

113TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To provide for the appointment of additional Federal circuit and district judges, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. COONS (for himself and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To provide for the appointment of additional Federal circuit and district judges, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Judgeship Act  
5 of 2013”.

6 **SEC. 2. CIRCUIT JUDGES FOR THE CIRCUIT COURTS OF AP-**

7 **PEALS.**

8 (a) IN GENERAL.—The President shall appoint, by  
9 and with the advice and consent of the Senate—

1 (1) 4 additional circuit judges for the ninth cir-  
 2 cuit court of appeals; and

3 (2) 1 additional circuit judge for the sixth cir-  
 4 cuit court of appeals.

5 (b) TEMPORARY JUDGESHIP.—

6 (1) IN GENERAL.—The President shall appoint,  
 7 by and with the advice and consent of the Senate 1  
 8 additional circuit judge for the ninth circuit court of  
 9 appeals.

10 (2) VACANCY NOT FILLED.—The first vacancy  
 11 in the office of circuit judge in the ninth circuit oc-  
 12 curring 10 years or more after the confirmation date  
 13 of the circuit judge named to fill the temporary cir-  
 14 cuit judgeship created in the ninth circuit by para-  
 15 graph (1) shall not be filled

16 (c) TABLES.—In order that the table contained in  
 17 section 44 of title 28, United States Code, will, with re-  
 18 spect to each judicial circuit, reflect the changes in the  
 19 total number of permanent circuit judgeships authorized  
 20 as a result of subsection (a) of this section, such table  
 21 is amended to read as follows:

<b>“Circuits</b>	<b>Number of Judges</b>
District of Columbia .....	11
First .....	6
Second .....	13
Third .....	14
Fourth .....	15
Fifth .....	17

<b>“Circuits</b>	<b>Number of Judges</b>
Sixth .....	17
Seventh .....	11
Eighth .....	11
Ninth .....	33
Tenth .....	12
Eleventh .....	12
Federal .....	12.”.

**1 SEC. 3. DISTRICT JUDGES FOR THE DISTRICT COURTS.**

2 (a) IN GENERAL.—The President shall appoint, by  
3 and with the advice and consent of the Senate—

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

6 (2) 6 additional district judges for the eastern  
7 district of California;

8 (3) 2 additional district judges for the eastern  
9 district of Texas;

10 (4) 4 additional district judges for the western  
11 district of Texas;

12 (5) 6 additional district judges for the district  
13 of Arizona;

14 (6) 10 additional district judges for the central  
15 district of California;

16 (7) 5 additional district judges for the northern  
17 district of California;

18 (8) 2 additional district judges for the district  
19 of Colorado;

1           (9) 2 additional district judges for the western  
2 district of Washington;

3           (10) 1 additional district judge for the southern  
4 district of Indiana;

5           (11) 3 additional district judges for the south-  
6 ern district of Florida;

7           (12) 5 additional district judges for the middle  
8 district of Florida;

9           (13) 1 additional district judge for the western  
10 district of New York;

11           (14) 1 additional district judge for the northern  
12 district of Florida;

13           (15) 1 additional district judge for the western  
14 district of Wisconsin;

15           (16) 3 additional district judges for the south-  
16 ern district of California;

17           (17) 2 additional district judges for the eastern  
18 district of New York;

19           (18) 2 additional district judges for the district  
20 of New Jersey;

21           (19) 1 additional district judge for the district  
22 of Idaho;

23           (20) 2 additional district judges for the south-  
24 ern district of Texas;

1           (21) 1 additional district judge for the district  
2 of Minnesota;

3           (22) 1 additional district judge for the northern  
4 district of Georgia;

5           (23) 1 additional district judge for the district  
6 of Nevada;

7           (24) 1 additional district judge for the district  
8 of New Mexico; and

9           (25) 1 additional district judge for the southern  
10 district of New York.

11       (b) TEMPORARY JUDGESHIPS.—

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

14               (A) 1 additional district judge for the east-  
15 ern district of California;

16               (B) 1 additional district judge for the  
17 western district of Texas;

18               (C) 4 additional district judges for the dis-  
19 trict of Arizona;

20               (D) 2 additional district judges for the  
21 central district of California;

22               (E) 1 additional district judge for the  
23 northern district of California;

24               (F) 1 additional district judge for the mid-  
25 dle district of Florida;

1 (G) 1 additional district judge for the  
2 southern district of California;

3 (H) 1 additional district judge for the dis-  
4 trict of New Jersey;

5 (I) 1 additional district judge for the dis-  
6 trict of Minnesota;

7 (J) 1 additional district judge for the west-  
8 ern district of Missouri;

9 (K) 1 additional district judge for the  
10 northern district of Georgia;

11 (L) 1 additional district judge for the dis-  
12 trict of Nevada;

13 (M) 1 additional district judge for the dis-  
14 trict of Oregon;

15 (N) 1 additional district judge for the  
16 southern district of New York;

17 (O) 1 additional district judge for the mid-  
18 dle district of Tennessee; and

19 (P) 1 additional district judge for the east-  
20 ern district of Virginia.

