

To the NCBJ Board of Governors

September 10, 2016

### **Report of the Cost Containment Committee**

The Judicial Conference of the United States (JCUS) has implemented several cost containment initiatives in the ongoing effort to operate the courts in a fiscally responsible manner. It is one of the missions of the Cost Containment Committee to identify and address efforts which can be undertaken by our bankruptcy courts in furtherance of these initiatives. The Committee is also charged to examine and comment on situations wherein certain of the cost containment efforts could negatively impact our bankruptcy courts.

There has been a continued perception among some members of important JCUS committees that the bankruptcy courts have been resistant to participate in these initiatives. One area that has received the greatest criticism relates to efforts to share critical operating services either vertically with the district courts, or horizontally, with sister bankruptcy courts. This past year, at the request of Danny Reeves, the Chair of the JCUS Committee for the Administration of the Bankruptcy System, our Committee conducted a survey of all bankruptcy courts seeking information on each of their shared services efforts. We were gratified the vast majority of our courts responded to our survey. A copy of the tabulated results are attached. Approximately two months later, the JCUS Committee on Case Management and Court Administration (CACM) sent out its own survey to each bankruptcy court seeking much the same information which was solicited in our survey. Approximately 90% of the bankruptcy courts responded to that CACM survey. We hope these surveys will demonstrate the bankruptcy courts are making great efforts in their shared services arrangements.

Our Committee has volunteered to assist in reviewing issues relating to consolidation and to the present reevaluation of the work measurement formula as it relates to bankruptcy court staffing. It has been our policy to not undertake such work unless requested by our leadership or the chair of a JCUS committee. It is possible such issues will arise during calendar year 2017. If so, our Committee stands ready and willing to address them.

Respectfully submitted

The Cost Containment Committee

Hon. Nancy V. Alquist  
Hon. Carla Craig  
Hon. Diane Finkle  
Hon. Stephani Humrickhouse  
Hon. Stephen Johnson  
Hon. Michael E. Romero, Chair