



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

JAMES C. DUFF
Director

WASHINGTON, D.C. 20544

January 12, 2018

Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Grassley:

Thank you for your letter of December 6, 2017, concerning allegations about the mechanisms for reporting fraud, waste, or abuse, and prohibited personnel practices at the Administrative Office of the United States Courts (AO). Judge Timothy Tynkovich, Chief Judge of the Tenth Circuit, and I also thank your staff, Mike Davis, Kasey O'Connor, and Steven Kenny, for meeting with us on November 17, 2017, prior to receiving your letter to discuss these and other matters, and again with them on December 12, 2017, along with Katherine Nikas, after I received your letter, to review the subjects of it. I also appreciate the additional time you allowed us over the holidays to prepare this response because of the volume of material we are providing. As we discussed with your staff, in addition to addressing your questions in this letter, we will submit in a separate letter a general discussion of the Judicial Branch's extensive and effective processes and safeguards that already provide, at significant taxpayer expense, the protections you propose in S. 2195, the Judicial Transparency and Ethics Enhancement Act of 2017.

At the outset, and as Judge Tynkovich and I raised with your staff in November, we appreciate that your interest in the Judiciary's practices has contributed to improvements we have made in our processes and procedures over the years, including in the past month since our meetings.

I. BACKGROUND OF OVERSIGHT OF JUDICIAL BRANCH PROCESSES

The Federal Judiciary puts very significant resources and effort into independent oversight and programs to prevent fraud, waste, or abuse of

government resources. The Judicial Branch has processes and procedures for individuals to raise claims of fraud, waste, or abuse; judicial misconduct; discrimination; harassment, or other wrongful conduct. Additionally, the Judicial Branch provides non-retaliation protections to its employees. In response to your staff's observations, as of December 20, 2017, the public website (uscourts.gov), and the Judiciary's internal webpages where fraud, waste, or abuse reporting is discussed have been updated. We also have published our policies on fraud, waste, or abuse reporting and fair employment practices on uscourts.gov. We appreciate your observations and welcome any others.

II. RESPONSES TO QUESTIONS

1. Please provide a description of the current process for contractors and Pre-Act and Post-Act employees seeking to report waste, fraud, abuse, and prohibited personnel practices, including a description of current protections for employees who report; and copies of all policies, procedures, internal manuals or memoranda, and training guidance related to this process and protections. Please explain how conflicts of interest are accounted for.

Fraud, Waste, or Abuse

As the Director, I am responsible for the operations of the AO and its components, including the authority to investigate allegations of fraud, waste, or abuse. The policy (enclosure 1) provides for the investigation of allegations made by AO employees or contractors of fraud, waste, or abuse regarding AO staff and its activities. The Deputy Director of the AO provides initial oversight and resolution of AO allegations. As stated in the policy, I report the filing and action taken on fraud, waste, or abuse allegations made regarding the AO, courts, and federal public defender organizations (FPDO) to the Judicial Conference Committee on Audits and AO Accountability (AAOA Committee), thus allowing independent review of all such allegations reported to the AO. There are six federal judges from six different courts on the AAOA Committee who have no management role in the AO and therefore provide an independent oversight role.

The policy and our process do not distinguish between allegations made by AO employees, whether they are Pre- or Post-Act, or contractors. The status of an employee's employment rights has no bearing on fraud, waste, or abuse reporting or review. If any conflicts of interest arise, they are handled case by case. We have policy and mechanisms to delegate review responsibilities within the AO.

When investigating, the AO, pursuant to its policy, offers confidentiality to any complainant who reports fraud, waste, or abuse unless disclosure becomes unavoidable. If disclosure is unavoidable, the complainant would be notified prior to disclosure unless such notification would be contrary to law. Allegations can and have been reported anonymously. As described in our policy, we treat all allegations according to the same procedures regardless of source.

There is a page on the AO's intranet website informing any employee, or contractor working for the AO who has access to the Judiciary intranet, how to report allegations through an email address or online form. Allegations by an employee, contractor or the public can also be reported by using the email link found on the public uscourts.gov website. A copy of the webpages and the form used for reporting are in enclosure 2.

