



Recommendation for New U.S. Circuit and District Court Judgeships by the Judicial Conference of the United States (118th Congress)

April 5, 2023

Congress determines through legislative action both the size and structure of the federal judiciary, including [the number of U.S. circuit and district court judgeships](#). The [Judicial Conference of the United States](#), the policymaking body of the federal courts, makes a biennial recommendation to Congress that identifies any circuit and district courts that, according to the Conference, require new judgeships to more effectively administer civil and criminal justice in the federal system. This Insight provides information related to the Conference's [most recent recommendation](#) that was [released on March 14, 2023](#).

U.S. Circuit Court Judgeships

The Conference's most recent recommendation requests two new permanent judgeships for the [U.S. Court of Appeals for the Ninth Circuit](#) (comprised of California, eight other western states, and two U.S. territories). This would increase the number of judgeships for the Ninth Circuit from 29 to 31. The Ninth Circuit is the country's most populous circuit, with a population of approximately 67 million.

U.S. District Court Judgeships

The Conference also recommends that Congress authorize 73 permanent judgeships across 28 district courts (this includes authorizing 66 **new** permanent judgeships and **converting** 7 existing [temporary judgeships](#) to permanent judgeships). Of the 28 district courts, the Conference recommends authorizing more than one permanent judgeship for 17 (61%). The Conference also recommends extending two existing temporary district court judgeships for an additional five years (one for the [Northern District of Alabama](#) and one for the [District of Kansas](#)).

Figure 1 shows the 30 judicial districts for which the Conference made judgeship recommendations to Congress.

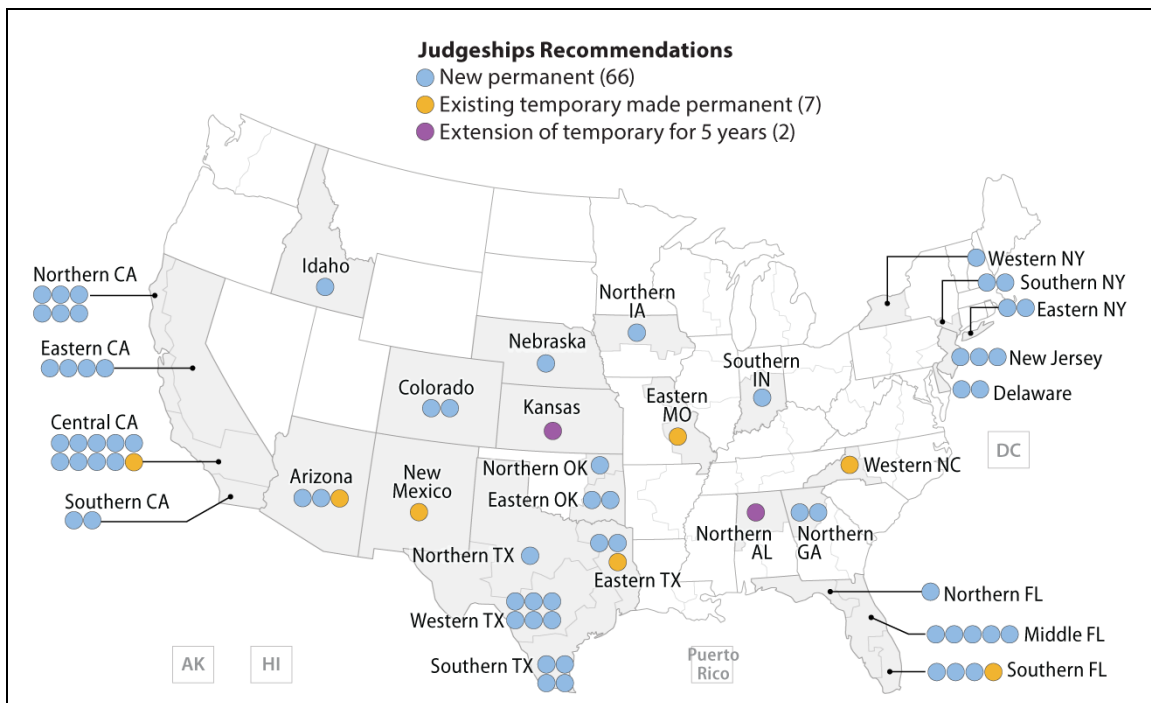
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IN12140

The greatest number of new permanent judgeships was recommended for the [U.S. District Court for the Central District of California](#) (which exercises jurisdiction over Los Angeles County and six other counties). Specifically, the Conference recommends nine new permanent judgeships for the court and also converting the court's one existing temporary judgeship to a permanent judgeship (for a total of 10 new permanent judgeships). The Central District of California is the most populous district in the country, with an estimated population of 19.2 million.

Figure 1. Judgeship Recommendations by the Judicial Conference
(118th Congress)



Source: Map by Congressional Research service based on [information provided by the Administrative Office of U.S. Courts](#).

A total of 51 (or 70%) of the 73 recommended permanent judgeships are for U.S. district courts located in the country's four most populous states—California (22 judgeships), Texas (14), Florida (10), and New York (5).

