

THE WHITE HOUSE

WASHINGTON

May 13, 1976

The President

of the Senate

Sir:

I ask the Congress to consider proposed budget amendments for fiscal year 1977 in the amount of \$856,000 for the Judiciary.

The details of this proposal are set forth in a letter from the Deputy Director of the Administrative Office of the United States Courts. As required by law, this proposal is transmitted without change.

Respectfully,



Enclosure

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

SUPREME COURT BUILDING
WASHINGTON, D.C. 20544

ROWLAND F. KIRKS
DIRECTOR

WILLIAM E. FOLEY
DEPUTY DIRECTOR

April 29, 1976

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 of Title 28, United States Code, I submit for your consideration and transmittal to the Congress proposed amendments to the Judiciary budget for fiscal year 1977 to provide an additional \$479,000 for "Salaries and Expenses of United States Magistrates" and \$377,000 for "Salaries and Expenses of Referees."

Salaries and Expenses of United States Magistrates

The amount requested under this heading is necessary to implement actions of the Judicial Conference of the United States in April 1976. The Conference authorized four new full-time magistrates, two part-time magistrates, and the conversion of two part-time and one combination (clerk-magistrate) positions to full-time status. The Conference also authorized the discontinuance of five part-time positions and one combination (clerk-magistrate) position. In addition to the salaries of the new magistrates, provision has been made for supporting staff for each of the full-time magistrates consisting of a secretary and a clerical assistant.

One of the major purposes of the Federal Magistrates Act was to free up the time of judges for the actual trial of cases by transferring some of their other duties to subordinate judicial officers. By establishing new magistrate positions, the Judicial Conference is responding positively to the expressed desire of Congress that the courts take appropriate steps to delegate an increasing number of judicial duties in civil and criminal cases to the magistrates.

Honorable James T. Lynn
Page two

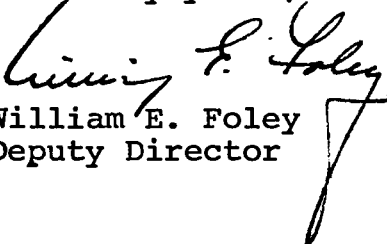
Salaries and Expenses of Referees

The amount requested under this heading is also based on actions of the Judicial Conference in April 1976. The Conference authorized five new full-time referee positions, one new part-time referee, and the conversion of a part-time referee to a full-time status. In addition to the salaries and expenses of the new referees, provision has been made for seven secretarial positions to staff the new referees.

In fiscal year 1975 there were 254,484 bankruptcy cases filed compared with 189,513 in 1974, an increase of 34 percent. Despite an increase in terminations, the pending caseload as of June 30, 1975, reached a record high of 262,283. This increase in filings and the pending caseload has placed an extraordinary strain on the bankruptcy system. Although nonbusiness bankruptcies nationwide during the first eight months of fiscal year 1976 were up only 3 percent, business bankruptcies were up 25 percent. Based on surveys conducted by the Administrative Office and on the recommendations of the Bankruptcy Committee of the Judicial Conference, the Conference authorized additional referees in certain locations to cope with continuing excessive workloads.

The actions of the Judicial Conference establishing new magistrate and referee positions could not be anticipated and, consequently, no provision for these positions was made in our original budget submission for fiscal year 1977. We would appreciate your giving this matter your early attention as we are anxious to have this request before the Senate Appropriations Committee before final action is taken on our appropriation bill.

Sincerely yours,


William E. Foley
Deputy Director

Enc.

THE JUDICIARY

1977 Budget Appendix Page	Heading	1977 Budget Request	Previous Amendment H. Doc. 94-423	1977 Proposed Amendment	1977 Revised Request
54	Salaries and expenses of United States Magistrates	\$11,862,000	---	\$479,000	\$12,341,000
54	Salaries and expenses of referees	32,105,000	\$964,000	377,000	33,446,000