



Federal Bar Association

Capitol Hill Day 2026 Resource Materials

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TALKING POINTS – SENATE

Introduction to FBA

- Founded in 1920, the FBA unites the bench and bar to advance the rule of law through education, leadership, and nonpartisan advocacy on public policy matters.
- There are nearly 100 local chapters across the country and over 17,000 members engaged in federal practice. We work in law firms, corporations, associations, and federal agencies and our members include over 2,000 federal judges. My chapter has roughly ____ members and we have activities such as _____.

FBA's Top Priorities this Congress

1. **General Judiciary Funding** – FBA is committed to supporting the annual budget for the federal judiciary. We are asking Congress to fully fund the amounts requested by the judiciary for FY 2027. The FBA also supports 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.

Funding gaps in the judiciary's budget and delayed enactment of the appropriations bill:

- Jeopardize public safety and increase risks of recidivism by curtailing staffing and resources needed for supervising probationers and releasees.
- Increase the risk of data breaches involving sensitive, personal, and security information by not funding updates/replacements of antiquated systems, including the critical CM/ECF case filing system.
- Expose judges, court personnel, and the public to heightened security risks because of insufficient resources for security equipment, infrastructure, and court security officers.
- Delay repairs, alterations, and courthouse construction projects, resulting in health and security concerns for employees, poorer public service, and increased costs.
- Force hiring delays/downsizing, reducing services and efficiency and straining current staff, while pro se use of AI and changing law enforcement priorities are increasing the courts' workload.

Ask: Please ask the Appropriations Committee to provide the full requested amounts for the Article III and Article I courts.

2. Funding to Increase Judicial Security – Our democracy depends on judges who are free to make decisions without fear of retribution, but unfortunately, threats against judges and their families have risen dramatically in recent years. The FBA commends Congress for providing \$7.5 million in initial funding in FY 2026 to develop and implement the state and local grant program authorized by the bipartisan Daniel Anderl Judicial Security and Privacy Act of 2022, but this amount will not cover the demand from state, city, and county governments that want to help protect federal judges and their families. **FBA urges Congress to provide \$10 million in FY 2027 to the Department of Justice Office of Justice Programs for continued implementation of this critical program.**

- The law authorizing these grants was named for Daniel Anderl, the 20-year-old son of NJ District Judge Esther Salas. Daniel was shot and killed at home by a disgruntled lawyer who found the judge’s address on the internet. The grants will protect federal judges and their families by helping state and local governments scrub judges’ and their families’ personally identifiable information (PII) from their websites.
- Based on discussions with DOJ, FBA expects an initial Notice of Funding Opportunity this year, but the \$7.5 million in funding provided for FY 2026 will cover only a small number of state, city, and county government applicants.
- Judges and their families are at increased risk while their PII remains on state and local government websites, such as one that not only shows the address of a judge but also with one click shows the floor plan of the judge’s home.
- Courts are already dealing with heavy caseloads and cannot afford to lose judges who leave the bench because they and their families are not safe.
- We do not want to dissuade talented candidates from becoming judges because of potential threats to their safety.

Ask: We hope the Senator will submit a programmatic funding request to the Appropriations Committee for \$10 million for Department of Justice’s Office of Justice Programs (OJP) to continue implementing the Daniel Anderl Act’s grant program. In addition, if a joint letter is circulated, we hope the Senator will sign.

3. **JUDGES Act (not yet introduced)** – FBA supports legislation to relieve our severely overburdened federal courts by increasing the number of federal judgeships. Our federal courts are facing enormous caseloads and the increasing backlog is adversely impacting both access to and the administration of justice. I have seen this firsthand in my state of _____. (add personal anecdote)
- Congress last enacted a comprehensive bill to increase the number of appellate and district judgeships in 1990 and judicial workloads have increased substantially since then.
 - The Administrative Office of US Courts’ biennial report on court workloads, released in March of 2025, recommends adding 69 district court judges and 2 court of appeals judges.
 - Senator Young plans to re-introduce the JUDGES Act he led with Senator Coons last Congress, adding the 69 new district court judgeships recommended by the Judicial Conference.
 - The bipartisan JUDGES Act (H.R. 1702), passed by the House Judiciary Committee and awaiting a Floor vote, also would add the recommended judgeships and reflects bicameral interest in addressing this issue.

