



Highlights of [GAO-13-461T](#), a testimony before Subcommittee on Government Operations, Committee on Oversight and Government Reform, House of Representatives

Why GAO Did This Study

From 2000 to 2010, GSA and the judiciary coordinated to construct 33 courthouses, including the Ferguson Courthouse that was completed in 2008 at a cost of approximately \$163 million. However, rising costs and other budget priorities slowed the overall construction program.

This statement discusses the Ferguson Courthouse and the other 32 federal courthouses completed from 2000 to March 2010, particularly (1) whether the courthouses contain extra space and any costs related to that space, (2) how the actual sizes of the courthouses compare with the congressionally authorized sizes, (3) how courthouses space based on the judiciary's estimates compares with the actual number of judges, and (4) whether the level of courtroom sharing supported by data from the judiciary's study could have changed the amount of space needed in these courthouses. This testimony is primarily based on GAO's June 2010 report on federal courthouse construction. For the 2010 report, GAO analyzed documents related to the 33 courthouses completed from 2000 to 2010.

What GAO Recommends

GAO recommended that GSA establish controls to help ensure courthouses remain within their authorized size and that the judiciary should improve its estimation of future judgeships and expand courtroom sharing policies to reflect actual scheduling and use of district courtrooms. GSA and the judiciary agreed to implement these recommendations

View [GAO-13-461T](#). For more information, contact Mark Goldstein at (202) 512-2834 or goldsteinm@gao.gov.

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FEDERAL COURTHOUSE CONSTRUCTION

Nationwide Space and Cost Overages Also Apply to Miami Project

What GAO Found

The Wilkie D. Ferguson, Jr. U.S. Courthouse in Miami, Florida, along with the other 32 federal courthouses completed from 2000 to March 2010 include 3.56 million square feet of extra space consisting of space that was constructed (1) above the congressionally authorized size, (2) because of overestimating the number of judges the courthouses would have, and (3) without planning for courtroom sharing among judges. Overall, this extra space represents about 9 average-sized courthouses. The estimated cost to construct this extra space was \$835 million in 2010 dollars, and the annual cost to rent, operate, and maintain it is \$51 million. The Ferguson Courthouse specifically included approximately 238,000 extra square feet of space, which GAO estimated increased the construction cost by \$48.5 million (in constant 2010 dollars) and an additional \$3.5 million annually.

The Ferguson Courthouse, along with 26 others completed since 2000, exceed their congressionally authorized size by a total of about 1.7-million square feet. Specifically, the Ferguson Courthouse exceeds its authorized size by 97,477 square feet because of judiciary and common spaces that are larger than the congressionally authorized plan. For example, the 16 courtrooms in the Ferguson Courthouse exceed judiciary standards by 7 to 17 percent. The General Services Administration (GSA) did not inform its oversight committees that the courthouses were larger than authorized and did not attribute any of the cost increase to this difference. However, there is no statutory requirement for GSA to notify congressional authorizing or appropriations committees if the size exceeds the congressionally authorized square footage.

The Ferguson Courthouse, along with 22 other courthouses have fewer judges than was estimated. The federal judiciary (judiciary) overestimated the number of judges that would be located in these courthouses, causing them to be approximately 887,000 square feet larger than necessary resulting in unnecessary construction and operating costs. In the Ferguson Courthouse, the judiciary estimated in 2000 that it would have 33 judges in Miami by 2010; it had 27 at the time of GAO's 2010 report. This 2000 estimate resulted in 57,000 extra square feet of space, including space for 2 courtrooms that were never finished.

Using the judiciary's data, GAO designed a courtroom sharing model, which shows that there is enough unscheduled courtroom time for substantial courtroom sharing. Sharing could have reduced the number of courtrooms needed by 126 courtrooms in 27 of the courthouses built from 2000 to 2010—about 40 percent of the total courtrooms constructed—covering about 946,000 square feet. In Miami, GAO found that courtroom sharing would have allowed a reduction of 12 courtrooms covering 83,000 square feet. GAO's 2010 findings, raise questions about whether the Ferguson Building needed to be constructed. Based on the number of judges located in Miami, the judiciary would need only 17 courtrooms based on GAO's sharing model, and there were already 29 courtrooms in the judiciary's existing buildings.