

110TH CONGRESS  
1ST SESSION

# S. 1192

To increase the number of Federal judgeships in certain judicial districts with heavy caseloads of criminal immigration cases.

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## IN THE SENATE OF THE UNITED STATES

APRIL 24, 2007

Mr. DOMENICI (for himself, Mr. CORNYN, Mrs. HUTCHISON, and Mr. KYL) 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 Federal judgeships in certain judicial districts with heavy caseloads of criminal immigration cases.

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 “Federal Criminal Im-  
5 migration Courts Act of 2007”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Based on the recommendations  
8 made by the 2007 Judicial Conference and the statistical  
9 data provided by the 2006 Federal Court Management

1 Statistics (issued by the Administrative Office of the  
2 United States Courts), the Congress finds the following:

3 (1) Federal courts along the southwest border  
4 of the United States have a greater percentage of  
5 their criminal caseload affected by immigration cases  
6 than other Federal courts.

7 (2) The percentage of criminal immigration  
8 cases in most southwest border district courts totals  
9 more than 49 percent of the total criminal caseloads  
10 of those districts.

11 (3) The current number of judges authorized  
12 for those courts is inadequate to handle the current  
13 caseload.

14 (4) Such an increase in the caseload of criminal  
15 immigration filings requires a corresponding increase  
16 in the number of Federal judgeships.

17 (5) The 2007 Judicial Conference recommended  
18 the addition of judgeships to meet this growing bur-  
19 den.

20 (6) The Congress should authorize the addi-  
21 tional district court judges necessary to carry out  
22 the 2007 recommendations of the Judicial Con-  
23 ference for district courts in which the criminal im-  
24 migration filings represented more than 49 percent

1 of all criminal filings for the 12-month period ending  
2 September 30, 2006.

3 (b) PURPOSE.—The purpose of this Act is to increase  
4 the number of Federal judgeships, in accordance with the  
5 recommendations of the 2007 Judicial Conference, in dis-  
6 trict courts that have an extraordinarily high criminal im-  
7 migration caseload.

8 **SEC. 3. ADDITIONAL DISTRICT COURT JUDGESHIPS.**

9 (a) PERMANENT JUDGESHIPS.—

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

12 (A) 4 additional district judges for the dis-  
13 trict of Arizona;

14 (B) 1 additional district judge for the dis-  
15 trict of New Mexico;

16 (C) 2 additional district judges for the  
17 southern district of Texas; and

18 (D) 1 additional district judge for the  
19 western district of Texas.

20 (2) CONFORMING AMENDMENTS.—In order that  
21 the table contained in section 133(a) of title 28,  
22 United States Code, reflect the number of additional  
23 judges authorized under paragraph (1), such table is  
24 amended—

1 (A) by striking the item relating to Ari-  
2 zona and inserting the following:

“Arizona ..... 16”;

3 (B) by striking the item relating New Mex-  
4 ico and inserting the following:

“New Mexico ..... 7”; and

5 (C) by striking the item relating to Texas  
6 and inserting the following:

“Texas:  
Northern ..... 12  
Southern ..... 21  
Eastern ..... 7  
Western ..... 14”.

7 (b) TEMPORARY JUDGESHIPS.—

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

10 (A) 1 additional district judge for the dis-  
11 trict of Arizona; and

12 (B) 1 additional district judge for the dis-  
13 trict of New Mexico.

14 (2) VACANCY.—For each of the judicial dis-  
15 tricts named in this subsection, the first vacancy  
16 arising on the district court 10 years or more after  
17 a judge is first confirmed to fill the temporary dis-  
18 trict judgeship created in that district by this sub-  
19 section shall not be filled.