Annually, the Deputy Director of the AO sends a memorandum to employees reminding them of their responsibility to report fraud, waste, or abuse. The AO's Personnel Act also prohibits (whistleblower) retaliation against employees who report fraud, waste, or abuse.

Prohibited Personnel Practices

As reflected in the attached sections of the *AO Manual*, Volume 4, Chapter 3 (enclosure 3), individuals have several established, formal processes described through which to pursue their concerns. Where prohibited personnel practices include a discrimination allegation, employees may use the Fair Employment Practices Complaint Process (FEP-CP). The FEP-CP provides explicit, clear directions on how to report concerns and how to proceed once a claim is filed. In addition to providing sections of the *AO Manual* describing our process, I have attached a flow chart (enclosure 4) outlining the current process for filing a claim with the Fair Employment Practices (FEP) Office.

The FEP-CP allows for informal counseling, an opportunity to file a formal complaint, and an opportunity to request a hearing after an investigation. It is important to point out that the investigation is conducted by a trained neutral investigator from outside the AO and that the hearing officer, if the matter proceeds to a hearing, must be an independent, non-government attorney with specialized subject matter expertise and must also be a neutral party. Throughout the process, professionals are available in multiple AO offices if there are questions or concerns. No investigations are closed without thorough review and at any time in the process a claimant may be represented by counsel.

Although there are not different processes for Pre-Act and Post-Act employees seeking to report fraud, waste, or abuse, there are differences in the FEP appeal right procedures for Pre-Act employees. These differences are provided in the *AO Manual*, Volume 4, Chapter 3, § 330.60 (see enclosure 3).

Training

The table below provides a list of recent and currently available trainings and guidance for AO employees seeking to report fraud, waste, or abuse, and prohibited personnel practices.

Trainings and Guidance for Employees Seeking to Report Waste, Fraud, Abuse, and Prohibited Personnel Practices			
Format; Target Audience	Title	Topic(s)	Description
In-Person; AO Staff	Fair Employment Practices Process Training	Prohibited Personnel Practices	This town hall focused on the Fair Employment Practices process, discrimination, harassment, and how to report violations.
In-Person; AO Staff	AO Harassment Training	Prohibited Personnel Practices	This training was provided to AO managers and covered sexual harassment in the workplace, the relevant guidelines, and responsibilities of AO managers.
Web-Based; AO Staff	Virtual Town Hall: Updated HR Volume of <i>AO Manual</i>	General Human Resources	The virtual town hall was held to address questions about the updated volume of the <i>AO Manual</i> . Updates to the HR volume included: prohibited personnel practices, merit principles, whistleblowing, and Fair Employment Practices procedures.
In-Person; AO Staff	Town Hall Question and Answer Session: <i>AO Manual</i> Fair Employment Practices Chapter	Fair Employment Practices	This town hall featured staff from the FEP Office and the Office of General Counsel to facilitate discussion and answer any questions on the draft Fair Employment Practices Chapter of the <i>AO Manual</i> .
Web-Based; AO Staff	Guidance on Sexual Harassment	Prohibited Personnel Practices	This training provides the applicable definitions, guidance, and employee responsibilities related to sexual harassment in the workplace.

Format; Target Audience	Title	Topic(s)	Description
Web- Based; AO Staff and Contractors with Access to AO Web	Guidance on Fraud, Waste, and Abuse Reporting	Fraud, Waste, or Abuse	This guidance provides an outline of policies and procedures for reporting fraud, waste, or abuse and the AO's processes for responding to complaints, including prohibition against retaliation.
Web- Based; AO Staff	Annual Reporting Requirements	Fraud, Waste, or Abuse	Annual memorandum from the Deputy Director to all employees reminding them of their responsibility to report fraud, waste, or abuse with links to helpful instructions.

2. What internal safeguards exist at the local, regional, and national levels to deter waste, fraud, and abuse of judicial resources? Please explain and provide all relevant policies or procedures governing the administration of these safeguards.