Ask: FBA asks the Senator to cosponsor the JUDGES Act once it is introduced and to urge Senate leadership to prioritize addressing this issue this year.

4. *ONLY IF THE MEMBER OR STAFFER RAISES THE JUDICIAL CONFERENCE’S REAL PROPERTY AUTHORITY PROPOSAL*
- *FBA is aware of the Judicial Conference’s proposal and supports granting the Judiciary real property authority to efficiently and securely manage Judiciary infrastructure.*
 - *Since legislation has not yet been introduced, we encourage you to contact the Administrative Office of the U.S. Courts Legislative Affairs Office with questions about the details of the proposal.*

TALKING POINTS – HOUSE OF REPRESENTATIVES

Introduction to FBA

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The FBA also supports 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.

Funding gaps in the judiciary's budget and delayed enactment of the appropriations bill:

- Jeopardize public safety and increase risks of recidivism by curtailing staffing and resources needed for supervising probationers and releasees.
- Increase the risk of data breaches involving sensitive, personal, and security information by not funding updates/replacements of antiquated systems, including the critical CM/ECF case filing system.
- Expose judges, court personnel, and the public to heightened security risks because of insufficient resources for security equipment, infrastructure, and court security officers.
- Delay repairs, alterations, and courthouse construction projects, resulting in health and security concerns for employees, poorer public service, and increased costs.
- Force hiring delays/downsizing, reducing services and efficiency and straining current staff, while pro se use of AI and changing law enforcement priorities are increasing the courts' workload.

Ask: Please ask the Appropriations Committee to provide the full requested amounts for the Article III and Article I courts.

- 2. Funding to Increase Judicial Security** – Our democracy depends on judges who are free to make decisions without fear of retribution, but unfortunately, threats against judges and their families have risen dramatically in recent years. The FBA commends Congress for providing \$7.5 million in initial funding in FY 2026 to develop and implement the state and local grant program authorized by the bipartisan Daniel Anderl Judicial Security and Privacy Act of 2022, but this amount will not cover the demand from state, city, and county governments that want to help protect federal judges and their families. FBA urges Congress to provide \$10 million in FY 2027 to the Department of Justice Office of Justice Programs for continued implementation of this critical program.
- The law authorizing these grants was named for Daniel Anderl, the 20-year-old son of NJ District Judge Esther Salas. Daniel was shot and killed at home by a disgruntled lawyer who found the judge’s address on the internet. The grants will protect federal judges and their families by helping state and local governments scrub judges’ and their families’ personally identifiable information (PII) from their websites.
 - Judges and their families are at increased risk while their PII remains on state and local government websites, such as one that not only shows the address of a judge but also with one click shows the floor plan of his home.
 - Based on discussions with DOJ, FBA expects an initial Notice of Funding Opportunity this year, but the \$7.5 million in funding provided for FY 2026 will cover only a small number of state, city, and county government applicants.
 - Courts are already dealing with heavy caseloads and cannot afford to lose judges who leave the bench because they and their families are not safe.
 - We do not want to dissuade talented candidates from becoming judges because of potential threats to their safety.

Ask: We hope Representative XX will urge the Appropriations Committee to provide \$10 million for Department of Justice’s Office of Justice Programs (OJP) to continue implementing the Anderl Act’s grant program.

3. **JUDGES Act of 2025 (H.R. 1702)** – FBA supports legislation to relieve our severely overburdened federal courts by increasing the number of federal judgeships. Our federal courts are facing enormous caseloads and the increasing backlog is adversely impacting both access to and the administration of justice. I have seen this firsthand in my state of _____. (add personal anecdote)
- Congress last enacted a comprehensive bill to increase the number of appellate and district judgeships in 1990 and judicial workloads have increased substantially since then.
 - The Administrative Office of US Courts’ biennial report on court workloads, released in March of 2025, recommends adding 69 district court judges and 2 court of appeals judges.
 - The bipartisan JUDGES Act (H.R. 1702), introduced by House Courts Subcommittee Chair Issa and approved by the Judiciary Committee on March 5, was drafted before the release of the 2025 report but will be amended to incorporate the updated recommendations for new judgeships and to adjust the timeframe for implementation since as introduced, the new judgeships would have been authorized beginning in 2025.
 - Senator Young plans to introduce a companion bill, reflecting continued bicameral interest in addressing this issue.

