



Government Relations Update

The Latest on Public Policy and Advocacy Developments from the Federal Bar Association

January 2023

Advocacy Update

As the 118th Congress begins its work, the FBA is assessing its policy goals and planning advocacy efforts, taking into account the new congressional landscape and leadership priorities. Planning for Capitol Hill day – March 23 – is underway, and an introductory [webinar](#) is scheduled for January 24 at 3pm ET.

Legislative Update

1. Article I Immigration Court Legislation

We are hopeful that Rep. Zoe Lofgren (D-CA), will re-file the Real Courts, Rule of Law Act in the new Congress, and we anticipate renewing the FBA's support for that legislation in the House, as well as continuing to encourage the introduction of a Senate companion bill to establish a new Immigration Court. FBA will continue to work with a variety of stakeholders in an informal coalition of supporters for this policy proposal. In the event that in this Congress, there is a greater interest in tackling immigration policy generally, FBA will be working to ensure that this concept of an immigration court is part of that debate.

2. FY 2024 Appropriations for the Judiciary

The Administrative Office of the U.S. Courts (AO) will be submitting its funding request for Fiscal Year 2024 in the first quarter of 2023, and the FBA will support fully funding that request, as well as full funding for the Article I courts (Court of Appeals for the Armed Forces, Tax Court, and Veterans Court), and Department of Justice funding to implement the Daniel Aderl Judicial Security and Privacy Act.

3. Judgeships Legislation

The FBA will continue to support the addition of new judgeships to improve access to and the administration of justice in the federal legal system. We anticipate that sponsors of some of the judgeships bills filed last Congress will reintroduce their bills after the Administrative Office of the U.S. Courts releases its 2022 annual report with updated recommendations regarding the need for new seats on the federal bench. FBA has already contacted senior staff for the sponsors and expects to assist in the development and marketing of the bills.



**Federal Bar
Association**

4075 Wilson Blvd., 8th Floor, Arlington, VA 22203
(571) 481-9100 F: (571) 481-9090 Fba@fedbar.org www.fedbar.org

Judiciary Updates

[Ninety-nine](#) of President Biden's judicial nominees were confirmed in the 117th Congress. [Eighty-seven](#) of 890 active federal judicial positions, including the United States Court of Federal Claims and the United States territorial courts, are currently vacant. Twenty-six more judicial vacancies are [expected](#) through the end of 2023, with five nominees named in advance.

Current Article III Vacancies – As of January 13, 2023

According to the Administrative Office of the U.S. Courts

Court	Vacancies	Nominees Pending
U.S. Supreme Court	0	0
Courts of Appeal	11	6
District Courts	72	17
U.S. Court of International Trade	2	0
Total	87	23

There are [twenty-eight judicial vacancy emergencies](#), based on caseload and/or the length of the vacancy, according to the Administrative Office of the U.S. Courts, including one in the 5th Circuit and one in the 11th Circuit.

Judicial Confirmations: No judges have yet been confirmed by the 118th Congress.

Judicial Nominations: On January 3, President Biden [renominated](#) 23 judicial candidates who did not receive Senate confirmation in the 117th Congress:

Nominee	Judicial/District Court	Nomination Date
Julie Rikelman	1 st Circuit Court of Appeals	Jan. 03, 2023
Margaret R. Guzman	District of MA	Jan. 03, 2023
Gina R. Mendez-Miro	District of PR	Jan. 03, 2023
Nusrat Jahan Choudhury	Eastern District of NY	Jan. 03, 2023
Natasha C. Merle	Eastern District of NY	Jan. 03, 2023
Jessica G.L. Clarke	Southern District of NY	Jan. 03, 2023
Dale E. Ho	Southern District of NY	Jan. 03, 2023
Cindy K. Chung	3 rd Circuit Court of Appeals	Jan. 03, 2023
Michael Fabiarz	District of NJ	Jan. 03, 2023
DeAndrea Gist Benjamin	4 th Circuit Court of Appeals	Jan. 03, 2023
Jamar K. Walker	Eastern District of VA	Jan. 03, 2023

Nominee	Judicial/District Court	Nomination Date
Rachel Bloomekatz	6 th Circuit Court of Appeals	Jan. 03, 2023
Lindsay C. Jenkins	Northern District of IL	Jan. 03, 2023
Kenly Kiya Kato	Central District of CA	Jan. 03, 2023
Hernan D. Vera	Central District of CA	Jan. 03, 2023
Daniel J. Calabretta	Eastern District of CA	Jan. 03, 2023
Araceli Martinez-Olguin	Northern District of CA	Jan. 03, 2023
Adrienne C. Nelson	District of OR	Jan. 03, 2023
Tiffany M. Cartwright	Western District of WA	Jan. 03, 2023
Jamal N. Whitehead	Western District of WA	Jan. 03, 2023
Matthew L. Garcia	District of NM	Jan. 03, 2023
Nancy G. Abudu	11 th Circuit Court of Appeals	Jan. 03, 2023
Bradley N. Garcia	DC Circuit Court of Appeals	Jan. 03, 2023