The Judicial Branch has a wide range of policies and procedures at the local, regional, and national levels that deter fraud, waste, or abuse of judicial resources. They include broad, organization-wide strategies, national policies, and local procedures. These safeguards evolve and improve based on experience and ongoing assessment of risks. Informed by the results of past investigations, audits, program reviews, and industry and government best practices, we have made improvements to reduce the risk for fraud, waste, or abuse.

The core safeguards are listed below. The first section of the chart discusses specific policies and procedures. The second section discusses other, more general policies and procedures that also contribute to deterring fraud, waste, or abuse.

Reporting and Follow-up on Allegations and Other General Safeguards

Safeguard	Description
Core Safeguards	
Monitoring of Policies, Procedures, and Internal Controls	See responses to question #3 for details of Financial Audit Programs, and question #4 for details of reporting to AAOA Committee.
Codes of Conduct	The respective codes of conduct for judges, court staff, FPDO, and the AO speak to the integrity of the Judiciary, procurement integrity, and the use of government property among a number of other matters that emphasize accountability and good stewardship of Judiciary resources.
Fraud, Waste, or Abuse Policies	The Judiciary has policies for the courts, the federal public defenders, and the AO that address how to report allegations of fraud, waste, or abuse (enclosure 5).
Fraud, Waste, or Abuse Reporting Intranet Pages	The Judiciary intranet pages provide information regarding how to report fraud, waste, or abuse; points of contact for such reporting; and a form to submit concerns regarding fraud, waste, or abuse including an option to submit anonymously. Based on the concerns your staff raised, we have updated these pages to more clearly explain the reporting and investigative procedures.
Fraud, Waste, or Abuse Reporting Reminders	Annually, the chair of the AAOA Committee sends a memorandum to chief judges and all court unit executives asking them to remind their staff of the means to report fraud, waste, or abuse (enclosure 6). The Deputy Director of the AO annually sends a memorandum to all AO employees reminding them of their obligation to report fraud, waste, or abuse (enclosure 7).
Internal Control Policy	The Judiciary’s internal control program requires that the AO and each unit have financial and administrative procedures. The executive is required to keep the procedures current and conduct a comprehensive review annually. The procedures are also reviewed by auditors during the organization’s cyclical audit.
Internal Control Self Assessments	The Judiciary’s internal control program requires an annual self-assessment of the organization’s internal controls. The auditors review the completed assessments during the organization’s cyclical audit.
Program Reviews	AO staff conduct voluntary and mandatory reviews of Judiciary programs (e.g., clerk’s office, jury administration, probation office, human resources administration) and such reports serve to improve operations in the specific office, and may also identify best practices that are shared broadly. These are reported to the AAOA Committee and noted in question #4.

Safeguard	Description
Internal Control Tools	The AO has developed guidance systems and best practices to help executives and financial managers identify internal control risks.
Reporting & Follow-up on Allegations	As described in the response to question #4, the AO provides an extensive semi-annual report to the judges on the AAOA Committee, which has an independent role in monitoring and reviewing reports of fraud, waste, or abuse, as well as financial audits and special investigations. Their oversight and the judges' expectation that management at the AO and the courts will complete appropriate investigative activities is a deterrent. The AO also provides investigation reports and other information regarding the allegations to the Office of Audit so that the relevant internal controls and activities can be reviewed during a future audit to ensure that weaknesses in internal controls have been addressed.
Strategic Planning	The Judiciary's Strategic Plan emphasizes standards of conduct; self-enforcement of legal and ethical rules; good stewardship of public funds and property; and effective and efficient use of resources. The AO's Strategic Direction emphasizes strengthening AO accountability through improvements to internal control, audit, and risk management initiatives.
General Safeguards	
Financial Reporting Requirements	Financial reporting requirements are in place and designed to ensure accountability for funds, including managing, expending, and receiving funds. Monthly, quarterly, and annual reports are required to be filed by court units and FPDOs; reports are reviewed, and financial statements are audited in accordance with Judiciary policy.
Financial System Controls	Financial system controls are in place to ensure that only authorized persons can process transactions, which are safeguards that prevent unauthorized personnel from executing transactions outside their approvals. These safeguards also assist executives in ensuring the appropriate separations of duties.
Formal Delegations of Authority	Delegations are designed to ensure that persons with the appropriate training and knowledge carry out certain responsibilities. Judiciary delegations are defined for every administrative area, including certifying officers, contracting officers, and personnel actions.
Local Budget and Financial Management Policies and Procedures	The AO, courts, and FPDOs are required to establish local budget and financial management policies and procedures to ensure that funds are expended in accordance with local governance rules.

