expenses of referees	5,996,000*	12,000	6,008,000
61	Federal Judicial Center, Salaries and expenses	1,561,000	41,000	1,602,000

*Revised estimate included in House Document 94-153 which was referred to the Committee on Appropriations on May 15, 1975.