



Government Relations Update

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

April 2024

Advocacy Update

Capitol Hill Day 2024 was a tremendous success. More than 100 FBA members gathered in the Rayburn House Office building for a light breakfast, enlivened by entertaining and thought-provoking remarks from House Judiciary Courts Subcommittee Chair Darrell Issa (R-CA). FBA members made a major impact this year, meeting with over 170 Congressional offices in just one day. We appreciate the commitment of FBA members who have participated for multiple years, as well as those for whom this was a new experience. We also extend special thanks to the many federal judges, clerks, and courthouse personnel who joined this year -- their perspectives and experience were invaluable in the meetings. Participants are now engaged in sending thank-you emails and submitting appropriations requests to the Member offices they visited.

Earlier this month, at FBA's request, Reps. Sherrill and Fitzpatrick agreed to lead an effort again this year to recruit their colleagues in the House to sign a joint letter to the Appropriations Committee in support of initial funding to implement the Daniel A. Claitor Judicial Security and Privacy Act. Their letter specifically asks the Appropriations Committee to provide \$10 million in FY 2025 for the DOJ state and local government grant program authorized by the Claitor Act, as requested in the President's Budget Request. The FBA's advocacy, with support from many federal judges, was instrumental in the inclusion of this new line item in the President's Budget Request.

As adequate funding for the federal courts is of the FBA's top priorities, the FBA will continue this spring—and possibly through the end of the year—to advocate for fully funding the Judiciary's entire request for FY 2025. Our advocacy includes support for funding federal defender, 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).

Legislative Update

Judgeships Legislation

On March 8, Rep. Issa and Rep. Hank Johnson (D-GA) introduced the bipartisan Federal Judgeship Act of 2024 ([H.R. 7597](#)), which 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. The Senate bill would add half the new seats in 2025 and half in 2029. The House bill would add the seats in four roughly equal groups, in 2025, 2027, 2029, and 2031. The FBA does not take a position on which manner of implementation is preferred, but urges Members of Congress to work together toward a solution that addresses the needs identified by the Judicial Conference. Capitol Hill Day participants pressed Members to make this issue a higher priority this year.

Independent Immigration Court

Rep. Zoe Lofgren (D-CA) recently re-introduced the Real Courts, Rule of Law Act ([H.R. 7724](#)), and we hope this will prompt the introduction of a Senate companion bill soon, as well. The Real Courts, Rule of Law Act would use Congress' Article I power to establish independent immigration courts, as Congress did in creating the U.S. Tax Court and the U.S. Court of Veterans Appeals. In follow-up meetings and correspondence, FBA is continuing to work to build awareness of the need for this legislation.

Judiciary Update

[Forty-two](#) of 890 active federal judicial positions, including the United States Court of Federal Claims and the United States territorial courts, are currently vacant. Thirty-one more judicial vacancies are [expected](#) through December of 2024, with nine nominees named in advance.

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

Court	Vacancies	Nominees Pending
Supreme Court	0	0
Courts of Appeal	2	2
District Courts	39	9
US Court of Federal Claims	1	1
US Ct of International Trade	0	0
Total	42	12

There are [eleven 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](#) eight nominees since March 18, 2024.

Nominee	Judicial/District Court	Confirmation Date
Nicole G. Berner	Fourth Circuit Court of Appeals	March 19, 2024
Edward Sunyol Kiel	District of New Jersey	March 20, 2024
Eumi K. Lee	Northern District of California	March 20, 2024
Ernest Gonzalez	Western District of Texas	March 22, 2024
Leon Schydlower	Western District of Texas	March 22, 2024
Robert J. White	Eastern District of Michigan	April 9, 2024
Susan M. Bazis	District of Nebraska	April 9, 2024
Anne Marie McIff Allen	District of Utah	April 10, 2024

3 | GR Update April 2024

Judicial Nominations: Since March 18, 2024, President Biden has [nominated](#) 3 candidates for judicial vacancies:

Nominee	Judicial/District Court	Announcement Date
Jeannette A. Vargas	Southern District of New York	March 21, 2024
Rebecca L. Pennell	Eastern District of Washington	March 21, 2024
Detra Shaw-Wilder	Southern District of Florida	March 21, 2024