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November 12, 2024

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RE: JUDGES Act, H.R. 9625

Dear Speaker Johnson, Majority Leader Scalise, and Democratic Leader Jeffries,

We write to urge you to improve access to justice in the federal courts for your constituents, businesses, and others by bringing to the floor legislation that would add additional judges to the federal Judiciary and convert existing temporary judgeships to permanent status. Last year the Judicial Conference of the United States (Conference) submitted to Congress a recommendation and request for 66 new permanent district judgeships, two new circuit judgeships, and the conversion or extension of certain existing temporary judgeships. Legislation is pending in the House¹ that would implement the Conference's request. Enacting this legislation at the next possible legislative opportunity is essential to providing the level of service your constituents deserve, improving access to justice, and easing the growing caseload burden on the federal Judiciary.

The last comprehensive judgeship legislation was passed by Congress in 1990, more than 30 years ago. Although targeted legislation between 2000 and 2002 created 34 additional district judgeships, it has now been more than two decades since Congress last authorized any new district judgeships. This represents the longest period Congress has gone without authorizing any new permanent district court judgeships since the district courts of the United States were established in 1789.

Our federal courts have seen a more than 30 percent growth in their caseload since the last comprehensive judgeship legislation. Meanwhile, since 1991, the overall number

¹ H.R. 9625, the Judicial Understaffing Delays Getting Emergencies Solved (JUDGES) Act, would create 66 new district judgeships in six tranches over the next ten years. H.R. 7747, the Federal Judiciary Stabilization Act, would convert all ten currently existing temporary district judgeships to permanent status. Companion legislation, S. 4199 and S. 3998, each passed the Senate by unanimous consent and are being held at the desk in the House.

of authorized district court judgeships increased by only four percent. This has contributed to significant delays in the resolution of cases and serious access to justice concerns.

In some of our country's most inundated district courts, the time between filing and disposition for a civil trial is four or five years, compared to 20 years ago when the time was less than 22 months. Furthermore, over the past 20 years, the number of civil cases pending for more than three years rose by 346 percent (up 63,337 cases) from 18,280 on March 31, 2004, to 81,617 on March 31, 2024. Such delays increase expenses for civil litigants and the length of time criminal defendants are incarcerated pending trial, potentially eroding public confidence in the Judiciary.

The JUDGES Act, H.R. 9625, is consistent with the Judicial Conference's request. That bill would authorize 66 new district judgeships in six tranches over the next 10 years, the first set of authorizations taking place in 2025 and the last set in 2035. The few additional new judgeships per year, over the next 10 years, as proposed by the legislation, would be a very small increase in the number of judicial vacancies that naturally occur during any particular presidential term due to judges taking senior status or the retirement, resignation, or death of judges. Adding a few new district judgeships to the dozens of vacancies already occurring each year would have a substantial impact on the efficient administration of justice. It is the litigants and residents of the Nation who suffer when there is a delay in deciding cases.

In addition to the creation of new permanent judgeships, the undersigned encourage you to support legislation (H.R. 7747) to convert currently existing temporary judgeships to permanent status. All of these temporary district judgeships were created more than 20 years ago (some more than 30 years ago) and are critical to their districts, many of which are struggling to keep up with their caseloads with their current number of judges. Without conversion or extension of these judgeships, they will expire, and the resulting vacancies cannot be filled. Conversion of these temporary judgeships to permanent status would ensure that these districts do not lose much-needed existing judicial resources.

Thank you for your support of the federal Judiciary and your consideration of our request. We stand ready to join you in working to pass this critical legislation through Congress and get it swiftly signed into law. Thank you for your leadership on this urgent and shared priority.

Sincerely,

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