

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 4199

To authorize additional district judges for the district courts
and convert temporary judgeships.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Judicial Understaffing
5 Delays Getting Emergencies Solved Act of 2024” or the
6 “JUDGES Act of 2024”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) Article III of the Constitution of the United
10 States gives Congress the power to establish judge-
11 ships in the district courts of the United States.

1 (2) Congress has not created a new district
2 court judgeship since 2003 and has not enacted
3 comprehensive judgeship legislation since 1990.

4 (3) This represents the longest period of time
5 since district courts of the United States were estab-
6 lished in 1789 that Congress has not authorized any
7 new permanent district court judgeships.

8 (4) By the end of fiscal year 2022, filings in the
9 district courts of the United States had increased by
10 30 percent since the last comprehensive judgeship
11 legislation.

12 (5) As of March 31, 2023, there were 686,797
13 pending cases in the district courts of the United
14 States, with an average of 491 weighted case filings
15 per judgeship over a 12-month period.

16 (6) To deal with increased filings in the district
17 courts of the United States, the Judicial Conference
18 of the United States requested the creation of 66
19 new district court judgeships in its 2023 report.

20 **SEC. 3. ADDITIONAL DISTRICT JUDGES FOR THE DISTRICT**
21 **COURTS.**

22 (a) ADDITIONAL JUDGESHIPS *[Note: Please Verify the*
23 *Numbers in the Tables Below Are Correct.]*.—

24 (1) 2025.—

1 (A) IN GENERAL.—The President shall ap-
2 point, by and with the advice and consent of the
3 Senate—

4 (i) 1 additional district judge for the
5 central district of California;

6 (ii) 1 additional district judge for the
7 eastern district of California;

8 (iii) 1 additional district judge for the
9 northern district of California;

10 (iv) 1 additional district judge for the
11 district of Delaware;

12 (v) 1 additional district judge for the
13 middle district of Florida;

14 (vi) 1 additional district judge for the
15 southern district of Indiana;

16 (vii) 1 additional district judge for the
17 northern district of Iowa;

18 (viii) 1 additional district judge for
19 the district of New Jersey;

20 (ix) 1 additional district judge for the
21 southern district of New York;

22 (x) 1 additional district judge for the
23 eastern district of Texas; and

24 (xi) 1 additional district judge for the
25 southern district of Texas.

1 (B) TABLES.—The table contained in sec-
 2 tion 133(a) of title 28, United States Code, is
 3 amended—

4 (i) by striking the items relating to
 5 California and inserting the following:

“California:	
Northern	15
Eastern	7
Central	28
Southern	13”;

6 (ii) by striking the item relating to
 7 Delaware and inserting the following:

“Delaware	5”;
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8 (iii) by striking the items relating to
 9 Florida and inserting the following:

“Florida:	
Northern	4
Middle	16
Southern	17”;

10 (iv) by striking the items relating to
 11 Indiana and inserting the following:

“Indiana:	
Northern	5
Southern	6”;

12 (v) by striking the items relating to
 13 Iowa and inserting the following:

“Iowa:	
Northern	3
Southern	3”;

14 (vi) by striking the item relating to
 15 New Jersey and inserting the following:

“New Jersey 18”;

1 (vii) by striking the items relating to
2 New York and inserting the following:

“New York:
Northern 5
Southern 29
Eastern 15
Western 4”; and

3 (viii) by striking the items relating to
4 Texas and inserting the following:

“Texas:
Northern 12
Southern 20
Eastern 8
Western 13”.

5 (C) EFFECTIVE DATE.—This paragraph
6 shall take effect on January 21, 2025.

7 (2) 2027.—

8 (A) IN GENERAL.—The President shall ap-
9 point, by and with the advice and consent of the
10 Senate—

11 (i) 1 additional district judge for the
12 district of Arizona;

13 (ii) 2 additional district judges for the
14 central district of California;

15 (iii) 1 additional district judge for the
16 eastern district of California;

17 (iv) 1 additional district judge for the
18 northern district of California;

1 (v) 1 additional district judge for the
2 middle district of Florida;

3 (vi) 1 additional district judge for the
4 southern district of Florida;

5 (vii) 1 additional district judge for the
6 northern district of Georgia;

7 (viii) 1 additional district judge for
8 the district of Idaho;

9 (ix) 1 additional district judge for the
10 northern district of Texas; and

11 (x) 1 additional district judge for the
12 southern district of Texas.