Safeguard	Description
Local Fraud, Waste, or Abuse Policies	Courts have implemented local fraud, waste, or abuse policies and procedures based on their local governance processes and procedures. The AO has posted examples of these policies and procedures on the Judiciary’s intranet page for courts to reference.
Training	Training is provided regarding some of the specific safeguards above, some of which is mandatory for certain authorities such as certifying officer, contracting officer, etc. For a more extensive discussion of training, see response to question #5.

3. Please provide a description of the financial audit processes – internal and external – for individual courts and the AOUSC, including the frequency of audits and details of the processes utilized.

Judiciary Audit Program

The Director of the AO has the statutory responsibility under 28 U.S.C. § 604(a)(8) to disburse appropriations and other funds for the maintenance and operations of Judiciary organizations, as well as the responsibility under 28 U.S.C. § 604(a)(11) to audit accounts and vouchers of the courts. The Director of the AO has assigned the responsibility for administering the Judiciary’s audit program to the AO’s Office of Audit. This Office of Audit, along with the Office of Management, Planning and Assessment, was once called the “Office of Inspector General.” The office titles have changed over time, but the important functions remain.

The Office of Audit is organized as an independent internal audit office as defined under the Government Accountability Office’s Generally Accepted Government Auditing Standards (GAGAS). The AO’s Office of Audit conducts financial-related performance audits and contracts with independent external audit firms to perform financial statement audits and other attest engagements that require a level of independence, as defined in professional auditing standards, which must be provided by independent certified public accounting (CPA) firms. Audits are conducted in accordance with GAGAS and Generally Accepted Auditing Standards.

The Judiciary is not only responsible for appropriated funds, but also for filing fee receipts and funds held in trust for retirees, crime victims, and parties involved in disputes. The Judiciary also makes statutory payments to bankruptcy trustees and the recipients of Criminal Justice Act grants. Judiciary responsibilities for these funds include the proper handling of transactions

involving these funds as well as the safeguarding of these assets while they are held.

The Judiciary's audit programs reflect its wide-ranging responsibilities for the handling of appropriated and non-appropriated funds at the national and local levels. The Judiciary produces a series of financial reports and statements reflecting these responsibilities, and it audits them on a regular basis. In many cases, expenditure transactions will be examined at multiple levels. For example, an expenditure may be reviewed at the national level in an appropriations audit and at the local level in a cyclical court audit, where the actual disbursement was initiated.

1. Cyclical Financial Audits

Independent CPA firms conduct cyclical financial audits of court units and FPDOs with contractual oversight provided by the Office of Audit. The audit cycle is four years for smaller and lower-risk units, and two and one-half years for higher-risk units, including large courts. Audit reports include an auditor's opinion on financial statements and a report on internal controls over financial reporting and compliance with Judiciary policies and procedures for all offices. The audits also review certain administrative functions, including procurement, property management, financial systems access, and other areas.

2. Change-of-Court Unit Executive and Other Special Request Audits

Staff from the AO's Office of Audit conduct financial-related performance audits to document the transfer of accountability when a court has a change in its court unit executive, or when there is an executive change such as a bankruptcy administrator. Courts may also request audits when there is a change in the financial administrator, to follow up on prior audit issues, or to examine a particular area or process where a court has identified potential risk.

3. National Financial Statement Audits

The Office of Audit oversees the work of external auditors as they conduct financial statement audits, performance audits and other attest engagements of certain Judiciary appropriations, AO financial systems, and national programs.

