

119TH CONGRESS  
1ST SESSION

# S. 3020

To increase the number of judgeships for the United States Court of Appeals for the Ninth Circuit and certain district courts of the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 2025

Mr. SULLIVAN (for himself, Mr. CRAPO, Mr. DAINES, Ms. MURKOWSKI, Mr. RISCH, and Mr. SHEEHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To increase the number of judgeships for the United States Court of Appeals for the Ninth Circuit and certain district courts of the United States, and for other purposes.

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 “Judicial Efficiency Im-

5       provement Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) FORMER NINTH CIRCUIT.—The term

9       “former ninth circuit” means the ninth judicial cir-

1       cuit of the United States as in existence on the day  
2       before the effective date of this Act.

3               (2) NEW NINTH CIRCUIT.—The term “new  
4       ninth circuit” means the ninth judicial circuit of the  
5       United States established by the amendment made  
6       by section 3(2)(A).

7               (3) TWELFTH CIRCUIT.—The term “twelfth cir-  
8       cuit” means the twelfth judicial circuit of the United  
9       States established by the amendment made by sec-  
10      tion 3(2)(B).

11 **SEC. 3. NUMBER AND COMPOSITION OF CIRCUITS.**

12       Section 41 of title 28, United States Code, is amend-  
13      ed—

14               (1) in the matter preceding the table, by strik-  
15      ing “thirteen” and inserting “fourteen”; and

16               (2) in the table—

17                       (A) by striking the item relating to the  
18      ninth circuit and inserting the following:

“Ninth ..... California, Guam, Hawaii, Northern  
Mariana Islands.”;

19               and

20                       (B) by inserting after the item relating to  
21      the eleventh circuit the following:

“Twelfth ..... Alaska, Arizona, Idaho, Montana, Ne-  
vada, Oregon, Washington.”.

1 **SEC. 4. CIRCUIT COURT JUDGESHIPS.**

2 (a) NEW JUDGESHIPS.—The President shall appoint,  
3 by and with the advice and consent of the Senate, 2 addi-  
4 tional circuit judges for the new ninth circuit, whose offi-  
5 cial duty station shall be in California.

6 (b) EFFECTIVE DATE.—This section shall take effect  
7 on the date of enactment of this Act.

8 **SEC. 5. NUMBER OF CIRCUIT JUDGES.**

9 The table in section 44(a) of title 28, United States  
10 Code, is amended—

11 (1) by striking the item relating to the ninth  
12 circuit and inserting the following:

“Ninth ..... 18”;

13 and

14 (2) by inserting after the item relating to the  
15 eleventh circuit the following:

“Twelfth ..... 13”.

16 **SEC. 6. PLACES OF CIRCUIT COURT.**

17 The table in section 48(a) of title 28, United States  
18 Code, is amended—

19 (1) by striking the item relating to the ninth  
20 circuit and inserting the following:

“Ninth ..... Honolulu, Pasadena, San Fran-  
cisco.”;

21 and

1           (2) by inserting after the item relating to the  
2           eleventh circuit the following:

“Twelfth ..... Las Vegas, Phoenix, Portland, Se-  
attle.”.

3 **SEC. 7. LOCATION OF TWELFTH CIRCUIT HEADQUARTERS.**

4           The offices of the Circuit Executive of the Twelfth  
5 Circuit and the Clerk of the Court of the Twelfth Circuit  
6 shall be located in Seattle, Washington.

7 **SEC. 8. ASSIGNMENT OF CIRCUIT JUDGES.**

8           Each circuit judge of the former ninth circuit who  
9 is in regular active service and whose official duty station  
10 on the day before the effective date of this Act—

11           (1) is in California, Guam, Hawaii, or the  
12 Northern Mariana Islands shall be a circuit judge of  
13 the new ninth circuit as of that effective date; and

14           (2) is in Alaska, Arizona, Idaho, Montana, Ne-  
15 vada, Oregon, or Washington shall be a circuit judge  
16 of the twelfth circuit as of that effective date.