13 (B) TABLES.—The table contained in sec-
14 tion 133(a) of title 28, United States Code, as
15 amended by paragraph (1) of this subsection, is
16 amended—

17 (i) by striking the item relating to Ar-
18 izona and inserting the following:

“Arizona 13”;

19 (ii) by striking the items relating to
20 California and inserting the following:

“California:
Northern 16
Eastern 8
Central 30
Southern 13”;

1 (iii) by striking the items relating to
2 Florida and inserting the following:

“Florida:

Northern	4
Middle	17
Southern	18”;

3 (iv) by striking the items relating to
4 Georgia and inserting the following:

“Georgia:

Northern	12
Middle	4
Southern	3”;

5 (v) by striking the item relating to
6 Idaho and inserting the following:

“Idaho 3”;

7 (vi) by striking the items relating to
8 Texas and inserting the following:

“Texas:

Northern	13
Southern	21
Eastern	8
Western	13”.

9 (C) EFFECTIVE DATE.—This paragraph
10 shall take effect on January 21, 2027.

11 (3) 2029.—

12 (A) IN GENERAL.—The President shall ap-
13 point, by and with the advice and consent of the
14 Senate—

15 (i) 1 additional district judge for the
16 central district of California;

1 (ii) 1 additional district judge for the
2 eastern district of California;

3 (iii) 1 additional district judge for the
4 northern district of California;

5 (iv) 1 additional district judge for the
6 district of Colorado;

7 (v) 1 additional district judge for the
8 district of Delaware;

9 (vi) 1 additional district judge for the
10 district of Nebraska;

11 (vii) 1 additional district judge for the
12 eastern district of New York;

13 (viii) 1 additional district judge for
14 the eastern district of Texas;

15 (ix) 1 additional district judge for the
16 southern district of Texas; and

17 (x) 1 additional district judge for the
18 western district of Texas.

19 (B) TABLES.—The table contained in sec-
20 tion 133(a) of title 28, United States Code, as
21 amended by paragraph (2) of this subsection, is
22 amended—

23 (i) by striking the items relating to
24 California and inserting the following:

“California:	
Northern	17
Eastern	9

Central	31
Southern	13”;

1 (ii) by striking the item relating to
 2 Colorado and inserting the following:

“Colorado

3 (iii) by striking the item relating to
 4 Delaware and inserting the following:

“Delaware

5 (iv) by striking the item relating to
 6 Nebraska and inserting the following:

“Nebraska

7 (v) by striking the items relating to
 8 New York and inserting the following:

“New York:

Northern	5
Southern	29
Eastern	16
Western	4”;

9 (vi) by striking the items relating to
 10 Texas and inserting the following:

“Texas:

Northern	13
Southern	22
Eastern	9
Western	14”.

11 (C) EFFECTIVE DATE.—This paragraph
 12 shall take effect on January 21, 2029.

13 (4) 2031.—

1 (A) IN GENERAL.—The President shall ap-
2 point, by and with the advice and consent of the
3 Senate—

4 (i) 1 additional district judge for the
5 district of Arizona;

6 (ii) 1 additional district judge for the
7 central district of California;

8 (iii) 1 additional district judge for the
9 eastern district of California;

10 (iv) 1 additional district judge for the
11 northern district of California;

12 (v) 1 additional district judge for the
13 southern district of California;

14 (vi) 1 additional district judge for the
15 middle district of Florida;

16 (vii) 1 additional district judge for the
17 southern district of Florida;

18 (viii) 1 additional district judge for
19 the district of New Jersey;

20 (ix) 1 additional district judge for the
21 western district of New York; and

22 (x) 2 additional district judges for the
23 western district of Texas.

