

The House of Representatives created an investigatory committee to look into the judicial administrative processes of federal judges. In particular, the committee was tasked with investigating the issuance of court orders, the management of trial schedules, and the drafting of basic court documents by judicial assistants. The goal of the committee was to ensure that the administrative processes were carried out efficiently, accurately, and pursuant to federal legislation regarding the judicial administrative process.

After much investigation, the committee concluded that a federal district court judge was negligently mismanaging his trial schedule, causing undue delays in his case log. Based upon its findings, the committee made a recommendation to the House of Representatives to remove the federal judge.

Can the House of Representatives remove the federal judge based on the committee's recommendation?

- A. No, because the House of Representatives cannot investigate a federal judge's administrative processes.
- B. No, because the federal judge can be removed only by impeachment.
- C. Yes, because the House of Representatives can remove federal judges with or without cause.
- D. Yes, because the federal judge mismanaged his trial schedule.

Explanation:

Federal judges

Type	Attributes	Examples
Article I	<ul style="list-style-type: none">• Implement Congress's enumerated powers• Not entitled to life tenure & undiminished pay	<ul style="list-style-type: none">• Tax court• Bankruptcy court• Veterans' claims court
Article III	<ul style="list-style-type: none">• Decide actual cases or controversies• Entitled to life tenure & undiminished pay	<ul style="list-style-type: none">• District court• Circuit appellate court• SCOTUS

SCOTUS = Supreme Court of the United States.

There are **two types of federal judges**:

- Article I judges – who serve on specialized courts created by Congress under Article I to perform functions deemed helpful in carrying out Congress's **enumerated powers** (e.g., veterans' claims courts)
- Article III judges – who serve on courts created under Article III to decide the merits of **actual cases or controversies** (e.g., federal district courts)

Article III judges are independent of Congress, the President, and the political process. To help guarantee their judicial independence, Article III judges are **entitled to life tenure** during good behavior **and undiminished pay** during their service. This has been interpreted to mean that Article III judges **can be removed** from office **only through impeachment**. This process requires the House of Representatives to adopt articles of impeachment by a majority vote and the Senate to convict by a two-thirds vote.

Here, the House of Representatives created a committee to investigate the work of federal judges. After concluding that a federal district court judge negligently mismanaged his trial schedule, the committee recommended that the House of Representatives remove him **(Choice D)**. But since the federal district court judge can be removed only by impeachment—which also requires Senate action—the House of Representatives cannot unilaterally remove him based on the committee's recommendation.

(Choice A) Both the House of Representatives and the Senate have the power to *investigate* a federal judge's administrative processes. But a federal district court judge can be *removed* only through impeachment.

(Choice C) A federal district court judge can be removed through impeachment—regardless of whether adequate cause exists for removal.

Educational objective:

Article III judges are entitled to life tenure during good behavior and undiminished pay during their service—and therefore can be removed from office only through impeachment. This process requires the House of Representatives to adopt articles of impeachment by a majority vote and the Senate to convict by a two-thirds vote.

References

- *Glidden Co. v. Zdanok*, 370 U.S. 530, 534 (1962) (stating that only Article III judges are entitled to life tenure during good behavior and undiminished salaries while in service).

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