



# Government Relations Update

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

February 2023

## Advocacy Update

Capitol Hill Day is just over a month away – but it's not too late to make plans to participate! FBA members have until March 17 to [register](#) to join us in DC on March 23. All meetings will be in person this year, now that restrictions on access to Congressional offices have been lifted. An introductory [webinar](#) is available online, with a more detailed preparation session scheduled for March 20 at 4pm ET and a kickoff breakfast on the Hill at 7:30am on the 23<sup>rd</sup>.

An important part of the FBA's advocacy in support of the Daniel Aderl Judicial Security and Privacy Act is ensuring that the protections provided by the Act are put in place, now that the bill has been enacted. By letter to Attorney General Merrick Garland, the FBA has conveyed its support for prompt and full implementation of the Aderl Act and has urged the Department of Justice to include implementation funding in its budget request for Fiscal Year 2024. On Capitol Hill Day and throughout the year, the FBA will urge Congress to provide the necessary funding to make these important protections for our federal judges a reality.

## Legislative Update

### **1. Article I Immigration Court Legislation**

We are hopeful that Rep. Zoe Lofgren (D-CA), will reintroduce 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. Meanwhile, we have been working to encourage bipartisan sponsorship for a Senate version of the immigration court bill.

### **2. FY 2024 Appropriations for the Judiciary**

The President's Budget for Fiscal Year 2024 – including amounts requested by the Administrative Office of the U.S. Courts (AO) – is expected March 9, and the FBA will support fully funding the AO's request, as well as full funding for the Article I courts (Court of Appeals for the Armed Forces, Tax Court, and Veterans Court). As noted above, as an addition to its regular appropriations advocacy, the FBA is urging the Department of Justice and Congress to dedicate and to provide adequate funding to implement the judicial security measures authorized in the Daniel Aderl Act.



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### 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 developing and building support for the bills.

### 4. FBA Foundation Charter Amendments Bill

With the flip in House majority and the departure from Congress of the House Republican sponsor of the Charter Amendments bill, we will be seeking assistance from FBA members to help secure a new Republican House champion who can re-introduce and build momentum for a renewed Foundation Charter Amendments effort in the 118<sup>th</sup> Congress.

### Judiciary Updates

[Ninety-one](#) 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 Judicial Vacancies – As of February 14, 2023

*[According to the Administrative Office of the U.S. Courts](#)*

Court	Vacancies	Nominees Pending
U.S. Supreme Court	0	0
Courts of Appeal	10	6
District Courts	77	40
U.S. Court of Federal Claims	2	0
U.S. Court of International Trade	2	0
<b>Total</b>	<b>91</b>	<b>46</b>

There are [twenty-five 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 5<sup>th</sup> Circuit and one in the 11<sup>th</sup> Circuit.



**Judicial Confirmations:** The Senate has confirmed three nominees since January 3, 2023.

Nominee	Judicial/District Court	Nomination Date
DeAndrea Gist Benjamin	4 <sup>th</sup> Circuit Court of Appeals	Feb. 09, 2023
Cindy Chung	3 <sup>rd</sup> Circuit Court of Appeals	Feb. 13, 2023
Gina R. Mendez-Miro	District of PR	Feb. 14, 2023

**Judicial Nominations:** Since January 15, President Biden has announced 23 judicial nominees:

Nominee	Judicial/District Court	Nomination Date
Myong J. Joun	District of MA	Jan. 23, 2023
Julia E. Kobick	District of MA	Jan. 23, 2023
Orelia Eleta Merchant	Eastern District of NY	Jan. 23, 2023
Ramon Ernesto Reyes, Jr.	Eastern District of NY	Jan. 23, 2023
Arun Subramanian	Eastern District of NY	Jan. 23, 2023
Robert Stewart Ballou	Western District of VA	Jan. 23, 2023
Scott Winston Colom	Northern District of MS	Jan. 23, 2023
Jonathan James Canada Grey	Eastern District of MI	Jan. 23, 2023
Monica Ramirez Almadani	Central District of CA	Jan. 23, 2023
Wesley L. Hsu	Central District of CA	Jan. 23, 2023
Rita F. Lin	Northern District of CA	Jan. 23, 2023
Casey P. Pitts	Northern District of CA	Jan. 23, 2023
Marian F. Gaston	Southern District of CA	Jan. 23, 2023
Andrew G. Schopler	Southern District of CA	Jan. 23, 2023
James Edward Simmons, Jr.	Southern District of CA	Jan. 23, 2023
Charnelle Bjelkengren	Eastern District of WA	Jan. 23, 2023
Kymberly Kathryn Evanson	Western District of WA	Jan. 23, 2023
Gordon P. Gallagher	District of CO	Jan. 23, 2023
Todd E. Edelman	District of DC	Jan. 23, 2023
Michael Arthur Delaney	1st Circuit Court of Appeals	Jan. 31, 2023
Jeffrey Irvine Cummings	Northern District of IL	Jan. 31, 2023
LaShonda A. Hunt	Northern District of IL	Jan. 31, 2023
Amanda K. Brailsford	District of ID	Jan. 31, 2023