



Government Relations Update

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

July 2024

Advocacy Update

FBA's advocacy is paying off with significant movement on the JUDGES Act and on the provision of funding to implement the Daniel Anderl Judicial Security and Privacy Act.

JUDGES Act -- On June 13, 2024, the Senate Judiciary Committee voted to send the JUDGES Act ([S. 4199](#)) to the full Senate for consideration. As the need to relieve our overburdened federal courts has been one of the FBA's top priorities for many years and a focus of FBA's Capitol Hill Day advocacy, FBA is pleased to see this legislation advance. In order to garner sufficient support, the timing of the new judgeships was changed via an amendment that was unanimously adopted. As approved by the Judiciary Committee, the 66 new district court judgeships would be authorized to be added in 6 groups over 10 years, rather than in two groups, one in 2025 and one in 2029, as provided in the original draft. FBA tweeted its thanks and contacted each Senator on the Judiciary Committee to express the Association's appreciation. To strengthen the bill's chances of passing the Senate by unanimous consent, we encouraged FBA members in states that will receive new judgeships to contact their Senators about supporting the bill. Staff for the two lead sponsors, Senators Young and Coons, have been collaborating frequently with us as FBA's outside counsel and they recognize that FBA members are a potentially potent grassroots weapon to use to generate additional support. During the past two weeks, we proposed and obtained video meetings for FBA's Idaho members with the staff for their two Senators and the Senators subsequently cosponsored the bill. Having those two new Republicans permitted the sponsors to add two new Democratic cosponsors, keeping the bill in a bipartisan balance and demonstrating growing support.

In order to help build support and momentum for the House companion legislation, the Federal Judgeship Act of 2024 ([H.R. 7597](#)), FBA members are contacting House Members in states that will gain judges, asking them to cosponsor H.R. 7597 and to encourage Judiciary Committee Chair Jim Jordan to include the bill on a July markup. We have been coordinating these efforts with a member of Courts Subcommittee Chairman Darrell Issa's staff, who informed us that several House Members have asked to be added as cosponsors in recent days, and he attributes that support to FBA outreach.

Daniel Anderl Act -- As the members of the GRC know, the FBA has dedicated significant advocacy efforts over the past eighteen months toward securing funding to implement the grantmaking authority provided to the Department of Justice by the Daniel Anderl Act. On July

9, the House Appropriations Committee reported the FY 2025 Commerce, Justice & Science (CJS) bill to the full chamber. We are pleased to report that the CJS bill sent to the House Floor includes \$10 million for the Anderl DOJ grant program, which will provide funds to state and local governments to help defray the costs of scrubbing judges' and their family members' PII from their databases. FBA Members, including a number of judges, were very active in the past month to help encourage the appropriators to make this historic allocation. We continue to press the Senate Appropriations Committee to make the same decision.

Legislative Update

Appropriations for the Judiciary

On June 13, the House Appropriations Committee approved its Financial Services and General Government (FSGG) Appropriations bill for FY 2025. The bill provides \$8.804 billion for the Judiciary, which is \$554.6 million below the FY25 Budget Request but \$173.9 million above the FY24 enacted level. It supports an increase in funding for the Supreme Court Police to provide residential protection for the Justices. The bill also states that funds made available under the Court Security heading "may be used for managing a Judiciary-wide program to facilitate security and emergency management services among the Judiciary, United States Marshals Service, Federal Protective Service, General Services Administration, other Federal agencies, state and local governments and the public; and for purposes authorized by the Daniel Anderl Judicial Security and Privacy Act of 2022."

The Senate is bypassing Appropriations Subcommittee markups for FY 2025. The full Appropriations Committee will mark up the Legislative Branch, Military Construction-VA and Agriculture-FDA spending bills this week. As of the date of this memo, the FSGG and CJS markups have not been scheduled.

Independent Immigration Court

There are no developments to report at this time regarding the Real Courts, Rule of Law Act ([H.R. 7724](#)).

Foundation of the Federal Bar Association Charter Amendments Act

Senator Kennedy's staff continues working with the FBA to address concerns driving Senator Cotton's hold on the Charter Amendments bill ([S. 2694](#)). We remain optimistic that a breakthrough can occur and have been in close touch with Sen. Kennedy's staff, who have recommended that FBA stand down temporarily in terms of grassroots outreach to the key players so that the internal discussions among Senate staff can continue more discreetly.

Judiciary Update

[Forty-nine](#) 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 January of 2025, with twelve nominees named in advance.

Current Judicial Vacancies – As of July 15, 2024
According to the Administrative Office of the U.S. Courts

Court	Vacancies	Nominees Pending
Supreme Court	0	0
Courts of Appeal	1	1
District Courts	47	20
US Court of Federal Claims	1	1
US Ct of International Trade	0	0
Total	49	22

There are [fifteen 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](#) one nominee since May 22, 2024.

Nominee	Judicial/District Court	Confirmation Date
Nancy L. Maldonado	Seventh Circuit Court of Appeals	July 8, 2024

Judicial Nominations: Since June 4, 2024, President Biden has [nominated](#) 5 candidates for judicial vacancies:

Nominee	Judicial/District Court	Announcement Date
Mary Kathleen Costello	Eastern District of Pennsylvania	June 13, 2024
Laura Margarete Provinzino	District of Minnesota	June 13, 2024
Gail A. Weilheimer	Eastern District of Pennsylvania	July 8, 2024
Byron B. Conway	Eastern District of Wisconsin	July 8, 2024
April M. Perry	Northern District of Illinois	July 11, 2024