

119TH CONGRESS
2D SESSION

S. _____

To amend title 28, United States Code, to repeal the residency requirement for circuit judges, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. MOODY (for herself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 28, United States Code, to repeal the residency requirement for circuit judges, and for other purposes.

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 “Better Bench Act”.

5 **SEC. 2. RESIDENCY OF FEDERAL CIRCUIT JUDGES.**

6 (a) RESIDENCY.—The second sentence of section
7 44(c) of title 28, United States Code, is repealed.

8 (b) FACILITIES.—Section 44 of title 28, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 “(e)(1) The Director of the Administrative Office of
2 the United States Courts shall provide—

3 “(A) each circuit judge of the Federal judicial
4 circuit who resides within 50 miles of the District of
5 Columbia with appropriate facilities and administra-
6 tive support services in the District of Columbia;
7 and

8 “(B) each circuit judge of the Federal judicial
9 circuit who does not reside within 50 miles of the
10 District of Columbia with appropriate facilities and
11 administrative support services—

12 “(i) in the district and division in which
13 that judge resides; or

14 “(ii) if appropriate facilities are not avail-
15 able in the district and division in which that
16 judge resides, in the district and division closest
17 to the residence of that judge in which such fa-
18 cilities are available, as determined by the Di-
19 rector.

20 “(2) Nothing in this subsection may be construed to
21 authorize or require the construction of new facilities.”.

1 **SEC. 3. FACILITIES OF JUDGES OF THE UNITED STATES**
2 **COURT OF FEDERAL CLAIMS.**

3 (a) IN GENERAL.—Section 175 of title 28, United
4 States Code, is amended by striking subsections (a)
5 through (c) and inserting the following:

6 “(a) The Director of the Administrative Office of the
7 United States Courts shall provide—

8 “(1) each judge of the United States Court of
9 Federal Claims who resides within 50 miles of the
10 District of Columbia with appropriate facilities and
11 administrative support services in the District of Co-
12 lumbia; and

13 “(2) each judge of the United States Court of
14 Federal Claims who does not reside within 50 miles
15 of the District of Columbia with appropriate facili-
16 ties and administrative support services—

17 “(A) in the district and division in which
18 that judge resides; or

19 “(B) if appropriate facilities are not avail-
20 able in the district and division in which that
21 judge resides, in the district and division closest
22 to the residence of that judge in which such fa-
23 cilities are available, as determined by the Di-
24 rector.

25 “(b) Nothing in this section may be construed to au-
26 thorize or require the construction of new facilities.”.

- 1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
2 Chapter 7 of title 28, United States Code, is amended—
3 (1) in section 175, in the heading, by striking
4 “**Official duty station; residence**” and in-
5 serting “**Facilities**”; and
6 (2) in the table of sections, by striking the item
7 relating to section 175 and inserting the following:
“175. Facilities.”.