



Government Relations Update

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

March 2023

Advocacy Update

Capitol Hill Day is right around the corner! We are pleased to announce that Senator Sheldon Whitehouse (D-RI), Chairman of the Federal Courts Subcommittee of the Senate Judiciary Committee, will be the guest speaker at the kickoff breakfast the morning of March 23. Following breakfast, FBA members and leadership from 24 states, the District of Columbia, and Puerto Rico will participate in dozens of meetings throughout the day to brief Members of Congress and their staffs on the FBA's principal policy priorities for the 118th Congress. It's not too late to make plans to join us - [registration](#) is open until March 17. An introductory [webinar](#) is available online, with a more detailed preparation session scheduled for March 20 at 4pm ET.

Legislative Update

1. Article I Immigration Court Legislation

We are working with staff for Senator Kirsten Gillibrand (D-NY) to find a Republican cosponsor for Senate legislation to establish an independent immigration court system. The legislation's original House sponsor, Rep. Zoe Lofgren (D-CA), also is seeking a Republican partner to reintroduce the Real Courts, Rule of Law Act in the coming weeks.

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), was released March 9. The Judiciary's request of \$9.1 billion is an 8.0 percent increase over the FY 2023 enacted appropriation of \$8.5 billion and includes \$796.0 million in mandatory appropriations. 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 an addition to its regular appropriations advocacy, the FBA is urging the Department of Justice and Congress to provide adequate funding to implement the judicial security measures authorized in the Daniel Anderl Act.



**Federal Bar
Association**

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

3. Judgeships Legislation

The Judicial Conference has released its 2023 Judgeship Recommendations, which include adding 2 seats to the 9th Circuit Court of Appeals, 66 new District Court judgeships, converting 7 temporary District Court judgeships to permanent, and extending 2 temporary District Court judgeships for 5 more years. The FBA has provided this updated information to the sponsors of some of the judgeships bills filed last Congress and anticipates that in the coming weeks they will reintroduce their bills with the updated information. 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.

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 are 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 this Congress.

Judiciary Updates

[Seventy-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-four more judicial vacancies are [expected](#) through August of 2024, with three nominees named in advance.

Current Judicial Vacancies – As of March 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	9	5
District Courts	64	27
U.S. Court of Federal Claims	2	1
U.S. Court of International Trade	2	0
Total	77	33



There are [twenty-one 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: The Senate has [confirmed](#) seventeen nominees since February 13, 2023.

Nominee	Judicial/District Court	Nomination Date
Gina R. Mendez-Miro	District of PR	Feb. 14, 2023
Lindsay C. Jenkins	Northern District of IL	Feb. 14, 2023
Matthew L. Garcia	District of NM	Feb. 14, 2023
Adrienne C. Nelson	District of OR	Feb. 15, 2023
Ana C. Reyes	District of DC	Feb. 15, 2023
Daniel J. Calabretta	Eastern District of CA	Feb. 16, 2023
Jamar K. Walker	Eastern District of VA	Feb. 28, 2023
Araceli Martinez-Olguin	Northern District of CA	Feb. 28, 2023
Jamal N. Whitehead	Western District of WA	Feb. 28, 2023
Margaret R. Guzman	District of MA	Mar. 1, 2023
Jonathan James Canada Grey	Eastern District of MI	Mar. 2, 2023
Colleen R. Lawless	Central District of IL	Mar. 2, 2023
Arun Subramanian	Southern District of NY	Mar. 7, 2023
Robert Stewart Ballou	Western District of VA	Mar. 7, 2023
Andrew G. Schopler	Southern District of CA	Mar. 7, 2023
Maria Araujo Kahn	Central District of CA	Mar. 9, 2023
James Edward Simmons, Jr.	Southern District of CA	Mar. 9, 2023

Judicial Nominations: Since February 14, President Biden has [announced](#) 3 judicial nominations:

Nominee	Judicial/District Court	Nomination Date
Jabari Brooks Wamble	District of KS	Feb. 22, 2023
Molly R. Silfen	Court of Federal Claims	Feb. 22, 2023
Kato Crews	District of CO	Feb. 22, 2023