



Federal Bar Association
OFFICE OF THE PRESIDENT

JAMES S. RICHARDSON, SR.

*US COURT OF APPEALS FOR THE ARMED FORCES
450 E. STREET, NW
WASHINGTON, DC 20442-0001
PH: (202) 761-7365
FAX: (202) 761-7005
JIM.RICHARDSON@ARMFOR.USCOURTS.GOV*

May 10, 2008

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Arlen Specter
Ranking Minority Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Re: The Federal Judgeship Act of 2008, S. 2774

Dear Chairman Leahy and Senator Specter:

I write on behalf of the Federal Bar Association to express our strong support for The Federal Judgeship Act of 2008 (S. 2774) and to urge the Judiciary Committee's prompt efforts to consider and approve it.

Given the recognition of our association as the foremost national organization of private sector and government lawyers who practice before the federal courts, we believe the legislation will confer significant benefit to our nation's judicial system and the speed of justice.

The legislation would create 12 permanent court of appeals judgeships and 43 permanent district court judgeships, as well as create and extend additional temporary judgeships. These numbers are in line with the recommendations of the Judicial Conference of the United States, based upon its empirical evaluation of court caseloads and needs.

Congressional passage of comprehensive judgeships legislation is critical and long overdue. The last comprehensive judgeship bill was enacted in 1990 and provided most of the judgeships requested by the Judicial Conference. Since that time, Congress has authorized piecemeal district court judgeships in 2000, 2001 and 2003, but no new circuit court judgeships.

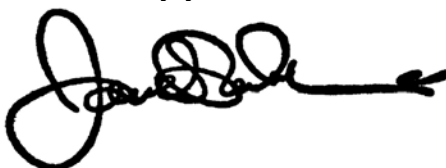
Since 1990, caseloads in the district courts and the courts of appeals have substantially increased. Case filings in the district courts have risen by 29 percent and in the courts of appeals by 55 percent. In 2006, the number of weighted filings in the district courts, which take into account case complexity, was 464 per judgeship, well above the Judicial Conference's standard. In that same year, the national average appellate court caseload was 1,197 cases per

three-judge panel, down slightly from 1,230 cases in 2005, when the highest number of appellate caseloads was recorded.

Now is an excellent time for Congress to enact a comprehensive judgeships measure in order to assure that the Third Branch possesses an adequate capacity to address its core responsibilities to apply and interpret the law and to render justice. While it certainly is the prerogative of Congress to add to the jurisdiction of the federal courts, it is also fair to expect that Congress will provide the necessary judicial resources to meet those new responsibilities.

Thank you for your consideration of these comments, and for your continued leadership and support.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James S. Richardson, Sr.", with a long horizontal stroke extending to the right.

James S. Richardson, Sr.

- cc:
- Sen. Edward M. Kennedy
 - Sen. Joseph R. Biden
 - Sen. Herbert H. Kohl
 - Sen. Dianne Feinstein
 - Sen. Russ Feingold
 - Sen. Charles E. Schumer
 - Sen. Richard J. Durbin
 - Sen. Benjamin Cardin
 - Sen. Sheldon Whitehouse
 - Sen. Orrin G. Hatch
 - Sen. Charles E. Grassley
 - Sen. Jon L. Kyl
 - Sen. Jeff Sessions
 - Sen. Lindsey O. Graham
 - Sen. John Cornyn
 - Sen. Sam Brownback
 - Sen. Tom Coburn