17 **SEC. 9. ELECTION OF ASSIGNMENT BY SENIOR JUDGES.**

18           Each judge who is a senior circuit judge of the former  
19 ninth circuit on the day before the effective date of this  
20 Act—

21           (1) may elect to be assigned to the new ninth  
22 circuit or the twelfth circuit as of that effective date;  
23 and

1           (2) shall notify the Director of the Administra-  
2           tive Office of the United States Courts of the elec-  
3           tion made under paragraph (1).

4   **SEC. 10. SENIORITY OF JUDGES.**

5           The seniority of each judge who is assigned under  
6           section 8 or elects to be assigned under section 9 shall  
7           run from the date of commission of the judge as a judge  
8           of the former ninth circuit.

9   **SEC. 11. APPLICATION TO CASES.**

10          The following apply to any case in which, on the day  
11          before the effective date of this Act, an appeal or other  
12          proceeding has been filed with the former ninth circuit:

13               (1) Except as provided in paragraph (3), if the  
14          matter has been submitted for decision, further pro-  
15          ceedings with respect to the matter shall be had in  
16          the same manner and with the same effect as if this  
17          Act had not been enacted.

18               (2) If the matter has not been submitted for de-  
19          cision, the appeal or proceeding, together with the  
20          original papers, printed records, and record entries  
21          duly certified, shall, by appropriate orders, be trans-  
22          ferred to the court to which the matter would have  
23          been submitted had this Act been in full force and  
24          effect on the date on which the appeal was taken or  
25          other proceeding commenced, and further pro-

1       ceedings with respect to the case shall be had in the  
 2       same manner and with the same effect as if the ap-  
 3       peal or other proceeding had been filed in that court.

4           (3) If a petition for rehearing en banc is pend-  
 5       ing on or after the effective date of this Act, the pe-  
 6       tition shall be considered by the court of appeals to  
 7       which the petition would have been submitted had  
 8       this Act been in full force and effect on the date on  
 9       which the appeal or other proceeding was filed with  
 10      the court of appeals.

11 **SEC. 12. TEMPORARY ASSIGNMENT OF CIRCUIT JUDGES**  
 12 **AMONG CIRCUITS.**

13       Section 291 of title 28, United States Code, is  
 14 amended by adding at the end the following:

15       “(c) The chief judge of the United States Court of  
 16 Appeals for the Ninth Circuit may, in the public interest  
 17 and upon request by the chief judge of the United States  
 18 Court of Appeals for the Twelfth Circuit, designate and  
 19 assign temporarily any circuit judge of the Ninth Circuit  
 20 to act as circuit judge in the Twelfth Circuit.

21       “(d) The chief judge of the United States Court of  
 22 Appeals for the Twelfth Circuit may, in the public interest  
 23 and upon request by the chief judge of the United States  
 24 Court of Appeals for the Ninth Circuit, designate and as-

1 sign temporarily any circuit judge of the Twelfth Circuit  
 2 to act as circuit judge in the Ninth Circuit.”.

3 **SEC. 13. TEMPORARY ASSIGNMENT OF DISTRICT JUDGES**  
 4 **AMONG CIRCUITS.**

5 Section 292 of title 28, United States Code, is  
 6 amended by adding at the end the following:

7 “(f) The chief judge of the United States Court of  
 8 Appeals for the Ninth Circuit may in the public interest—

9 “(1) upon request by the chief judge of the  
 10 United States Court of Appeals for the Twelfth Cir-  
 11 cuit, designate and assign one or more district  
 12 judges of the Ninth Circuit to sit upon the Court of  
 13 Appeals of the Twelfth Circuit, or a division thereof,  
 14 whenever the business of that court so requires; and

15 “(2) designate and assign temporarily any dis-  
 16 trict judge of the Ninth Circuit to hold a district  
 17 court in any district within the Twelfth Circuit.

18 “(g) The chief judge of the United States Court of  
 19 Appeals for the Twelfth Circuit may in the public inter-  
 20 est—

21 “(1) upon request by the chief judge of the  
 22 United States Court of Appeals for the Ninth Cir-  
 23 cuit, designate and assign one or more district  
 24 judges of the Twelfth Circuit to sit upon the Court  
 25 of Appeals of the Ninth Circuit, or a division there-

1 of, whenever the business of that court so requires;  
 2 and

3 “(2) designate and assign temporarily any dis-  
 4 trict judge of the Twelfth Circuit to hold a district  
 5 court in any district within the Ninth Circuit.