24 (B) TABLES.—The table contained in sec-
25 tion 133(a) of title 28, United States Code, as

1 amended by paragraph (3) of this subsection, is
2 amended—

3 (i) by striking the item relating to Ar-
4 izona and inserting the following:

“Arizona 14”;

5 (ii) by striking the items relating to
6 California and inserting the following:

“California:
Northern 18
Eastern 10
Central 32
Southern 14”;

7 (iii) by striking the items relating to
8 Florida and inserting the following:

“Florida:
Northern 4
Middle 18
Southern 19”;

9 (iv) by striking the item relating to
10 New Jersey and inserting the following:

“New Jersey 19”;

11 (v) by striking the items relating to
12 New York and inserting the following:

“New York:
Northern 5
Southern 29
Eastern 16
Western 5”; and

13 (vi) by striking the items relating to
14 Texas and inserting the following:

“Texas:

Northern	13
Southern	22
Eastern	9
Western	16”.

1 (C) EFFECTIVE DATE.—This paragraph
2 shall take effect on January 21, 2031.

3 (5) 2033.—

4 (A) IN GENERAL.—The President shall ap-
5 point, by and with the advice and consent of the
6 Senate—

7 (i) 2 additional district judges for the
8 central district of California;

9 (ii) 1 additional district judge for the
10 northern district of California;

11 (iii) 1 additional district judge for the
12 district of Colorado;

13 (iv) 1 additional district judge for the
14 middle district of Florida;

15 (v) 1 additional district judge for the
16 northern district of Florida;

17 (vi) 1 additional district judge for the
18 northern district of Georgia;

19 (vii) 1 additional district judge for the
20 southern district of New York;

21 (viii) 1 additional district judge for
22 the southern district of Texas; and

1 (ix) 1 additional district judge for the
2 western district of Texas.

3 (B) TABLES.—The table contained in sec-
4 tion 133(a) of title 28, United States Code, as
5 amended by paragraph (4) of this subsection, is
6 amended—

7 (i) by striking the items relating to
8 California and inserting the following:

“California:	
Northern	19
Eastern	10
Central	34
Southern	14”;

9 (ii) by striking the item relating to
10 Colorado and inserting the following:

“Colorado	9”;
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11 (iii) by striking the items relating to
12 Florida and inserting the following:

“Florida:	
Northern	5
Middle	19
Southern	19”;

13 (iv) by striking the items relating to
14 Georgia and inserting the following:

“Georgia:	
Northern	13
Middle	4
Southern	3”;

15 (v) by striking the items relating to
16 New York and inserting the following:

“New York:

Northern 5
 Southern 30
 Eastern 16
 Western 5”; and

1 (vi) by striking the items relating to
 2 Texas and inserting the following:

“Texas:
 Northern 13
 Southern 23
 Eastern 9
 Western 17”.

3 (C) EFFECTIVE DATE.—This paragraph
 4 shall take effect on January 21, 2033.

5 (6) 2035.—

6 (A) IN GENERAL.—The President shall ap-
 7 point, by and with the advice and consent of the
 8 Senate—

9 (i) 2 additional district judges for the
 10 central district of California;

11 (ii) 1 additional district judge for the
 12 northern district of California;

13 (iii) 1 additional district judge for the
 14 southern district of California;

15 (iv) 1 additional district judge for the
 16 middle district of Florida;

17 (v) 1 additional district judge for the
 18 southern district of Florida;

19 (vi) 1 additional district judge for the
 20 district of New Jersey;

15

1 (vii) 1 additional district judge for the
 2 eastern district of New York;

3 (viii) 2 additional district judges for
 4 the western district of Texas.

5 (B) TABLES.—The table contained in sec-
 6 tion 133(a) of title 28, United States Code, as
 7 amended by paragraph (5) of this subsection, is
 8 amended—

9 (i) by striking the items relating to
 10 California and inserting the following:

“California:	
Northern	20
Eastern	10
Central	36
Southern	15”;

11 (ii) by striking the items relating to
 12 Florida and inserting the following:

“Florida:	
Northern	5
Middle	20
Southern	20”;

13 (iii) by striking the item relating to
 14 New Jersey and inserting the following:

“New Jersey	20”;
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15 (iv) by striking the items relating to
 16 New York and inserting the following:

“New York:	
Northern	5
Southern	30
Eastern	17
Western	5”;
and	

1 (v) by striking the items relating to
2 Texas and inserting the following:

“Texas:

Northern	13
Southern	23
Eastern	9
Western	19”.

3 (C) EFFECTIVE DATE.—This paragraph
4 shall take effect on January 21, 2035.

