

**FACT SHEET**  
**S. 4199, the JUDGES Act**

- S. 4199 the JUDGES Act, authorizes 63 new permanent district judgeships in 6 tranches over the next ten years. It also authorizes three temporary judgeships to address caseload concerns in Oklahoma. These new judgeships are needed to improve access to justice in the federal courts and to improve the efficient and effective administration of justice.
- It has been more than thirty years since the last comprehensive judgeship bill was enacted. The Judicial Conference, the policy-making body of the federal Judiciary has submitted its judgeship requests every two years. The needs are long standing. The allocation of judgeships is not a hastily adopted recommendation. S. 4199 is based on the recommendation of the Judicial Conference.
- Failure to add additional judges will result in a continuing increase in caseload growth and delays. Over the last 20 years, the number of civil cases pending longer than three years has more than tripled. In some of our country's most inundated courts, the time between filing and disposition for a civil trial is four or five years, compared to 20 years ago when the time was less than 22 months.
- Delays increase expenses for civil litigants and can lead to a lack of confidence in the Judiciary and the judicial process generally.
- The relatively few additional new judgeships per year, over the next ten years, as proposed by the legislation, would be a very small increase in the number of judicial vacancies that naturally occur during any particular presidential term due to judges taking senior status or the retirement, resignation, or death of judges. Yet adding a few new district judgeships to the dozens of vacancies already occurring each year would have a significant positive impact on the efficient administration of justice.
- The contributions of Senior judges and magistrate judges, which are critical to helping the district courts manage their growing caseloads, have already been considered and factored into the new judgeship requests of the Judicial Conference. The new judgeship recommendations also consider the availability of visiting judges; geographic factors; unusual caseload complexity; and temporary caseload fluctuations, among other factors.
- The existence of current vacancies is not a factor in the Judicial Conference's recommendation for new judgeships. While the Judiciary plays no role in the nomination, confirmation, or appointment process, we note that of the 25 districts in which judgeships are requested, only five of those districts (within three states) have vacancies with no nominee.
- While S. 4199 would authorize 25 new district judgeships (22 permanent, 3 temporary) during the upcoming term of the President-elect, this number of new district judgeships is at the low end of the range of new district judgeships authorized for the then-sitting President, in judgeship bills going back more than 60 years.
- Failure to enact S. 4199 in this Congress will likely push back the opportunity to pass a judgeship bill for at least four more years. This will have detrimental effects on litigants, the public, and the federal judiciary.