Weighted Filings

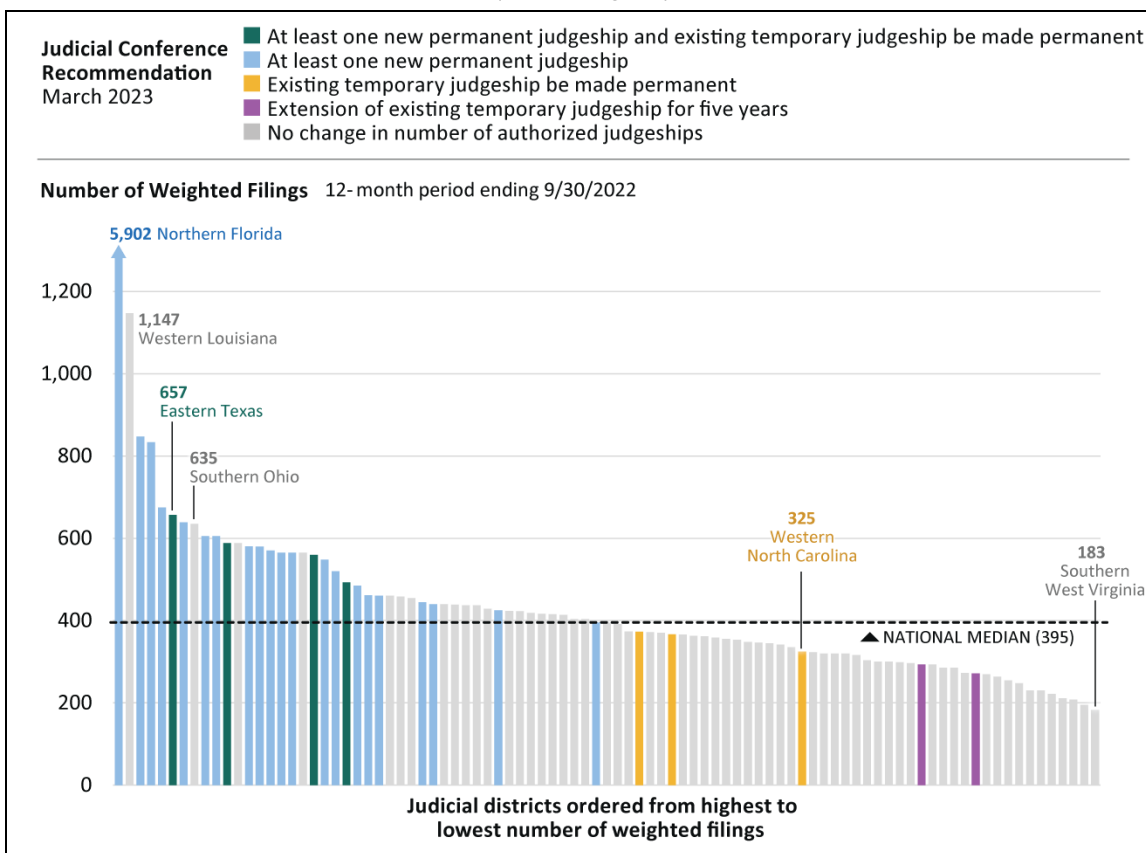
The Judicial Conference's recommendation as to which district courts need new judgeships is based, in part, upon a comparison across district courts of the number of "weighted filings" per authorized judgeship. Weighted filings "account for the different amounts of time district judges require to resolve various types of civil and criminal actions." Specifically, the weighted filings statistic takes into account the relative complexity of cases and the expected amount of time required for the disposition of cases for any given court. For example, for FY2022, the U.S. District Court for the District of Delaware had the fourth-highest number of weighted filings per authorized judgeship, in part, because [cases involving intellectual property rights](#), which can be complex and time-consuming, [comprised 43% of civil case filings](#) for the court (compared to 5% of all civil case filings nationally).

As shown by **Figure 2**, the median number of weighted filings per authorized judgeship across U.S. district courts was 395 weighted filings. The greatest number of weighted filings per authorized judgeship

was for the [U.S. District Court for the Northern District of Florida](#) (5,902), while the fewest number of weighted filings was for the [U.S. District Court for the Southern District of West Virginia](#) (183). The relatively high number of weighted filings for the Northern District of Florida is attributable to [multidistrict litigation](#) involving [products liability](#) claims.

In general, the Conference [requires a court to have over 430 weighted filings per judgeship](#) in order for it to recommend at least one additional judgeship for the court (although other factors can be considered). Of the 34 district courts with over 430 weighted filings per authorized judgeship, the Conference recommended additional permanent judgeships for 23 (68%).

Figure 2. Judgeship Recommendations by Number of Weighted Filings
(118th Congress)



Source: Figure by the Congressional Research Service based on [public data provided by the Administrative Office of U.S. Courts](#).

Of the 57 district courts with 430 or fewer weighted filings per judgeship, the Conference recommended additional permanent judgeships for 5 (9%)—including the conversion of 3 existing temporary judgeships to permanent status for 3 district courts. The [Western District of North Carolina](#), with a weighted filings statistic of 325, is the district court with the lowest number of weighted filings for which the Conference recommended a new permanent judgeship (by converting the court’s existing temporary judgeship to permanent status).

There are four district courts for which the Conference recommends the authorization of two or more permanent judgeships and the conversion of an existing temporary judgeship to permanent status. Of these four, the [Eastern District of Texas](#) has the highest number of weighted filings per authorized judgeship (657).

The two district courts with the highest number of weighted filings per authorized judgeship and for which the Conference did not recommend at least one new permanent judgeship are the [Western District of Louisiana](#) (1,147 weighted filings) and the [Southern District of Ohio](#) (635).

While the number of weighted filings per judgeship is the primary factor in the Judicial Conference's evaluation of the need for additional judgeships, the Conference's recommendations are not based solely upon this particular statistic. The Conference considers other factors, such as the availability of [senior](#), [visiting](#), and [magistrate judges](#) to assist in handling a district court's caseload or unusual caseload activity that temporarily increases or decreases a court's workload.

Author Information

Barry J. McMillion
Analyst in American National Government

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