

United States Court of Appeals for the First Circuit Office of the Circuit Executive

To understand the role of the circuit executive, it is necessary to have a brief overview of the national and local administrative structure of the federal courts. Unlike the executive branch of government, the judiciary, for the most part, does not function as a "top-down" administrative model. Policy in the federal courts is driven by a national governing body, more or less a "board of directors." The Judicial Conference of the United States is that national policy-making body.

The Chief Justice of the United States presides over the Judicial Conference, which consists of 26 other members including the chief judge of each court of appeals, one district court judge from each regional circuit, and the chief judge of the Court of International Trade. The Judicial Conference works through committees established along subject matter lines to recommend national policies and legislation on all aspects of federal judicial administration. Committees include budget, rules of practice and procedure, court administration and case management, criminal law, bankruptcy, judicial resources (judgeships and personnel matters), automation and technology, and codes of conduct.

At the regional level, a "circuit judicial council" in each circuit oversees the administration of the courts located in its geographic circuit. Each circuit judicial council consists of the chief circuit judge, who serves as the chair, and an equal number of other circuit and district judges.

The judicial council oversees numerous aspects of court operations. It is authorized by statute to issue orders to promote accountability and the "effective and expeditious administration of justice within its circuit." Aside from its fundamental responsibility to ensure that individual courts are operating effectively, the judicial council is responsible for overseeing large space and facilities projects within the circuit, reviewing local court rules for consistency with national rules of procedure, approving district court plans on topics such as equal employment opportunity and jury selection, and reviewing complaints of judicial misconduct.

Each judicial council appoints a "circuit executive," who works closely with the chief circuit judge to coordinate the wide range of administrative matters for all federal courts in the circuit. As Secretary to the Judicial Council of the First Circuit, the Circuit Executive staffs the council and its committees in the development and implementation of circuit-wide administrative policies governing allocation of resources, the oversight and evaluation of the performance of the courts and the administration of the judicial conduct and discipline process. The office also provides staff support for Bankruptcy and Federal Public Defender Merit Selection Panels and oversees the circuit-wide implementation of space and facilities, media relations, security, and the data network and telecommunications programs for the circuit.

As the chief executive officer for the Court of Appeals, the circuit executive exercises administrative control over all non-judicial functions of the court. Some examples of these administrative responsibilities include administrative oversight of the court's budget, personnel, procurement and facilities management policies for the Court of Appeals.

The Office of the Circuit Executive also provides administrative staff support to the Chief Judge of the Circuit and to other circuit-wide activities such as the First Circuit Judicial Conference. Included is assistance as the liaison to the Administrative Office of the United States Courts, other federal courts within the circuit, state courts and various departments and agencies of federal and state government, and assistance with the inter-circuit and intra-circuit designation and assignment of circuit, district and bankruptcy judges.