

# S.19

To vest the power to preside over state courts of last resort in district judges as well as reorganize the federal judiciary

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## IN THE SENATE OF THE UNITED STATES

August 26th, 2022

Mr. Charest-Harris (for himself) introduced the following bill;

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### A BILL

-To vest the power to preside over state courts of last resorts in district judges as well as reorganize the federal judiciary-

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SEC. 2. FINDINGS.

The Congress finds that—

- (a) State Courts of last resort consistently have vacancies
- (b) There is a difficulty in finding judges to satisfy both the State Judiciaries and the Federal Judiciary

#### SEC. 3. DEFINITIONS.

In this Act—

- (a) COURT OF APPEALS.— The term “Court of Appeals” refers to the term as defined under Title 28 U.S Code § 43
- (b) DISTRICT COURT.— The term “District Court” refers to the term as defined under Title 28 U.S. Code § 132

(c) DISTRICT JUDGE.— The term “District Judge” refers to a Judge of a District Court.

(d) CIRCUIT JUDGE. — The term “Circuit Judge” refers to a Judge of a Court of Appeals

#### **SEC. 4. PROVISIONS**

(a) IN GENERAL.—The following sections of the U.S. Code are to be amended as follows.

(i) Title 28 U.S. Code § 41 is struck and read to say

(1) The Judicial Circuits of the United States is constituted as follows:

a) The First Circuit which is composed of Olympia, D.C., and Lincoln.

b) The Second Circuit which is composed of Jackson and Pacifica

(ii) Title 28 U.S. Code § 44 is struck and read to say

(1) The President shall appointed with the advice and consent of the Senate circuit judges for the several circuits as follows

a) One judge for the First Circuit

b) One judge for the Second Circuit

(iii) Title 28 U.S. Code § 81 is struck and read to say

(1) The Commonwealth of Olympia and the District of Columbia are merged into one judicial district to be known as the District of New England

(2) District of New England

a) Court for the District of New England shall be held in Washington D.C. or Boston

(iv) Title 28 U.S. Code § 82 is struck and read to say

(1) The Commonwealth of Lincoln shall have one judicial district to be known as the District of Lincoln

(2) District of Lincoln

a) Court for the District of Lincoln shall be held in Columbus

(v) Title 28 U.S. Code § 83 is struck and read to say

(1) The State of Jackson shall have one judicial district to be known as the District of Jackson

(2) District of Jackson

a) Court for the District of Jackson shall be held in Atlanta

(vi) Title 28 U.S. Code § 84 is struck and read to say

(1) The District of Pacifica shall have one judicial district to be known as the District of Pacifica

(2) District of Pacifica

a) Court for the District of Pacifica shall be held in Sacramento

(vii) Title 28 U.S. Code § 81A, Title 28 U.S. Code § 85-131 are hereby repealed

(viii) Title 28 U.S. Code § 133 is struck and read to say

(1) The President shall appoint, by and with advice and consent of the Senate, district judges for the several districts, as follows

(2) One Judge for the District of New England

(3) One Judge for the District of Lincoln

(4) One Judge for the District of Jackson

(5) One Judge for the District of Pacifica

(ix) Title 28 U.S. Code § 134 (b) is struck and read to say

(1) Each district judge shall reside in the district for which he is appointed.

(2) Each district judge shall have power to preside over state cases as follows

a) The District Judge for the District of New England shall preside over all cases filed in the Superior Court of Olympia if such court is vacant

b) The District Judge for the District of Lincoln shall preside over cases all filed in the Supreme Court of Lincoln if such court is vacant

c) The District Judge for the District of Jackson shall preside over all cases filed in the Supreme Court of Jackson if such court is vacant

- d) The District Judge for the District of Pacifica shall preside over all cases filed in the Supreme Court of Pacifica if such court is vacant

**Sec.5. SUPREMACY**

All laws in conflict with this legislation are declared null and void.

**Sec.6. ENACTMENT**

EFFECTIVE DATE.—The provisions of this Act, except for Sec.5 (a)(ix)(2), shall come into full force immediately upon passage. Sec.5 (a)(ix)(2) shall come into effect immediately succeeding the ratification of S.J.Res.3 of the 168th Congress