

118TH CONGRESS  
1ST SESSION

# H. R. 3223

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

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

Mr. COSTA (for himself, Mr. OBERNOLTE, and Ms. MATSUI) introduced the following bill; which was 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 Federal district court for the eastern  
10 district of California is the Federal trial court for 34

1 counties, including five of the fastest-growing cities  
2 in the State of California, serving a population of  
3 approximately 8,400,000.

4 (2) The Federal district court for the eastern  
5 district of California is one of the largest judicial  
6 districts in the country, with approximately  
7 8,400,000 residents and over 87,000 square miles of  
8 land. Yet, there are only six permanent judgeships,  
9 with one upcoming vacancy pending a nomination  
10 elevating a sitting district judge.

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

16 (4) As of June 2022, the total pending cases  
17 per judgeship in the Federal district court for the  
18 eastern district of California was 1,308, over 2.6  
19 times larger than the average for all districts within  
20 the United States Court of Appeals for the Ninth  
21 Circuit. Pending caseloads remain high, and if a new  
22 vacancy opens upon the elevation of the district  
23 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) **CLERICAL AMENDMENT.**—The table con-  
 10 tained in section 133(a) of title 28, United States  
 11 Code, is amended by striking the items relating to  
 12 California and inserting the following:

“California:

Northern .....	14
Eastern .....	8
Central .....	27
Southern .....	13”.

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

16 (b) 2027.—

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

22 (2) **CLERICAL AMENDMENT.**—The table con-  
 23 tained in section 133(a) of title 28, United States

1 Code, is amended by striking the items relating to  
 2 California and inserting the following:

“California:

Northern .....	14
Eastern .....	9
Central .....	27
Southern .....	13”.

3 (3) EFFECTIVE DATE.—The amendment made  
 4 by paragraph (2) shall take effect on January 4,  
 5 2027.

6 (c) 2029.—

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

12 (2) CLERICAL AMENDMENT.—The table con-  
 13 tained in section 133(a) of title 28, United States  
 14 Code, is amended by striking the items relating to  
 15 California and inserting the following:

“California:

Northern .....	14
Eastern .....	11
Central .....	27
Southern .....	13”.

16 (3) EFFECTIVE DATE.—The amendment made  
 17 by paragraph (2) shall take effect on January 20,  
 18 2029.

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

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

○