



Government Relations Update

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

February 2024

Advocacy Update

There is still time to register for Capitol Hill Day 2025! The FBA is pleased to announce that Rep. Darrell Issa, Chair of the House Judiciary Subcommittee on Courts, Intellectual Property, and the Internet, has agreed to speak at the kickoff breakfast, ensuring a memorable start to this important day. Please plan to log into the virtual preparatory briefing at 3 pm ET on March 18 for background and talking points about the policy priorities on the FBA's agenda for this year. You will receive a link to the briefing after you complete the online registration form. You can also watch a recording of the "Introduction to Capitol Hill Day" session held on February 6.

On January 7, Congressional leadership announced an agreement on the overall spending amount for the Fiscal Year 2024 appropriations process, and on January 26, leadership reached agreements on the allocations for each of the 12 individual spending bills, though those allocations have not been made public. Congress is now hard at work hammering out the details of the 12 bills, with target completion dates for 4 bills on March 1 and for the remaining 8 on March 8 set by the Continuing Resolution President Biden signed on January 19. The second batch includes the two appropriations bills the FBA is watching: the Commerce, Justice, Science (CJS) bill, which funds the Department of Justice, and the Financial Services and General Government (FSGG) bill, which funds the federal Judiciary.

At this time, neither chamber's CJS bill includes additional funding for implementation of the Anderl Act, but we are continuing to advocate before the Appropriations Committee to seek seed funding for DOJ to start implementing the grant program the Act authorizes it to create to help state and local database managers scrub judges' PII.

While both FSGG bills provide substantially less for the Judiciary than the amounts requested by the Judicial Conference, we note that the House and Senate FSGG bills do specifically state that Court Security Account funds may be used "for purposes authorized by the Daniel Anderl Judicial Security and Privacy Act of 2022."

As adequate funding for the federal courts is one of the FBA's top priorities, the FBA will continue to advocate for fully funding the Judiciary's request for FY 2024, including probation and pretrial services, as well as full funding for the Article I courts (U.S. Court of Appeals for the Armed Forces, U.S. Tax Court, and U.S. Court of Appeals for Veterans Claims), and for directing specific funds for Anderl Act implementation.

Legislative Update

Judgeships Legislation

We remain in contact with Rep. Issa's staff about plans for introduction of a House version of the JUDGES Act. The Congressman has secured a Democrat cosponsor and is close to finalizing the text of a bill that would add 66 federal district court seats, plus two 9th Circuit seats, as recommended by the Judicial Conference in March of 2023. Similar to the plan set forth in the JUDGES Act ([S. 2759](#)) pending in the Senate, the seats would be added in the future, but the timing would be slightly different. We are urging the Congressman to introduce the bill before Capitol Hill Day, so FBA members can seek support for the bill during their meetings that day.

Judiciary Update

[Fifty-six](#) of 890 active federal judicial positions, including the United States Court of Federal Claims and the United States territorial courts, are currently vacant. Thirty more judicial vacancies are [expected](#) through January of 2025, with five nominees named in advance.

Current Judicial Vacancies – As of February 15, 2024 [According to the Administrative Office of the U.S. Courts](#)

Court	Vacancies	Nominees Pending
Supreme Court	0	0
Courts of Appeal	3	3
District Courts	52	18
US Court of Federal Claims	1	1
US Ct of International Trade	0	0
Total	56	22

There are [twenty judicial vacancy emergencies](#), based on caseload and/or the length of the vacancy, according to the Administrative Office of the U.S. Courts.

Judicial Confirmations: The Senate has [confirmed](#) nine nominees since January 10, 2024.

Nominee	Judicial/District Court	Confirmation Date
Jacquelyn D. Austin	District of South Carolina	January 24, 2024
Cristal C. Brisco	Northern District of Indiana	January 24, 2024
Gretchen S. Lund	Northern District of Indiana	January 25, 2024
Joshua Paul Kolar	Seventh Circuit Court of Appeals	January 31, 2024
Karoline Mehalchik	Middle District of Pennsylvania	January 31, 2024
Kirk Edward Sherriff	Eastern District of California	January 31, 2024

Nominee	Judicial/District Court	Confirmation Date
Lisa W. Wang	Court of International Trade	February 1, 2024
Joseph Albert Laroski Jr.	Court of International Trade	February 1, 2024
Amy M. Baggio	District of Oregon	February 1, 2024

Judicial Nominations: Since January 10, 2024, President Biden has [nominated](#) 7 candidates for judicial vacancies:

Nominee	Judicial/District Court	Announcement Date
Robert J. White	Eastern District of Michigan	February 1, 2024
Sunil R. Harjani	Northern District of Illinois	February 1, 2024
Rebecca Suzanne Kanter	Southern District of California	February 1, 2024
Amir H. Ali	District Court of D.C.	February 1, 2024
Ernest Gonzalez	Western District of Texas	February 7, 2024
Leon Schydlower	Western District of Texas	February 7, 2024
Camela C. Theeler	District of South Dakota	February 8, 2024