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ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

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ASSISTANT DIRECTOR
FOR ADMINISTRATION

L. RALPH MECHAM
DIRECTOR

JAMES L. MACKLIN, JR.
DEPUTY DIRECTOR

WASHINGTON, D.C. 20544

December 3, 1990

MEMORANDUM TO MR. MECHAM
MR. MACKLIN

THRU: RAYMOND KARAM *R.K.*

SUBJECT: Summary of Judicial Impact Statements for 1990

Attached for your review is the Judicial Impact Statement Tracking Report. To date, over 23 bills plus the 14-Point Plan have been analyzed. The resource cost to the Judiciary of these proposals was \$674 million and 6,285 FTEs. The resource cost to the Judiciary from the enacted legislation was reduced significantly to about \$139 million and 943 FTEs, a difference of \$535 million and 5,342 FTEs. The estimated budget impact of both the proposed and enacted legislation is lower, since the cost of the time spent by Judicial Officers and their staffs is not included in a budget request. Also, these are full year costs that do not take into consideration vacancy rates for personnel, partial year implementation due to enactment dates, and other factors that are used in calculating a funding request to Congress. Currently, these impact statements are being used as a resource in identifying additional funding needs in 1991 and 1992 resulting from the enacted legislation; for example, to assist in developing the supplemental request for the Civil Justice Reform bill and incorporating additional funding in 1992 for thrift and bank fraud cases.

Nancy
Nancy Potok

Attachment

- cc: Robert Feidler
- William Burchill
- Karen Siegel
- Larry Stoorza
- Pete Lee
- Peter McCabe

Judicial Impact Statement Tracking Report
101st Congress

<u>Enacted Bills</u>	(\$ in Millions)		
	<u>Senate</u>	<u>House</u>	<u>Enacted</u>
Civil Justice Reform Act of 1990 -Requires the AO to modify existing pretrial and court procedures, and establish pilot and demonstration efforts.	\$: 110.5	33.5 <u>a/</u>	14.1
	FTEs: 764.1	237.0	73.1
Federal Courts Study Committee Implementation Act of 1990 -Increases juror fees, modifies timing of Circuit Judicial Conferences, requires a study of defender programs, and makes several minor modifications to existing activities.	\$: 25.6	25.6	8.9
	FTEs: 180.0	180.0	-9.0
Omnibus Crime Bill and Comprehensive Crime Control Act of 1990 -Provides new provisions for thrift and bank fraud, forfeiture, drug paraphernalia, child abuse, crystallized methamphetamine, protection of crime victims, mandatory sentences, and debt collection.	\$: 139.3	51.8	78.1 <u>b/</u>
	FTEs: 1,442.0	485.0	879.0

a/ This represents the cost of the bill above the cost of implementing the 14-Point Plan. The total cost of the Plan and Bill was \$47 million and 377 FTEs. This also does not include the automation cost of \$5.7 million and 9 FTEs, which is a multi-year cost.

b/ Most of these costs are associated with thrift and bank fraud and other prosecutions and will not occur during 1991.

Enacted Bills

Federal Law Enforcement Pay Reform Act of 1990
-Modifies the pay structure of law enforcement officers. Cost represents maximum cost to the courts if the bill's pay provisions are adopted for Pretrial Services and Probation Officers.

	<u>Senate</u>	<u>House</u>	<u>Enacted</u>
\$:	31.7	42.6	37.9

National Atmospheric Nuclear Testing Compensation Act of 1990

-Establishes a new entitlement program to compensate individuals for injuries or deaths resulting from exposure to radiation from nuclear testing and uranium mining. Provisions will be administered by Attorney General rather than Special Masters.

\$:	.3	0.0	0.0
FTEs:	3.0	0.0	0.0

Bills Not Enacted

Violence Against Women Act of 1990

-Establishes new Federal authority which allows civil action for crimes of violence motivated by the victims gender.

\$:	56.0	--	--
FTEs:	580.0	--	--

Civil Rights Act of 1990

-Strengthens civil rights laws that ban employment discrimination and to conduct two studies.

\$:	--	2.3 <u>c/</u>	--
FTEs:	--	63.0 <u>c/</u>	--

c/ Multi year cost of AO studies.

<u>Bills Not Enacted</u>	<u>Senate</u>	<u>House</u>	<u>Enacted</u>
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Federal Crime Control Act of 1990
(Title I, Sect. 103(a))

-Federal Day provision allows felony drug cases that would otherwise be prosecuted in State or local jurisdictions to be prosecuted in Federal court.

\$: 310.0	--	--
FTEs: 3,316.0	--	--

Criminal and Civil Voir Dire Demonstration Acts of 1990

-Establishes a demonstration program to provide 30 minutes to defendants or their attorneys and prosecutors to conduct oral examination of prospective jurors.

\$: .2	--	--
FTEs: .5	--	--

Other Judicial Impact Statements

The 14-Point Plan of the Judicial Conference

-Recommends modification of civil justice procedures to improve their effectiveness and efficiency.

(NA)	(NA)	(NA)
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\$: 13.5
FTEs: 140.0

TOTAL d/

\$: 673.6	155.8	139.0
FTEs: 6,285.6	965.0	943.1

d/ Total excludes the 14-Point Plan of the Judicial Conference, because it was not legislation.

Impact analyses were performed on the following bills. However, firm cost estimates could not be developed since they were dependent on: (1) implementation of the laws by other Federal agencies; (2) the public's use of the Judiciary to address grievances; and (3) interpretation by the Judiciary of provisions of the bills.

Immigration Reform Act and Naturalization Amendments

-Allows the applicant for citizenship to choose the forum for oath taking and allows for judicial appeals when naturalization is denied. Could result in cost savings.

Bill Was Enacted

Torture Victim Protection Act of 1989

-Establishes a new Federal civil right of action by aliens and U.S. citizens against persons who engage in torture or extrajudicial killing under the authority of any foreign nation.

Bill Was Not Enacted

Radiation Victims Fair Treatment Act

-Repeals a Federal tort claim provision regarding the civil liability of government contractors for certain injuries, losses of property and deaths.

Bill Was Not Enacted