5 (b) TEMPORARY JUDGESHIPS.—

6 (1) IN GENERAL.—The President shall appoint,
7 by and with the advice and consent of the Senate—

8 (A) 2 additional district judges for the
9 eastern district of Oklahoma; and

10 (B) 1 additional district judge for the
11 northern district of Oklahoma.

12 (2) VACANCIES NOT FILLED.—The first va-
13 cancy in the office of district judge in each of the
14 offices of district judge authorized by this sub-
15 section, occurring 5 years or more after the con-
16 firmation date of the judge named to fill the tem-
17 porary district judgeship created in the applicable
18 district by this subsection, shall not be filled.

19 (3) EFFECTIVE DATE.—This subsection shall
20 take effect on January 21, 2025.

1 **SEC. 4. ORGANIZATION OF UTAH DISTRICT COURTS.**

2 Section 125(2) of title 28, United States Code, is
3 amended by striking “and St. George” and inserting “St.
4 George, Moab, and Monticello”.

5 **SEC. 5. ORGANIZATION OF TEXAS DISTRICT COURTS.**

6 Section 124(b)(2) of title 28, United States Code, is
7 amended, in the matter preceding paragraph (3), by in-
8 serting “and College Station” before the period at the end.

9 **SEC. 6. ORGANIZATION OF CALIFORNIA DISTRICT COURTS.**

10 Section 84(d) of title 28, United States Code, is
11 amended by inserting “and El Centro” after “at San
12 Diego”.

13 **SEC. 7. GAO REPORT ON VACANT AND UNDERUTILIZED**
14 **COURTHOUSES.**

15 Not later than 1 year after the date of enactment
16 of this Act, the Comptroller General of the United States
17 shall make publicly available a report identifying Federal
18 courthouses that are vacant or underused.

19 **SEC. 8. GAO REPORTS ON JUDICIAL CASELOADS.**

20 Not later than 2 years after the date of enactment
21 of this Act, the Comptroller General of the United States
22 shall submit to the Committee on the Judiciary of the Sen-
23 ate and the Committee on the Judiciary of the House of
24 Representatives and make publicly available reports—

25 (1) evaluating—

1 (A) the accuracy and objectiveness of dis-
2 trict and circuit court case-related workload
3 measures and methodologies used by the Ad-
4 ministrative Office of the United States Courts;

5 (B) the impact of non-case-related activi-
6 ties of district and circuit court judges on judi-
7 cial caseloads; and

8 (C) the effectiveness and efficiency of the
9 policies of the Administrative Office of the
10 United States Courts regarding senior judges;
11 and

12 (2) providing any recommendations of the
13 Comptroller General with respect to the matters de-
14 scribed in paragraph (1).

15 **SEC. 9. PUBLIC ACCESSIBILITY OF THE ARTICLE III JUDGE-**
16 **SHIP RECOMMENDATIONS OF THE JUDICIAL**
17 **CONFERENCE OF THE UNITED STATES RE-**
18 **PORT.**

19 (a) IN GENERAL.—The Administrative Office of the
20 United States Courts, in consultation with the Judicial
21 Conference of the United States, shall make publicly avail-
22 able on their website, free of charge, the biennial report
23 entitled “Article III Judgeship Recommendations of the
24 Judicial Conference of the United States”.

1 (b) CONTENTS.—The report described in subsection
2 (a) should be released not less frequently than biennially
3 and contain the summaries and all related appendixes sup-
4 porting the judgeship recommendations of the Judicial
5 Conference of the United States, including—

6 (1) the process used by the Judicial Conference
7 in developing the recommendations;

8 (2) any caseload and methodology changes;

9 (3) judgeship surveys with recommendations;

10 and

11 (4) specific information about each court for
12 which the Judicial Conference recommends addi-
13 tional judgeships.

14 (c) SUBMISSION TO CONGRESS.—The Administrative
15 Office of the United States Courts shall submit to the
16 Committee on the Judiciary of the Senate and the Com-
17 mittee on the Judiciary of the House of Representatives
18 copies of the report described in subsection (a).

19 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated **【such sums】**
21 as may be necessary to carry out this Act and the amend-
22 ments made by this Act, including such sums as may be
23 necessary to provide appropriate space and facilities for
24 the judicial positions created by this Act or an amendment
25 made by this Act.