Judiciary Appropriations. The Office of Audit contracts with an independent CPA firm to conduct financial audits for Judiciary

appropriation accounts, which fund the operations of the U.S. courts, defender programs, and the AO. The primary objectives of the audits are to: 1) determine whether the financial statements related to these appropriation accounts are presented fairly in all material aspects; 2) assess internal controls over financial reporting; and 3) assess compliance with significant and applicable laws and regulations. To assess internal controls, the CPA firm examines key financial reporting internal control policies and processes at the AO and at the court unit or federal public defender level, and reviews controls over information technology relevant to the preparation and presentation of financial statements. Appropriations audits are conducted on a two-year cycle.

Retirement Funds. The Office of Audit contracts with independent CPA firms to conduct annual financial statement audits of the Judiciary's four retirement funds: the Judicial Survivors' Annuities System, which provides death benefit coverage for survivors of participating justices and judges; the Judicial Officers' Retirement Fund, which provides retirement and disability benefits for participating federal bankruptcy and magistrate judges; the Court of Federal Claims Judges' Retirement System, which provides retirement benefits for participating United States Court of Federal Claims judges; and the Judicial Retirement System, which provides retirement benefits to participating Article III judges retiring under 28 U.S.C. §§ 371(a) and 372(a), and judges of the territories.

Registry Investments. Courts are required to deposit and invest registry funds safely until the resolution of a case, at which time the courts return the deposits, plus interest, to the appropriate parties. The Court Registry Investment System (CRIS) was established by a district court in 1988 to relieve individual courts from the risks and administrative burdens associated with investment of registry funds locally. This voluntary program was transferred to the AO in 2011 and the AO now manages registry funds for 166 district and bankruptcy courts. Financial statements for CRIS are audited annually by an independent CPA firm under contract with the Office of Audit.

Public Access to Court Electronic Records (PACER). The Office of Audit contracts with an independent CPA firm to perform annual financial audits of the PACER program receipts. PACER is an electronic public access service that allows registered users to obtain case and docket information online from federal appellate, district, and bankruptcy courts and the PACER Case Locator. As mandated by Congress, the Judiciary's

electronic public access program is funded entirely through user fees set by the Judicial Conference.

Central Violations Bureau (CVB). The Office of Audit contracts with an independent CPA firm to perform annual financial audits of CVB receipts. The CVB is a national center responsible for processing violation notices (tickets) issued and payments received for most petty offenses and some misdemeanor cases charged on a federal violation notice.

4. Audit of AO Administrative Functions

Contract Audits. The Office of Audit contracts with independent CPA firms to conduct performance audits of the AO's contract administration and reporting functions. The primary objectives of the reviews are to determine whether (1) operational safeguards and internal controls over the contracting process were adequate to ensure compliance with procurement and programmatic requirements of the contract, and (2) costs charged to the contract were allowable and supported. A selection of contracts are audited in most years.

Other Administrative Functions. Office of Audit staff or independent CPA firms may conduct audits of other AO administrative functions, such as procurement or property management.

5. Audits of Community Defender Organization Grantees

An independent CPA firm under contract with the Office of Audit conducts financial audits of Criminal Justice Act (CJA) grants to the 17 community defender organizations (CDOs). Each CDO is audited annually. The objectives of the audits are to:

- evaluate internal accounting controls;
- evaluate grant activity for compliance with grant agreements, Judiciary policy, and other relevant policies;
- assure that personnel are authorized and paid at authorized levels;
- review property inventory and procurements;
- review reporting to the AO's Defender Services Office;
- review budgetary restrictions; and
- review the return of unused funds.

6. Audits of Chapter 7 Bankruptcy Trustees

The Office of Audit also contracts with an independent CPA firm to conduct performance audits of Chapter 7 bankruptcy trustees. The audits are performed with oversight provided by the Office of Audit in support of the bankruptcy administrators located only in the states of North Carolina and Alabama, which are under the Judicial Branch. This audit program began in fiscal year 1994 and is similar to the Department of Justice's program for audits of Chapter 7 trustees in the other 48 states which are under the United States Trustee Program. The audits are conducted on a three-year cycle. The primary objectives are to evaluate whether the trustees have a system of internal controls to protect estate funds and assets, adhere to specific case administration and financial compliance requirements, and present financial information in accordance with Judicial Conference policy.

