

118TH CONGRESS
1ST SESSION

S. 1771

To authorize additional district judges for the district court for the eastern district of California.

IN THE SENATE OF THE UNITED STATES

MAY 31 (legislative day, MAY 30), 2023

Mr. PADILLA introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize additional district judges for the district court for the eastern district of California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Creating Additional
5 Seats to Ease Legally Overburdened Adjudicators’ Dock-
6 ets Act of 2023” or the “CASE LOAD Act of 2023”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) The United States District Court for the
10 Eastern District of California is the Federal trial

1 court for 34 counties, including 5 of the fastest-
2 growing cities in California, serving a population of
3 approximately 8,400,000.

4 (2) The United States District Court for the
5 Eastern District of California is one of the largest
6 judicial districts in the country, with approximately
7 8,400,000 residents and over 87,000 square miles of
8 land. Yet, there are only 6 permanent judgeships,
9 with 1 upcoming vacancy pending a nomination ele-
10 vating a sitting district judge.

11 (3) Based on the 2019 census data, the ratio of
12 authorized district judgeships to population was
13 1:1,362,552. The central district of California has
14 the next highest ratio in the State, nearly $\frac{1}{2}$ the
15 size, with 1:694,323.

16 (4) As of June 2022, the total pending cases
17 per judgeship in the United States District Court for
18 the Eastern District of California was 1,308, over
19 2.6 times larger than the average for all districts
20 within the United States Court of Appeals for the
21 Ninth Circuit. Pending caseloads remain high, and
22 if a new vacancy opens upon the elevation of the dis-
23 trict judge, caseloads will once again reach this
24 unsustainable level.

1 **SEC. 3. ADDITIONAL DISTRICT JUDGES FOR THE EASTERN**
 2 **DISTRICT OF CALIFORNIA.**

3 (a) 2025.—

4 (1) **ADDITIONAL JUDGESHIPS.**—On or after
 5 January 21, 2025, the President shall appoint, by
 6 and with the advice and consent of the Senate, 2 ad-
 7 ditional district judges for the eastern district of
 8 California.

9 (2) **TECHNICAL AND CONFORMING AMEND-**
 10 **MENT.**—The table in section 133(a) of title 28,
 11 United States Code, is amended by striking the
 12 items relating to California and inserting the fol-
 13 lowing:

“California:	
Northern	14
Eastern	8
Central	27
Southern	13”.

14 (3) **EFFECTIVE DATE.**—The amendment made
 15 by paragraph (2) shall take effect on January 20,
 16 2025.

17 (b) 2027.—

18 (1) **ADDITIONAL JUDGESHIPS.**—On or after
 19 January 5, 2027, the President shall appoint, by
 20 and with the advice and consent of the Senate, 1 ad-
 21 ditional district judge for the eastern district of Cali-
 22 fornia.

1 (2) TECHNICAL AND CONFORMING AMEND-
 2 MENT.—The table in section 133(a) of title 28,
 3 United States Code, is amended by striking the
 4 items relating to California and inserting the fol-
 5 lowing:

“California:

Northern	14
Eastern	9
Central	27
Southern	13”.

6 (3) EFFECTIVE DATE.—The amendment made
 7 by paragraph (2) shall take effect on January 4,
 8 2027.

9 (c) 2029.—

10 (1) ADDITIONAL JUDGESHIPS.—On or after
 11 January 21, 2029, the President shall appoint, by
 12 and with the advice and consent of the Senate, 2 ad-
 13 ditional district judges for the eastern district of
 14 California.

15 (2) TECHNICAL AND CONFORMING AMEND-
 16 MENT.—The table in section 133(a) of title 28,
 17 United States Code, is amended by striking the
 18 items relating to California and inserting the fol-
 19 lowing:

“California:

Northern	14
Eastern	11
Central	27
Southern	13”.

1 (3) EFFECTIVE DATE.—The amendment made
2 by paragraph (2) shall take effect on January 20,
3 2029.

4 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated such sums
6 as may be necessary to carry out this Act and the amend-
7 ments made by this Act, including such sums as may be
8 necessary to provide appropriate space and facilities for
9 the judicial positions created by this Act and the amend-
10 ments made by this Act.

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