



NEWS RELEASE

Administrative Office of the U.S. Courts

March 15, 2005

Contact: David Sellers

Conference Calls Off-Site Security for Judges Top Priority

The Judicial Conference of the United States today said off-site security for judges is “of the gravest concern to the federal Judiciary” and will be the top priority in discussions with the Attorney General and Director of the U.S. Marshals Service.

The Conference approved a resolution calling for Justice Department and Marshals Service leaders “to review fully and expeditiously all aspects of judicial security and, in particular, security at judges’ homes and other locations away from the courthouse.” The resolution also called for “adequate funding for this essential function.”

Conference members called the February 28, 2005, murders of U.S. District Judge Joan Humphrey Lefkow’s husband and mother “an attack against the rule of law in the United States.” It said that those murders and the fatal shootings at the Fulton County, Georgia, courthouse on March 11, 2005, “cannot and will not undermine the Judiciary’s essential role in our society.” Click [here](#) for a copy of the resolution.

In other action, the Conference voted to urge Congress to take no immediate legislative action in the wake of a Supreme Court decision that declared mandatory federal sentencing guidelines unconstitutional.

The Conference also agreed to ask Congress to create 68 new federal judgeships in appellate and district courts.

Regarding sentencing, the Conference stated that “the federal Judiciary is committed to a sentencing guideline system that is fair, workable, transparent, predictable and flexible.” It also said it would oppose legislation that would respond to the Supreme Court’s decision in *U.S. v. Booker/U.S. v. Fanfan* by raising directly the upper limit of each sentencing guideline range or expand the use of mandatory minimum sentences.

The Conference authorized its Criminal Law Committee to:

- Develop educational programs, forms, and other similar guidance for judges and probation officers;
- Work with the Sentencing Commission to improve the Statement of Reasons form and evaluate additional methods to ensure accurate and complete reporting of sentencing decisions;
- Work with the Sentencing Commission to improve the Commission’s data

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collection, analyses, and reporting to ensure that sentencing data meet the needs of the Commission, Congress, and the Judiciary; and

- Develop various strategies to pursue and promote the Conference positions listed above in discussions with the Sentencing Commission, Department of Justice, and Congress.

Last month, the President forwarded to Congress the Conference's request for \$91.3 million in emergency supplemental funds to pay for the anticipated costs courts will incur because of the changes in federal sentencing. In addition to increased workload associated with pending and new cases, a significant number of federal inmates are expected to ask federal courts to reconsider their cases. The Judicial Conference also requested \$10.5 million to fund the anticipated costs of the newly enacted Class Action Fairness Act of 2005.

At its semi-annual meeting today, the Conference also agreed to ask Congress to create nine permanent and three temporary court of appeals judgeships and 44 permanent and 12 temporary district judgeships. For a list of the recommended judgeships and statistical profiles of the courts requesting judgeships, go to www.uscourts.gov/judgesrecommendation2005.htm.

The last comprehensive judgeship bill was enacted in 1990. Since that time, there have been no new court of appeals judgeships created, while the number of filings has grown by 46 percent over this period. A total of 34 district judgeships have been created through various pieces of legislation since 1990. The number of cases filed in district courts has increased by 39 percent (33 percent for civil and 77 percent for criminal felony) since 1990.

The Judicial Conference of the United States is the principal policy-making body for the federal court system. The Chief Justice serves as the presiding officer of the Conference, which is comprised of the chief judges of the 13 courts of appeals, a district judge from each of the 12 geographic circuits, and the chief judge of the Court of International Trade. The Conference meets twice a year to consider administrative and policy issues affecting the court system and to make recommendations to Congress concerning legislation involving the Judicial Branch. A list of Conference members follows.

JUDICIAL CONFERENCE OF THE UNITED STATES

March 2005

Chief Justice William H. Rehnquist, Presiding

Chief Judge Michael Boudin Judge Hector M. Laffitte	First Circuit District of Puerto Rico
Chief Judge John M. Walker, Jr. Chief Judge Michael B. Mukasey	Second Circuit Southern District of New York
Chief Judge Anthony J. Scirica Chief Judge Thomas I. Vanaskie	Third Circuit Middle District of Pennsylvania
Chief Judge William W. Wilkins Judge David C. Norton	Fourth Circuit District of South Carolina
Chief Judge Carolyn Dineen King Chief Judge Glen H. Davidson	Fifth Circuit Northern District of Mississippi
Chief Judge Danny J. Boggs Judge William O. Bertelsman	Sixth Circuit Eastern District of Kentucky
Chief Judge Joel M. Flaum Judge J. P. Stadtmueller	Seventh Circuit Eastern District of Wisconsin
Chief Judge James B. Loken Chief Judge James M. Rosenbaum	Eighth Circuit District of Minnesota
Chief Judge Mary M. Schroeder Chief Judge David Alan Ezra	Ninth Circuit District of Hawaii
Chief Judge Deanell R. Tacha Judge David L. Russell	Tenth Circuit Western District of Oklahoma
Chief Judge J. L. Edmondson Judge J. Owen Forrester	Eleventh Circuit Northern District of Georgia
Chief Judge Douglas H. Ginsburg Chief Judge Thomas F. Hogan	District of Columbia Circuit District of Columbia
Chief Judge Paul R. Michel	Federal Circuit
Chief Judge Jane A. Restani	Court of International Trade

Conference Secretary:

Leonidas Ralph Mecham, Director
Administrative Office of U.S. Courts

JUDICIAL CONFERENCE OF THE UNITED STATES

RESOLUTION

The brutal murders of the husband and mother of United States Judge Joan Humphrey Lefkow of the Northern District of Illinois on February 28, 2005, are an attack against the rule of law in the United States. This tragedy suffered by a member of our judicial family, as well as the horrific events that occurred on March 11, 2005, in the courthouse in Fulton County, Georgia, strike at the core of our system of government. A fair and impartial judiciary is the backbone of a democracy. These tragic events cannot and will not undermine the judiciary's essential role in our society.

We, the members of the Judicial Conference, call upon leaders of the United States Department of Justice and of the United States Marshals Service (whose primary responsibility is the security of members of the federal judiciary and their families) to review fully and expeditiously all aspects of judicial security and, in particular, security at judges' homes and other locations away from the courthouse. We also call upon both the legislative and executive branches to provide adequate funding for this essential function.

Accordingly, the Judicial Conference of the United States declares that (1) the crisis in off-site judicial security evidenced in part by the recent deaths of Judge Lefkow's husband and mother is of the gravest concern to the federal judiciary, and (2) addressing this matter is of the highest urgency to the Conference and will be the top priority in the judiciary's discussions with the Attorney General of the United States and other Justice Department representatives, including the Director of the United States Marshals Service.