6 “(h) Any designation or assignment under subsection  
 7 (f) or (g) shall be in conformity with the rules or orders  
 8 of the court of appeals of, or the district within, as applica-  
 9 ble, the circuit to which the judge is designated or as-  
 10 signed.”.

11 **SEC. 14. ADDITIONAL DISTRICT JUDGES FOR THE DISTRICT**  
 12 **COURTS.**

13 (a) ADDITIONAL JUDGESHIPS.—

14 (1) 2025.—

15 (A) IN GENERAL.—The President shall ap-  
 16 point, by and with the advice and consent of the  
 17 Senate—

18 (i) 1 additional district judge for the  
 19 central district of California;

20 (ii) 1 additional district judge for the  
 21 eastern district of California;

22 (iii) 1 additional district judge for the  
 23 northern district of California;

24 (iv) 1 additional district judge for the  
 25 district of Delaware;



1 (v) 1 additional district judge for the  
 2 middle district of Florida;

3 (vi) 1 additional district judge for the  
 4 southern district of Indiana;

5 (vii) 1 additional district judge for the  
 6 northern district of Iowa;

7 (viii) 1 additional district judge for  
 8 the district of New Jersey;

9 (ix) 1 additional district judge for the  
 10 southern district of New York;

11 (x) 1 additional district judge for the  
 12 eastern district of Texas; and

13 (xi) 1 additional district judge for the  
 14 southern district of Texas.

15 (B) TABLES.—The table contained in sec-  
 16 tion 133(a) of title 28, United States Code, is  
 17 amended—

18 (i) by striking the items relating to  
 19 California and inserting the following:

“California:	
Northern .....	15
Eastern .....	7
Central .....	28
Southern .....	13”;

20 (ii) by striking the item relating to  
 21 Delaware and inserting the following:

“Delaware .....	5”;
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- 1 (iii) by striking the items relating to  
 2 Florida and inserting the following:

“Florida:  
 Northern ..... 4  
 Middle ..... 16  
 Southern ..... 17”;

- 3 (iv) by striking the items relating to  
 4 Indiana and inserting the following:

“Indiana:  
 Northern ..... 5  
 Southern ..... 6”;

- 5 (v) by striking the items relating to  
 6 Iowa and inserting the following:

“Iowa:  
 Northern ..... 3  
 Southern ..... 3”;

- 7 (vi) by striking the item relating to  
 8 New Jersey and inserting the following:

“New Jersey ..... 18”;

- 9 (vii) by striking the items relating to  
 10 New York and inserting the following:

“New York:  
 Northern ..... 5  
 Southern ..... 29  
 Eastern ..... 15  
 Western ..... 4”;

- 11 and

- 12 (viii) by striking the items relating to  
 13 Texas and inserting the following:

“Texas:  
 Northern ..... 12  
 Southern ..... 20  
 Eastern ..... 8

Western ..... 13”.

1 (C) EFFECTIVE DATE.—This paragraph  
2 shall take effect on the date of enactment of  
3 this Act.

4 (2) 2027.—

5 (A) IN GENERAL.—The President shall ap-  
6 point, by and with the advice and consent of the  
7 Senate—

8 (i) 1 additional district judge for the  
9 district of Arizona;

10 (ii) 2 additional district judges for the  
11 central district of California;

12 (iii) 1 additional district judge for the  
13 eastern district of California;

14 (iv) 1 additional district judge for the  
15 northern district of California;

16 (v) 1 additional district judge for the  
17 middle district of Florida;

18 (vi) 1 additional district judge for the  
19 southern district of Florida;

20 (vii) 1 additional district judge for the  
21 northern district of Georgia;

22 (viii) 1 additional district judge for  
23 the district of Idaho;

1 (ix) 1 additional district judge for the  
 2 northern district of Texas; and

3 (x) 1 additional district judge for the  
 4 southern district of Texas.

