

Public Law 102-361
102d Congress

An Act

To amend title 28, United States Code, to authorize the appointment of additional bankruptcy judges, and for other purposes.

Aug. 26, 1992
[H.R. 5688]

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

Bankruptcy
Judgeship
Act of 1992.
28 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bankruptcy Judgeship Act of 1992".

SEC. 2. PERMANENT JUDGESHIPS.

Section 152(a)(2) of title 28, United States Code, is amended—

- (1) in the item relating to the district of Arizona by striking "5" and inserting "7";
- (2) in the item relating to the central district of California by striking "19" and inserting "21";
- (3) in the item relating to the district of Connecticut by striking "2" and inserting "3";
- (4) in the item relating to the middle district of Florida by striking "4" and inserting "8";
- (5) in the item relating to the southern district of Florida by striking "3" and inserting "5";
- (6) in the item relating to the northern district of Georgia by striking "6" and inserting "8";
- (7) in the item relating to Georgia by adding at the end the following:
"Middle and Southern1";
- (8) in the item relating to the district of Maryland by striking "3" and inserting "4";
- (9) in the item relating to the district of Massachusetts by striking "4" and inserting "5";
- (10) in the item relating to the district of New Jersey by striking "7" and inserting "8";
- (11) in the item relating to the southern district of New York by striking "7" and inserting "9";
- (12) in the item relating to the eastern district of Pennsylvania by striking "3" and inserting "5";
- (13) in the item relating to the middle district of Tennessee by striking "2" and inserting "3";
- (14) in the item relating to the western district of Tennessee by striking "3" and inserting "4";
- (15) in the item relating to the northern district of Texas by striking "5" and inserting "6"; and
- (16) in the item relating to the eastern district of Virginia by striking "4" and inserting "5".

SEC. 3. TEMPORARY JUDGESHIPS.

28 USC 152 note.

(a) APPOINTMENTS.—The following bankruptcy judges shall be appointed in the manner prescribed in section 152(a)(1) of title 28, United States Code:

- (1) 1 additional bankruptcy judge for the northern district of Alabama.
- (2) 1 additional bankruptcy judge for the district of Colorado.
- (3) 1 additional bankruptcy judge for the district of Delaware.
- (4) 1 additional bankruptcy judge for the southern district of Illinois.
- (5) 1 additional bankruptcy judge for the district of New Hampshire.
- (6) 1 additional bankruptcy judge for the middle district of North Carolina.
- (7) 1 additional bankruptcy judge for the district of Puerto Rico.
- (8) 1 additional bankruptcy judge for the district of South Carolina.
- (9) 1 additional bankruptcy judge for the eastern district of Tennessee.
- (10) 1 additional bankruptcy judge for the western district of Texas.

(b) **VACANCIES.**—The first vacancy in the office of bankruptcy judge in each of the judicial districts set forth in subsection (a), resulting from the death, retirement, resignation, or removal of a bankruptcy judge, and occurring 5 years or more after the date of the enactment of this Act, shall not be filled. In the case of a vacancy resulting from the expiration of the term of a bankruptcy judge not described in the preceding sentence, that judge shall be eligible for reappointment as a bankruptcy judge in that district.

SEC. 4. REPORTS TO CONGRESS ON NEED FOR BANKRUPTCY JUDGES.

Section 152(b) of title 28, United States Code, is amended by adding at the end thereof the following:

“(3) Not later than December 31, 1994, and not later than the end of each 2-year period thereafter, the Judicial Conference of the United States shall conduct a comprehensive review of all judicial districts to assess the continuing need for the bankruptcy judges authorized by this section, and shall report to the Congress its findings and any recommendations for the elimination of any authorized position which can be eliminated when a vacancy exists by reason of resignation, retirement, removal, or death.”.

Approved August 26, 1992.

LEGISLATIVE HISTORY—H.R. 5688:

HOUSE REPORTS: No. 102-825 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 138 (1992):
Aug. 10, considered and passed House.
Aug. 12, considered and passed Senate.