U.S. Judiciary Scolded for Tech Oversight Failures - Announces Hiring of New CIO

The Administrative Office of the U.S. Courts has proposed hiring a chief information officer (CIO) as part of a $9.1 billion budget request. The move follows a report from the Government Accountability Office (GAO) that highlighted insufficient oversight had hampered some of the judiciary's most significant tech projects and caused gaps in its IT workforce's cybersecurity skills. The report also found that the lack of top-down oversight has contributed to cost increases and schedule overruns, leading to the call for a strengthened role for IT leadership in the judiciary. Hiring a CIO is part of a multi-year cybersecurity and IT modernization plan to address vulnerabilities in the judiciary's aging systems.

The judiciary is one of the few federal organizations without a mandatory CIO position. While the Clinger-Cohen Act of 1996 established the position of CIO at two dozen major executive branch agencies, the judicial branch has been under no obligation to have one, leading to a decentralized approach to overseeing its IT staff and projects. The GAO cited this lack of top-down oversight as contributing to the problems with the judiciary's tech projects.

Gabe Roth, executive director of court reform group Fix the Court, welcomed the news that a CIO would be hired, stating that "the buck has to stop with someone." The judiciary is recruiting a CIO, which the budget document said it plans to do this spring. The funding to support the incoming CIO makes up a tiny piece of the judiciary's overall request for $9.1 billion in discretionary funding for the fiscal year that begins Oct. 1, an increase of 8% from the current fiscal year.

The proposed budget also includes requesting an additional $156.7 million to support a multi-year cybersecurity and IT modernization plan. This is in response to concerns raised by Democratic Representative Jerrold Nadler, who at the time headed the House of Representatives Judiciary Committee, about three "hostile foreign actors" breaching the judiciary's document-filing system in 2020. The judiciary is also moving forward with modernizing its document-filing system and the related online documents portal known as PACER. However, it remains resistant to legislation making records accessible to the public without a reliable replacement revenue stream.

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Overall, the proposed budget represents a recognition of the need for more vital IT leadership and oversight in the judiciary. With the GAO report highlighting the problems caused by the lack of top-down oversight, hiring a CIO should help ensure that the judiciary's tech projects are better managed and executed in the future.