5 (B) TABLES.—The table contained in sec-  
 6 tion 133(a) of title 28, United States Code, as  
 7 amended by paragraph (1) of this subsection, is  
 8 amended—

9 (i) by striking the item relating to Ar-  
 10 izona and inserting the following:

“Arizona ..... 13”;

11 (ii) by striking the items relating to  
 12 California and inserting the following:

“California:  
 Northern ..... 16  
 Eastern ..... 8  
 Central ..... 30  
 Southern ..... 13”;

13 (iii) by striking the items relating to  
 14 Florida and inserting the following:

“Florida:  
 Northern ..... 4  
 Middle ..... 17  
 Southern ..... 18”;

15 (iv) by striking the items relating to  
 16 Georgia and inserting the following:

“Georgia:  
 Northern ..... 12  
 Middle ..... 4  
 Southern ..... 3”;

1 (v) by striking the item relating to  
 2 Idaho and inserting the following:

“Idaho ..... 3”;

3 and

4 (vi) by striking the items relating to  
 5 Texas and inserting the following:

“Texas:

Northern ..... 13

Southern ..... 21

Eastern ..... 8

Western ..... 13”.

6 (C) EFFECTIVE DATE.—This paragraph  
 7 shall take effect on January 21, 2027.

8 (3) 2029.—

9 (A) IN GENERAL.—The President shall ap-  
 10 point, by and with the advice and consent of the  
 11 Senate—

12 (i) 1 additional district judge for the  
 13 central district of California;

14 (ii) 1 additional district judge for the  
 15 eastern district of California;

16 (iii) 1 additional district judge for the  
 17 northern district of California;

18 (iv) 1 additional district judge for the  
 19 district of Colorado;

20 (v) 1 additional district judge for the  
 21 district of Delaware;

1 (vi) 1 additional district judge for the  
2 district of Nebraska;

3 (vii) 1 additional district judge for the  
4 eastern district of New York;

5 (viii) 1 additional district judge for  
6 the eastern district of Texas;

7 (ix) 1 additional district judge for the  
8 southern district of Texas; and

9 (x) 1 additional district judge for the  
10 western district of Texas.

11 (B) TABLES.—The table contained in sec-  
12 tion 133(a) of title 28, United States Code, as  
13 amended by paragraph (2) of this subsection, is  
14 amended—

15 (i) by striking the items relating to  
16 California and inserting the following:

“California:	
Northern .....	17
Eastern .....	9
Central .....	31
Southern .....	13”;

17 (ii) by striking the item relating to  
18 Colorado and inserting the following:

“Colorado .....	8”;
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19 (iii) by striking the item relating to  
20 Delaware and inserting the following:

“Delaware .....	6”;
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1 (iv) by striking the item relating to  
 2 Nebraska and inserting the following:

“Nebraska ..... 4”;

3 (v) by striking the items relating to  
 4 New York and inserting the following:

“New York:

Northern ..... 5  
 Southern ..... 29  
 Eastern ..... 16  
 Western ..... 4”;

5 and

6 (vi) by striking the items relating to  
 7 Texas and inserting the following:

“Texas:

Northern ..... 13  
 Southern ..... 22  
 Eastern ..... 9  
 Western ..... 14”.

8 (C) EFFECTIVE DATE.—This paragraph  
 9 shall take effect on January 21, 2029.

10 (4) 2031.—

11 (A) IN GENERAL.—The President shall ap-  
 12 point, by and with the advice and consent of the  
 13 Senate—

14 (i) 1 additional district judge for the  
 15 district of Arizona;

16 (ii) 1 additional district judge for the  
 17 central district of California;

1 (iii) 1 additional district judge for the  
2 eastern district of California;

3 (iv) 1 additional district judge for the  
4 northern district of California;

5 (v) 1 additional district judge for the  
6 southern district of California;

7 (vi) 1 additional district judge for the  
8 middle district of Florida;

9 (vii) 1 additional district judge for the  
10 southern district of Florida;

11 (viii) 1 additional district judge for  
12 the district of New Jersey;

13 (ix) 1 additional district judge for the  
14 western district of New York; and

15 (x) 2 additional district judges for the  
16 western district of Texas.