Ask: FBA hopes Representative XX will support H.R. 1702 when it comes up for a Floor vote.

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- *FBA is aware of the Judicial Conference’s proposal and supports granting the Judiciary real property authority to efficiently and securely manage Judiciary infrastructure.*
 - *Since legislation has not yet been introduced, we encourage you to contact the Administrative Office of the U.S. Courts Legislative Affairs Office with questions about the details of the proposal.*

THE URGENT NEED FOR MORE FEDERAL JUDGESHIPS

H.R. 1702 JUDGES Act of 2025 (bipartisan)

Sponsors: Rep. Darrell Issa (R-CA)
Rep. Laurel Lee (R-FL)
Rep. Troy Nehls (R-TX)
Rep. Kevin Kiley (R-CA)
Rep. Tom Cole (R-OK)
Rep. Scott Peters (D-CA)
Rep. Juan Vargas (D-CA)
Rep. J. Luis Correa (D-CA)
Rep. Wesley Bell (D-MO)
Rep. Gus Bilirakis (R-FL)
Rep. Jefferson Shreve (R-IN)
Rep. Monica De La Cruz (R-TX)
Rep. Michael K. Simpson (R-ID)
Rep. Ken Calvert (R-CA)
Rep. Mike Flood (R-NE)
Rep. Adam Gray (D-CA)
Rep. Jeff Crank (R-CO)

Actions: Approved in a bipartisan vote of the House Judiciary Committee

What Does the JUDGES Act Do?

- Based on the Judicial Conference's recommendations in 2023, it authorizes the appointment of **11 district court judges in 2025**, in specified judicial districts in California, Delaware, Florida, Indiana, Iowa, New Jersey, New York, and Texas.
- Authorizes the appointment of **11 district court judges in 2027**, in specified judicial districts in Arizona, California, Florida, Georgia, Idaho, and Texas.
- Authorizes the appointment of **11 district court judges in 2029**, in California, Colorado, Delaware, Nebraska, New York, Oklahoma, and Texas.
- Authorizes the appointment of **11 district court judges in 2031**, in specified judicial districts in Arizona, California, Florida, New Jersey, New York, and Texas.
- Authorizes the appointment of **11 district court judges in 2033**, in specified judicial districts in California, Colorado, Florida, Georgia, New York, Oklahoma, and Texas.
- Authorizes the appointment of **10 district court judges in 2035**, in specified judicial districts in California, Florida, New Jersey, New York, and Texas.
- Creates 1 new temporary judgeship in Oklahoma.

Note: We expect H.R. 1702 to be amended in accordance with the updated recommendations provided in the Judicial Conference's March 11, 2025 report. As compared to the 2023 report, the updated recommendations add seats in the Middle District of Tennessee, Central and Eastern Districts of California, Middle District of Florida, Northern District of Georgia and New Jersey. The recommended numbers of new seats are reduced for Northern District of California and Southern District of Texas. No temporary to permanent conversions are recommended, but one

new temporary seat is recommended for Oklahoma. We also expect the timeline for authorizing the judgeships in H.R. 1702 will be amended, since as introduced, the judgeships would have been authorized beginning in 2025.

H.R. 1929 JUDGES Act of 2025 (Democrat sponsors only)

Sponsors: Rep. Hank Johnson (D-GA)
Rep. Jerrold Nadler (D-NY)
Rep. Jamie Raskin (D-MD)
Rep. Norma J. Torres (D-CA)

Actions: Pending before House Judiciary Committee

What Does H.R. 1929 Do?

- Identical to H.R. 1702, except that the authorizations begin in 2029 and run through 2039.

EXPECTED SENATE VERSION OF JUDGES ACT OF 2025

Expected sponsor: Todd Young (R-IN)

What will the Senate bill do?

We expect Senator Young's bill will incorporate the recommendations provided in the Judicial Conference's March 11, 2025 report into the 6-group, 10-year authorization format provided in S. 4199, the JUDGES Act of 2024. As compared to the 2023 report, the updated recommendations add seats in the Middle District of Tennessee, Central and Eastern Districts of California, Middle District of Florida, Northern District of Georgia and New Jersey. The recommended numbers of new seats are reduced for Northern District of California and Southern District of Texas. No temporary to permanent conversions are recommended, but one new temporary seat is recommended for Oklahoma.