7. Audits of Chapter 13 Bankruptcy Trustees

Financial audits and agreed-upon procedures (AUP) engagements of Chapter 13 bankruptcy trustees are conducted by another independent CPA firm under contract with the Office of Audit in support of the bankruptcy administrators in North Carolina and Alabama. The audits evaluate whether the trustee's annual report fairly presents the position of the trusteeship during the audit period. Chapter 13 bankruptcy trustees are audited annually. The audit reports include the auditor's opinion on the trustee's annual report, and a report on internal controls and compliance with relevant laws, regulations, and Judiciary policy. This centrally managed audit process is similar to the Department of Justice's program for audits of Chapter 13 trustees in the other 48 states.

Chapter 13 bankruptcy trustees also undergo AUP engagements each year. The AUP engagements are an other attest engagement provided by independent public accounting firms, and a separate report is issued for these engagements. AUPs report on various prescribed procedures as developed by management to assess the Chapter 13 trustee's compliance with relevant program policy and requirements. AUPs have a lesser scope than an audit, because they provide no assurance on the processes or items under review.

8. Debtor Audit Program

The Office of Audit contracts with an independent CPA firm to conduct debtor audits of Chapter 7 and Chapter 13 bankruptcy filings by individuals in the states of North Carolina and Alabama. Some filings selected for audit are randomly selected from filings, while others are selected from cases with debtors who have high incomes or high expenses, compared to the statistical norm in the district. A filing may also be targeted for audit by a bankruptcy administrator if it exhibits characteristics that may be associated with fraud or undisclosed assets.

9. Previous Audits or Attestation Engagement Follow-Up Activities

As outlined in the GAGAS standards, auditors should evaluate and determine whether audited entities have taken appropriate corrective actions to address prior findings. The Office of Audit tracks and follows up on implementing corrective actions in court units, defender organizations, and the AO to ensure that audit findings are addressed. Findings identified in final audit reports are tracked and listed as “open” until documentation is submitted that describes actions implemented to address the issue. The tracking system also includes the audit recommendations associated with each finding. One finding may have multiple recommendations. The Office of Audit marks the item as “closed” if the implemented actions as described address all of the related recommendations and would resolve the condition.

4. Please provide all financial audits, program reviews, and special investigations reported by the AOUSC to the Judicial Conference Committee on Audits and Administrative Office Accountability from FY 2013 – FY 2017.

The AAOA Committee meets twice per year to oversee and review the AO’s audit, review, and investigative assistance activities. At each meeting, the AO reports on all audits, program reviews, and investigative activities for the period ending March 31 (for the Committee’s June meetings) or September 30 (for the Committee’s January meetings). Attached are ten summaries of the reports that have been provided to the AAOA Committee for its January 2013 meeting through its June 2017 meeting (enclosure 8).

5. Please provide a description of all in-person or web-based training for chief judges and unit executives offered by the Federal Judicial Center (FJC) and the AOUSC on their management and oversight responsibilities.

The AO and the FJC regularly provide a broad range of training and educational programs to Federal Judiciary staff on judicial administration, court administration, and organizational leadership and management topics.

The AO delivers online and in-person training programs on topics pertaining to the administrative responsibilities of judges, court unit executives (CUEs), and other Judiciary staff. Staff at the AO also appear at forums of private, affiliated organizations such as the Federal Court Clerks Association and the National Conference of Bankruptcy Clerks to discuss court administration topics. Because the AO develops and administers new procedures pertaining to court administration, it is primarily responsible for training in the management and oversight responsibilities requested in your letter. Typical training topics include budget management, internal controls, information technology and security, procurement, and human resources management.

The FJC was established in 1967 with the mandate to provide orientation and continuing education programs on judicial administration, specialized areas of the law, and organizational leadership and management skills. The FJC regularly provides online and in-person orientation and continuing education programs to judges and employees of the federal courts. FJC programs cover certain judicial administration topics (e.g., criminal litigation and procedure, complex litigation, case management, alternative dispute resolution, and juries), court management and leadership topics (e.g., court administration, change leadership, and organizational culture), and specialized areas of the law (e.g., national security, law and technology, and the environment). The FJC also coordinates educational programs for federal public defenders and probation and pretrial services officers.

