

111TH CONGRESS
2D SESSION

H. R. 4506

To authorize the appointment of additional bankruptcy judges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2010

Mr. COHEN (for himself, Mr. CONYERS, and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the appointment of additional bankruptcy 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 “Bankruptcy Judgeship
5 Act of 2010”.

6 **SEC. 2. ADDITIONAL PERMANENT OFFICES OF BANK-**
7 **RUPTCY JUDGES.**

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

1 (1) in the item relating to the eastern and west-
2 ern districts of Arkansas by striking “3” and insert-
3 ing “4”,

4 (2) in the item relating to the eastern district
5 of California by striking “6” and inserting “8”,

6 (3) in the item relating to the district of Dela-
7 ware by striking “1” and inserting “6”,

8 (4) in the item relating to the middle district of
9 Florida by striking “8” and inserting “9”,

10 (5) in the item relating to the northern district
11 of Florida by striking “1” and inserting “2”,

12 (6) in the item relating to the southern district
13 of Florida by striking “5” and inserting “7”,

14 (7) in the item relating to the northern district
15 of Georgia by striking “8” and inserting “10”,

16 (8) in the item relating to the southern district
17 of Georgia by striking “2” and inserting “3”,

18 (9) in the item relating to the district of Mary-
19 land by striking “4” and inserting “7”,

20 (10) in the item relating to the eastern district
21 of Michigan by striking “4” and inserting “7”,

22 (11) in the item relating to the northern district
23 of Mississippi by striking “1” and inserting “2”,

24 (12) in the item relating to the district of Ne-
25 vada by striking “3” and inserting “5”,

1 (13) in the item relating to the district of New
2 Hampshire by striking “1” and inserting “2”,

3 (14) in the item relating to the district of New
4 Jersey by striking “8” and inserting “9”,

5 (15) in the item relating to the northern district
6 of New York by striking “2” and inserting “3”,

7 (16) in the item relating to the southern district
8 of New York by striking “9” and inserting “10”,

9 (17) in the item relating to the eastern district
10 of North Carolina by striking “2” and inserting “3”,

11 (18) in the item relating to the western district
12 of North Carolina by striking “2” and inserting “3”,

13 (19) in the item relating to the middle district
14 of Pennsylvania by striking “2” and inserting “3”,

15 (20) in the item relating to the eastern district
16 of Tennessee by striking “3” and inserting “4”,

17 (21) in the item relating to the western district
18 of Tennessee by striking “4” and inserting “5”,

19 (22) in the item relating to the eastern district
20 of Virginia by striking “5” and inserting “6”, and

21 (23) in the item relating to the southern district
22 of West Virginia by striking “1” and inserting “2”.

1 **SEC. 3. CONVERSION OF CERTAIN TEMPORARY OFFICES OF**
 2 **BANKRUPTCY JUDGES TO PERMANENT OF-**
 3 **FICES.**

4 (a) CONVERSION OF CERTAIN TEMPORARY OFFICES
 5 ESTABLISHED BY PUBLIC LAW 109–8.—The temporary
 6 offices of bankruptcy judges established by section
 7 1223(b)(1) of Public Law 109–8 (28 U.S.C. 152 note) for
 8 the following districts are hereby converted so as to be
 9 included in the permanent offices of bankruptcy judges
 10 that are added by the amendments made by section 2 with
 11 respect to the corresponding districts:

- 12 (1) The eastern district of California.
- 13 (2) The district of Delaware.
- 14 (3) The southern district of Florida.
- 15 (4) The southern district of Georgia.
- 16 (5) The district of Maryland.
- 17 (6) The district of New Jersey.
- 18 (7) The northern district of New York.
- 19 (8) The southern district of New York.
- 20 (9) The eastern district of North Carolina.
- 21 (10) The middle district of Pennsylvania.
- 22 (11) The western district of Tennessee.
- 23 (12) The eastern district of Virginia.
- 24 (13) The district of Nevada.

25 (b) CONVERSION OF CERTAIN TEMPORARY OFFICES
 26 ESTABLISHED BY PUBLIC LAW 102–361.—The tem-

porary offices of bankruptcy judges established by section 3(a) of Public Law 102–361 (28 U.S.C. 152 note) for the following districts are hereby converted so as to be included in the permanent offices of bankruptcy judges that are added by the amendments made by section 2 with respect to the corresponding districts:

- (1) The district of Delaware.
- (2) The district of New Hampshire.
- (3) The eastern district of Tennessee.

**SEC. 4. EXTENSION OF CERTAIN TEMPORARY OFFICES OF
BANKRUPTCY JUDGES ESTABLISHED BY PUBLIC
LAW 109–8.**

(a) EXTENSIONS.—The temporary offices of bankruptcy judges established for the eastern district of Pennsylvania and the middle district of North Carolina by section 1223(b)(1) of Public Law 109–8 (28 U.S.C. 152 note) are extended until the 1st vacancy occurring in the office of a bankruptcy judge in the respective district 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.

(b) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in subsection (a), all other provisions of section 1223(b) of Public Law 109–8 (28 U.S.C. 152 note)

1 remain applicable to the temporary offices of bankruptcy
 2 judges referred to in paragraph (1) of this subsection.

3 **SEC. 5. PAYGO OFFSET.**

4 (a) **BANKRUPTCY FILING FEES.**—Section 1930(a) of
 5 title 28, United States Code, is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A) by striking
 8 “\$245” and inserting “\$246”, and

9 (B) in subparagraph (B) by striking
 10 “\$235” and inserting “\$236”, and

11 (2) in paragraph (3) by striking “\$1000” and
 12 inserting “\$1042”.

13 (b) **UNITED STATES TRUSTEE FUND.**—Section
 14 589a(b) of title 28, United States Code, is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (A) by striking
 17 “40.46” and inserting “40.28”, and

18 (B) in subparagraph (B) by striking
 19 “28.33” and inserting “28.15”, and

20 (2) in paragraph (2) by striking “55” and in-
 21 serting “52.78”.

22 (c) **COLLECTION AND DEPOSITION OF MISCELLA-**
 23 **NEOUS BANKRUPTCY FEES.**—Section 406(b) of the Judi-
 24 ciary Appropriations Act, 1990 (Public Law 101–162; 28
 25 U.S.C. 1931 note) is amended—

- 1 (1) by striking “28.87” and inserting “28.74”,
2 (2) by striking “35” and inserting “34.77”,
3 and
4 (3) by striking “25” and inserting “23.99”.

5 **SEC. 6. EFFECTIVE DATES.**

6 (a) GENERAL EFFECTIVE DATE.—Except as pro-
7 vided in subsection (b), this Act and the amendment made
8 by this Act shall take effect on the date of the enactment
9 of this Act.

10 (b) SPECIAL EFFECTIVE DATE.—The amendments
11 made by section 5 shall take effect 180 days after the date
12 of the enactment of this Act.

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