

Public Law 96-4
96th Congress

An Act

Mar. 30, 1979

[H.R. 2301]

To amend the Federal District Court Organization Act of 1978 with respect to certain administrative matters arising from the redrawing of the Federal judicial districts in the State of Illinois.

Federal District
Court
Organization
Act of 1978,
amendment.
28 USC 133.
28 USC 93 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Federal District Court Organization Act of 1978 (92 Stat. 883) is amended by striking out paragraph (2) of subsection (b) and inserting in lieu thereof the following:

“(2) The district judge for the Eastern District of Illinois in office on the effective date of this Act who is senior in commission shall, on and after the effective date of this Act, be a district judge for the Southern District of Illinois. The remaining district judge for the Eastern District of Illinois who is in office on the effective date of this Act and the district judges for the Southern District of Illinois who are in office on the effective date of this Act shall, on and after the effective date of this Act, be district judges for the Central District of Illinois. The President shall appoint, by and with the advice and consent of the Senate, a second district judge for the Southern District of Illinois.

“(3) This section does not in any manner affect the tenure of the United States attorney, the assistant United States attorneys, or the United States marshal for the Eastern District of Illinois or for the Southern District of Illinois who are in office on the effective date of this Act. The United States attorney, the assistant United States attorneys, and the United States marshal for the Eastern District and for the Southern District of Illinois shall, on the effective date of this Act, become the United States attorney, the assistant United States attorneys, and the United States marshal for the Southern District and for the Central District of Illinois, respectively.

“(4) Notwithstanding section 3240 of title 18, United States Code, any grand jury impaneled on or after the effective date of this Act by a district court for the Central District or the Southern District of Illinois may inquire into and return indictments charging offenses against the criminal laws of the United States alleged to have been committed anywhere within the territory of the respective judicial districts as such districts were constituted before or after the effective date of this Act.”

SEC. 2. Section 6 of the Act entitled "An Act to amend title 28 of the United States Code to make certain changes in the divisions within judicial districts and in the places of holding court, and to require the Director of the Administrative Office of the United States Courts to conduct a study of the judicial business of the Central District of California and the Eastern District of New York", approved November 2, 1978 (92 Stat. 2458), is amended by inserting "(1)" immediately after "(b)" and adding at the end thereof the following new paragraph:

28 USC 93 note.

"(2) The provisions of the first section of this Act shall take effect on March 31, 1979."

Effective date.

Approved March 30, 1979.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-55 (Comm. on the Judiciary).

SENATE REPORT No. 96-34 accompanying S. 443 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 125 (1979):

Mar. 22, considered and passed House; considered and passed Senate, in lieu of S. 443.