17 (B) TABLES.—The table contained in sec-  
18 tion 133(a) of title 28, United States Code, as  
19 amended by paragraph (3) of this subsection, is  
20 amended—

21 (i) by striking the item relating to Ar-  
22 izona and inserting the following:

“Arizona ..... 14”;

23 (ii) by striking the items relating to  
24 California and inserting the following:



“California:	
Northern .....	18
Eastern .....	10
Central .....	32
Southern .....	14”;

1 (iii) by striking the items relating to  
2 Florida and inserting the following:

“Florida:	
Northern .....	4
Middle .....	18
Southern .....	19”;

3 (iv) by striking the item relating to  
4 New Jersey and inserting the following:

“New Jersey .....	19”;
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5 (v) by striking the items relating to  
6 New York and inserting the following:

“New York:	
Northern .....	5
Southern .....	29
Eastern .....	16
Western .....	5”;

7 and

8 (vi) by striking the items relating to  
9 Texas and inserting the following:

“Texas:	
Northern .....	13
Southern .....	22
Eastern .....	9
Western .....	16”.

10 (C) EFFECTIVE DATE.—This paragraph  
11 shall take effect on January 21, 2031.

12 (5) 2033.—

1 (A) IN GENERAL.—The President shall ap-  
2 point, by and with the advice and consent of the  
3 Senate—

4 (i) 2 additional district judges for the  
5 central district of California;

6 (ii) 1 additional district judge for the  
7 northern district of California;

8 (iii) 1 additional district judge for the  
9 district of Colorado;

10 (iv) 1 additional district judge for the  
11 middle district of Florida;

12 (v) 1 additional district judge for the  
13 northern district of Florida;

14 (vi) 1 additional district judge for the  
15 northern district of Georgia;

16 (vii) 1 additional district judge for the  
17 southern district of New York;

18 (viii) 1 additional district judge for  
19 the southern district of Texas; and

20 (ix) 1 additional district judge for the  
21 western district of Texas.

22 (B) TABLES.—The table contained in sec-  
23 tion 133(a) of title 28, United States Code, as  
24 amended by paragraph (4) of this subsection, is  
25 amended—

- 1 (i) by striking the items relating to  
 2 California and inserting the following:

“California:  
 Northern ..... 19  
 Eastern ..... 10  
 Central ..... 34  
 Southern ..... 14”;

- 3 (ii) by striking the item relating to  
 4 Colorado and inserting the following:

“Colorado ..... 9”;

- 5 (iii) by striking the items relating to  
 6 Florida and inserting the following:

“Florida:  
 Northern ..... 5  
 Middle ..... 19  
 Southern ..... 19”;

- 7 (iv) by striking the items relating to  
 8 Georgia and inserting the following:

“Georgia:  
 Northern ..... 13  
 Middle ..... 4  
 Southern ..... 3”;

- 9 (v) by striking the items relating to  
 10 New York and inserting the following:

“New York:  
 Northern ..... 5  
 Southern ..... 30  
 Eastern ..... 16  
 Western ..... 5”;

11 and

- 12 (vi) by striking the items relating to  
 13 Texas and inserting the following:

“Texas:

Northern .....	13
Southern .....	23
Eastern .....	9
Western .....	17”.

1                   (C) EFFECTIVE DATE.—This paragraph  
2                   shall take effect on January 21, 2033.

3                   (6) 2035.—

4                   (A) IN GENERAL.—The President shall ap-  
5                   point, by and with the advice and consent of the  
6                   Senate—

7                               (i) 2 additional district judges for the  
8                               central district of California;

9                               (ii) 1 additional district judge for the  
10                              northern district of California;

11                             (iii) 1 additional district judge for the  
12                             southern district of California;

13                             (iv) 1 additional district judge for the  
14                             middle district of Florida;

15                             (v) 1 additional district judge for the  
16                             southern district of Florida;

17                             (vi) 1 additional district judge for the  
18                             district of New Jersey;

19                             (vii) 1 additional district judge for the  
20                             eastern district of New York; and

21                             (viii) 2 additional district judges for  
22                             the western district of Texas.