Ask: House Members - Support legislation to add more federal judgeships (H.R. 1702) when it comes before the House for a vote. Senate Members – cosponsor Senator Young's legislation to add more judgeships (once it is introduced) and urge leadership to continue to prioritize this issue.

FAQs:

1. Do we really need more judges?

Yes. Congress last enacted a comprehensive bill to increase the number of appellate and district judgeships in 1990 and judicial workloads have increased substantially since then.

2. What is a manageable caseload and what are judges facing now?

According to the Judicial Conference (“JC”), a manageable district court caseload is 430 weighted filings per year. In 2024, weighted caseloads were above 500 per judgeship in 20 of the 25 district courts where the legislation would add judgeships. In 12 of these courts, weighted filings exceeded 600 per judgeship and in five courts filings were greater than 700 per judgeship.

3. How many new seats are needed?

After assessing the caseloads of all district and circuit courts in granular detail, in March of 2025, the Judicial Conference recommended that Congress create 71 new judgeships across the country: 69 new district court judges and 2 new circuit court judges.

4. Isn't this just partisan court-packing?

Both versions of the JUDGES Act attempt to address this concern by establishing the new judgeships in multiple groups over the course of multiple Administrations.

5. Why prefer H.R. 1702 over H.R. 1929?

H.R. 1702 has bipartisan support and is further along in the legislative process, having already moved through the Judiciary Committee and now awaiting consideration by the full House.

FUNDING TO IMPLEMENT THE DANIEL ANDERL JUDICIAL SECURITY AND PRIVACY ACT

What does the Daniel Anderl Act grant program do and why is funding needed?

- Creates a federal grant program for state and local governments to help cover costs to protect judges' PII, such as programs to redact information from tax, property, and state motor vehicle records, or the hiring of a third party to scrub the information from the internet.

Ask: Please submit a programmatic funding request to the Appropriations Committee for \$10 million for OJP to implement the Daniel Anderl Act's grant program.

In addition, if a joint letter is circulated, we hope the Senator will sign.

FAQs:

1. Why do judges need this special protection?

“Our constitutional system depends on an independent Judiciary,” said Judge Roslynn R. Mauskopf, director of the Administrative Office of the U.S. Courts. “Judges must be able to make decisions without fear of reprisal or retribution. This is essential not just for the safety of judges and their families, but also to protect our democracy.”

2. Are judges and court personnel really in that much danger?

Judges and their families are at increased risk when their PII is readily available on government websites, such as tax assessors' records, which may reveal not only a judge's address but also the layout of the judge's home.

Many judges and their families have been instructed by the USMS *never* to answer the door at their homes, and their mail is diverted to the courthouse for screening before delivery to the judge's home.

Testifying before the House Judiciary Subcommittee on Crime and the Federal Government in February of 2024, USMS Director Ronald Davis said that threats against federal judges have doubled in the past 3 years. From 2015 to 2021, threats against federal court personnel jumped more than 450 percent, from 926 incidents recorded in 2015 to 4,511 incidents in 2021.

In FY25, the U.S. Marshals Service (USMS) investigated more than 500 threats to federal judges, including over 100 unsolicited pizza deliveries to homes of federal judges and their families. More than 20 deliveries named Daniel Anderl as the one placing the order, a clear threat to those judges and their families.

Also in 2025, Supreme Court Justice Amy Coney Barrett's sister received a pipe bomb threat at her home.

In just the first six weeks of 2026, the USMS tallied 197 threats to judges.

A Washington state federal judge was the target of a mailbox bomb threat which turned out to be a hoax, as well as a swatting incident, in which law enforcement went to his home expecting to find an armed intruder.

In 2022, a California man was indicted for attempting to assassinate Justice Brett Kavanaugh. An FBI affidavit stated that the would-be assassin found Justice Kavanaugh's address online.

After Judge James Robart's 2017 decision to block former President Trump's travel ban, critics posted the judge's home phone and address online. Judge Robart received 40,000 messages, 1,100 of which were serious enough to be investigated, and so many death threats that U.S. marshals set up camp around his house.