The following table is a list of in-person and web-based trainings offered by the AO and the FJC in 2016 and 2017 for chief judges and court unit executives in their management and oversight responsibilities. As described above, “management” training is offered in many forms, but in responding to this question, we focused on training that emphasized “management and oversight” in administrative responsibilities and accountability.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Court Unit Executive	Court Unit Executives and Chief Deputies Training	General Court Management	This four-day training convened CUEs and chief deputies for a biennial conference. Topics included records management, court reporting, public access to court electronic records, audit issues and top audit findings, maintaining a robust internal control environment, travel policy, procurement and contract management, property management, budget execution, human resources and employee relations, work measurement, and information technology topics.
In- Person; Court Unit Executive	New Court Unit Executive and Chief Deputy Orientation	General Court Management	This orientation is held annually to familiarize new CUEs and chief deputies with the AO and the FJC, and the myriad of services provided. Participants have the opportunity to meet directly with AO staff and attend topic-specific breakout sessions with AO subject matter experts. Topics included finance and budget, human resources, internal control and audit, and the court review program.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Court Unit Executive	Internal Control Self- Assessment Tool Training	Internal Controls	The Internal Control Evaluation (ICE) System is a software application that helps court unit executives and federal public defenders evaluate compliance with specific internal control requirements. In-person training on this system takes 1.5 days and is designed to introduce the system to new staff and instruct them on how the tool can be used to support a sound internal control environment.
In- Person; Court Unit Executive	Financial Forum	Budget Management, Internal Controls	The Financial Forum is a recurring event, hosted by the AO, that provides training to financial personnel, unit executives, and staff in the areas of financial management, accounting and software programs used within the Judiciary, and fosters working relationships between AO and court staff. Recent topics have included: applying internal controls in a court environment; audit basics and lessons learned; and protecting your customers' credit card information.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Court Unit Executive	District and Bankruptcy Operational Practices Forum	Internal Controls	AO staff delivered a presentation at this forum on internal controls, the self-assessment tool developed by the AO, and the roles of judges and unit executives in the maintaining effective internal controls.
In- Person; Court Unit Executive	New Federal Defender and Administrative Officer Orientation	General Court Management; Internal Controls	This multi-day training includes management, human resources, budget and accounting, audit issues and top audit findings, internal controls, travel, procurement and contract management, property management, human resources and employee relations, work measurement, code of conduct, and information technology topics. It includes meetings with each offices assigned budget analyst and other AO staff.
In- Person; Court Unit Executive	Resources, Budget, and Finance Educational Workshop	Internal Controls	AO staff delivered a presentation on audit processes, internal control policy, and internal control tools to a joint conference of the Federal Court Clerks Association and the National Conference of Bankruptcy Clerks in Washington DC.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Court Unit Executive	Federal Defender Conference	General Court Management; Internal Controls	The annual three-day federal defender conference includes sessions on management and internal controls. Previous agendas have included sessions on audit compliance, employee disputes resolution, developing FPDO internal policy manuals, Community Defender Organization (CDO) employment law, fair employment practices, and managing FPDO budgets.
In- Person; Court Unit Executive	Human Resource Leadership- Employee Relations	Prohibited Personnel Practices	This in-person course uses workplace scenarios to reinforce concepts and principles related to managing employee relations and human resources policies and best practices.
Web- based; Court Unit Executive	Appropriations Law for US Courts	Procurement	This course introduces the basic principles of appropriations law and Judiciary policy for spending appropriated funds.
Web- based; Court Unit Executive	Judiciary Executive Procurement Oversight Seminar	Procurement	This course provides an overview of procurement in the Judiciary. Topics include key procurement policies, procedures, guidance, tools, and minimum internal control requirements.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
Web-based; Court Unit Executive	Internal Control Self-Assessment Tool Training	Internal Controls	The ICE System is a software application that helps court unit executives and FPDOs evaluate compliance with specific internal control requirements. In addition to in-person training on this system, there are four electronic learning modules that guide the participant through exercises using key system functionality and measures user comprehension after each module.
Web-Based; Court Unit Executive	Court Registry Investment System	Financial Management	The CRIS is a national investment program managed by the AO for Registry Funds. CRIS is designed to manage risks to the clerks of court charged with investing and protecting the funds. The AO makes available resources and tutorials on managing these funds.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
Web-based; Court Unit Executive	Managing Employee Dispute Resolution Issues in the Judiciary	Prohibited Personnel Practices	Employment Dispute Resolution (EDR) coordinators perform an important role in the courts. They serve as the conduit for reporting, processing, and conducting investigations for some types of employee disputes. Unlike standard human resource procedures, the EDR coordinator handles claims where bias, retaliation, harassment, and other fair employment practices become involved. This course addresses the nine laws covered by the EDR Plan, provides resources for an EDR coordinator, including a checklist of duties, and provides real-life case scenarios with follow-up question and answers.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
Web- Based; Court Staff	Individualized Guidance on Prohibited Personnel Practices	Prohibited Personnel Practices	The FEP Office prepares individualized guidance to courts on a weekly basis on topics related to equal employment opportunity, EDR claim processing, implicit bias, court demographics, and related topics. This was accomplished in direct court –to-FEP Office consultations with legal staff; judicial orientation sessions for new chief judges and judicial nominees; and in-person and videoconference training sessions for court personnel.