1 (B) TABLES.—The table contained in sec-  
 2 tion 133(a) of title 28, United States Code, as  
 3 amended by paragraph (5) of this subsection, is  
 4 amended—

5 (i) by striking the items relating to  
 6 California and inserting the following:

“California:	
Northern .....	20
Eastern .....	10
Central .....	36
Southern .....	15”;

7 (ii) by striking the items relating to  
 8 Florida and inserting the following:

“Florida:	
Northern .....	5
Middle .....	20
Southern .....	20”;

9 (iii) by striking the item relating to  
 10 New Jersey and inserting the following:

“New Jersey .....	20”;
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11 (iv) by striking the items relating to  
 12 New York and inserting the following:

“New York:	
Northern .....	5
Southern .....	30
Eastern .....	17
Western .....	5”;

13 and

14 (v) by striking the items relating to  
 15 Texas and inserting the following:

“Texas:	
Northern .....	13

Southern .....	23
Eastern .....	9
Western .....	19”.

1 (C) EFFECTIVE DATE.—This paragraph  
2 shall take effect on January 21, 2035.

3 (b) TEMPORARY JUDGESHIP.—

4 (1) IN GENERAL.—The President shall appoint,  
5 by and with the advice and consent of the Senate—

6 (A) 2 additional district judges for the  
7 eastern district of Oklahoma; and

8 (B) 1 additional district judge for the  
9 northern district of Oklahoma.

10 (2) VACANCIES NOT FILLED.—The first va-  
11 cancy in the office of district judge in each of the  
12 offices of district judge authorized by this sub-  
13 section, occurring 5 years or more after the con-  
14 firmation date of the judge named to fill the tem-  
15 porary district judgeship created in the applicable  
16 district by this subsection, shall not be filled.

17 (3) EFFECTIVE DATE.—This subsection shall  
18 take effect on the date of enactment of this Act.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be  
21 appropriated to carry out this section and the  
22 amendments made by this section—

23 (A) for each of fiscal years 2025 and 2026,  
24 \$12,965,330;

1 (B) for each of fiscal years 2027 and  
2 2028, \$23,152,375;

3 (C) for each of fiscal years 2029 and 2030,  
4 \$32,413,325;

5 (D) for each of fiscal years 2031 and  
6 2032, \$42,600,370;

7 (E) for each of fiscal years 2033 and  
8 2034, \$51,861,320; and

9 (F) for fiscal year 2035 and each fiscal  
10 year thereafter, \$61,122,270.

11 (2) INFLATION ADJUSTMENT.—For each fiscal  
12 year described in paragraph (1), the amount author-  
13 ized to be appropriated for such fiscal year shall be  
14 increased by the percentage by which—

15 (A) the Consumer Price Index for the pre-  
16 vious fiscal year, exceeds

17 (B) the Consumer Price Index for the fis-  
18 cal year preceding the fiscal year described in  
19 subparagraph (A).

20 (3) DEFINITION.—In this subsection, the term  
21 “Consumer Price Index” means the Consumer Price  
22 Index for All Urban Consumers (all items, United  
23 States city average), published by the Bureau of  
24 Labor Statistics of the Department of Labor.

1 **SEC. 15. ADMINISTRATION.**

2 (a) **TRANSITION AUTHORITY.**—The court of appeals  
3 for the ninth circuit as constituted on the day before the  
4 effective date of this Act may take any administrative ac-  
5 tion that is required to carry out this Act and the amend-  
6 ments made by this Act.

7 (b) **ADMINISTRATIVE TERMINATION.**—The court de-  
8 scribed in subsection (a) shall cease to exist for adminis-  
9 trative purposes 2 years after the date of enactment of  
10 this Act.

11 **SEC. 16. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated such sums  
13 as may be necessary to carry out this Act, including funds  
14 for additional court facilities.

15 **SEC. 17. EFFECTIVE DATE.**

16 Except as provided in section 4(b) and 14, this Act  
17 and the amendments made by this Act shall take effect  
18 1 year after the date of enactment of this Act.

○