21 (2) VACANCIES NOT FILLED.—

22 (A) IN GENERAL.—The first vacancy in  
23 the office of district judge in each of the offices  
24 of district judge authorized by paragraph (1),  
25 except for the district of Arizona and the cen-

1           tral district of California, occurring 10 years or  
2           more after the confirmation date of the judge  
3           named to fill the temporary district judgeship  
4           created in the applicable district by this sub-  
5           section, shall not be filled.

6                   (B) ARIZONA.—The first 4 vacancies in  
7           the office of district judge in the district of Ari-  
8           zona occurring 10 years or more after the date  
9           on which judge are confirmed to fill all 4 tem-  
10          porary district judgeships under paragraph  
11          (1)(C), shall not be filled.

12                   (C) CENTRAL DISTRICT OF CALIFORNIA.—  
13          The first 2 vacancies in the office of district  
14          judge in the central district of California occur-  
15          ring 10 years or more after the date on which  
16          judge are confirmed to fill both temporary dis-  
17          trict judgeships under paragraph (1)(D), shall  
18          not be filled.

19           (c) EXISTING JUDGESHIPS.—The existing judgeships  
20   for the district of Kansas and the eastern district of Mis-  
21   souri authorized by section 203(c) of the Judicial Improve-  
22   ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133  
23   note) and the existing judgeships for the eastern district  
24   of Texas, the district of Arizona, the central district of  
25   California, the southern district of Florida, the northern

1 district of Alabama, and the district of New Mexico au-  
 2 thorized by section 312(c) of the 21st Century Depart-  
 3 ment of Justice Appropriations Authorization Act (Public  
 4 Law 107–273, 28 U.S.C. 133 note), as of the effective  
 5 date of this Act, shall be authorized under section 133  
 6 of title 28, United States Code, and the incumbents in  
 7 those offices shall hold the office under section 133 of title  
 8 28, United States Code, as amended by this Act.

9 (d) TABLES.—In order that the table contained in  
 10 section 133 of title 28, United States Code, will, with re-  
 11 spect to each judicial district, reflect the changes in the  
 12 total number of permanent district judgeships authorized  
 13 as a result of subsections (a) and (c) of this section, such  
 14 table is amended to read as follows:

<b>“Districts</b>	<b>Number of Judges</b>
Alabama:	
Northern .....	8
Middle .....	3
Southern .....	3
Alaska .....	3
Arizona .....	19
Arkansas:	
Eastern .....	5
Western .....	3
California:	
Northern .....	19
Eastern .....	12
Central .....	38
Southern .....	16
Colorado .....	9
Connecticut .....	8
Delaware .....	5
District of Columbia .....	15
Florida:	
Northern .....	5
Middle .....	20



<b>“Districts</b>	<b>Number of Judges</b>
Southern .....	21
Georgia:	
Northern .....	12
Middle .....	4
Southern .....	3
Hawaii .....	3
Idaho .....	3
Illinois:	
Northern .....	22
Central .....	4
Southern .....	4
Indiana:	
Northern .....	5
Southern .....	6
Iowa:	
Northern .....	2
Southern .....	3
Kansas .....	6
Kentucky:	
Eastern .....	5
Western .....	4
Eastern and Western .....	1
Louisiana:	
Eastern .....	12
Middle .....	3
Western .....	7
Maine .....	3
Maryland .....	10
Massachusetts .....	13
Michigan:	
Eastern .....	15
Western .....	4
Minnesota .....	8
Mississippi:	
Northern .....	3
Southern .....	6
Missouri:	
Eastern .....	7
Western .....	5
Eastern and Western .....	2
Montana .....	3
Nebraska .....	3
Nevada .....	8
New Hampshire .....	3
New Jersey .....	19
New Mexico .....	8
New York:	
Northern .....	5
Southern .....	29
Eastern .....	17
Western .....	5
North Carolina:	
Eastern .....	4

<b>“Districts</b>	<b>Number of Judges</b>
Middle .....	4
Western .....	4
North Dakota .....	2
Ohio:	
Northern .....	11
Southern .....	8
Oklahoma:	
Northern .....	3
Eastern .....	1
Western .....	6
Northern, Eastern, and Western .....	1
Oregon .....	6
Pennsylvania:	
Eastern .....	22
Middle .....	6
Western .....	10
Puerto Rico .....	7
Rhode Island .....	3
South Carolina .....	10
South Dakota .....	3
Tennessee:	
Eastern .....	5
Middle .....	4
Western .....	5
Texas:	
Northern .....	12
Southern .....	21
Eastern .....	10
Western .....	17
Utah .....	5
Vermont .....	2
Virginia:	
Eastern .....	11
Western .....	4
Washington:	
Eastern .....	4
Western .....	9
West Virginia:	
Northern .....	3
Southern .....	5
Wisconsin:	
Eastern .....	5
Western .....	3
Wyoming .....	3.”.

#### 1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized to be appropriated such sums  
3 as may be necessary to carry out the provisions of this  
4 Act, including such sums as may be necessary to provide

- 1 appropriate space and facilities for the judicial positions
- 2 created by this Act.