



JUDICIAL CONFERENCE OF THE UNITED STATES

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Memorandum of Action

Executive Committee Judicial Conference of the United States

May 10, 2013

The Executive Committee of the Judicial Conference met by video conference on May 10, 2013. All Committee members, with the exception of Judge Mary Beck Briscoe, took part in the meeting. Judge Catherine Blake, Chair of the Defender Services Committee, Jill C. Sayenga, Deputy Director of the Administrative Office (AO), and the Committee staff, Laura C. Minor, Assistant Director, and Helen Bornstein, Attorney Advisor (AO), Office of Judicial Conference Executive Secretariat, also took part. Participating from the AO in a portion of the video conference were Assistant Director George H. Schafer, Budget Division Chief James R. Baugher, and Acting Deputy Budget Division Chief Lisa M. Lavery, of the Office of Finance and Budget, and Cait Clarke, Assistant Director for Defender Services.

The Executive Committee acted on the following matter:

Reconsideration Of Defender Services Fiscal Year 2013 Final Financial Plan

At the request of the Defender Services Committee, the Executive Committee agreed to reconsider an earlier decision directing that \$6.4 million in the Defender Services account be allocated to limit staff furloughs to no more than 15 days for the remainder of FY 2013, which it had made as part of its April 16, 2013 approval of final fiscal year (FY) 2013 financial plans. That decision was made after considering the impact on the Defender Services account of prolonged sequestration and other budget cuts, including the potential for lengthy furloughs of federal defender organization staff. At this meeting, the Executive Committee determined to modify its April 16 decision by allocating a portion of the \$6.4 million to limit staff furloughs to no more than 20 days for the remainder of FY 2013, and designating the remaining funds (minus a small reserve) to be distributed pro rata, based on their approved FY 2013 budgets, to those offices whose furloughs were already at 20 days or less, with the proviso that the latter offices be encouraged to use the money to reduce furlough days.

The adjustment was made after a presentation by Judge Catherine Blake, chair of the Defender Services Committee, in which she noted that federal defender offices have addressed the severe budget cuts in different ways, not just through furloughing, and requested that some relief be provided to all federal defender offices rather than only those with the highest number of furlough days.

After extensive discussion on the difficult choices presented by the current budget environment, the Executive Committee agreed to the Defender Services Committee request, but stressed its desire to see that the federal defender organizations receiving the pro rata funds put the money toward reducing the number of furlough days. The Executive Committee also reiterated its intent to request a study to better determine the needs of the federal defender organizations.

William B. Traxler, Jr.

Committee: Mary Beck Briscoe
Joel F. Dubina
Thomas F. Hogan
Robert S. Lasnik
William Jay Riley
Rodney W. Sippel
Sarah S. Vance