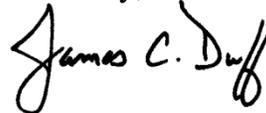
Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Chief Judge	New Chief Judge Orientation	General Court Management	The AO sponsors a 1.5 day New Chief Judge Orientation Program that addresses the administrative, management, and governance responsibilities of a chief judge and introduces the chief judge to the AO and FJC staff and resources available to assist them. During the program, the FEP Office reviews the court's employee dispute resolution plan and the Office of Audit reviews the court's last audit report. Staff from the Budget, Accounting, and Procurement Office, and the Human Resources Office also provide briefings. Court unit executives are invited to attend the program with their chief judge.
In- Person; Chief Judge	Chief Judge Education Program	General Court Management	The FJC's chief judge education programs emphasize the leadership and management roles of chief judges, as well as topics that relate to specific administrative responsibilities, including internal controls.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Chief Judge	Conference for Chief Judges of the U.S. District Courts	General Court Management	This two-day FJC conference examined the leadership and management roles of chief district judges. The conference also gave the chief judges the opportunity to learn about best practices from their peers and distinguished speakers. The conference agenda was developed in collaboration with a planning committee of current and former chief judges.
In- Person; Chief Judge	Conference for Chief Judges of the U.S. Bankruptcy Courts	General Court Management	The FJC held this two-day program for chief judges of bankruptcy courts to equip bankruptcy judges to best lead their courts now and in the future through competency in key management areas.
In- Person; Chief Judge	Leadership Seminar for New Chief Judges	Ethics; General Court Management	This FJC program is a four-day leadership seminar held biannually for chief judges who have held that position for less than two years. It covers leadership and management topics, including court leadership, strategic planning, and organizational culture.

Core Management and Oversight Trainings			
Format; Target Audience	Title	Topic(s)	Description
In- Person; Judge	New Judge Nominee Orientation	Ethics, General Court Management, Prohibited Personnel Practices	The AO sponsors a one day Article III Judge Nominee Orientation Program that addresses the administrative, management, and governance responsibilities of a judge and introduces the judge to the AO and FJC staff and resources available to assist them. During the program, the FEP Office reviews the court's employee dispute resolution plan.

Thank you for the opportunity to set forth our oversight processes and procedures both at the AO and throughout the Judicial Branch as a whole to expose and prevent fraud, waste, or abuse and prohibited personnel practices. We will be pleased to meet with you and your staff to answer further questions or respond to suggestions for improvements you may have as we have done in the past.

Sincerely,



James C. Duff
Director

Enclosures

cc: Honorable Dianne Feinstein
Honorable John G. Roberts, Jr.
Honorable Timothy M. Tymkovich