

# **CHRONOLOGICAL HISTORY OF AUTHORIZED JUDGESHIPS IN U.S. COURTS OF APPEALS**

**(ARRANGED BY CIRCUIT)**

THIS SECTION PROVIDES DATES AND LEGISLATIVE AUTHORITY FOR ESTABLISHMENT, REALIGNMENT, AND CREATION OF ADDITIONAL JUDGESHIPS FOR THE U.S. COURTS OF APPEALS.

SOURCES FOR INFORMATION IN THIS SECTION: THE 1972 SENATE REPORT ON THE LEGISLATIVE HISTORY OF THE UNITED STATES CIRCUIT COURTS OF APPEALS AND THE JUDGES WHO SERVED DURING THE PERIOD 1801 THROUGH MAY 1972 AND U.S. PUBLIC LAWS.

## **District of Columbia**

- 1893 Three judgeships created. – 52 Cong. Ch. 74, February 9, 1893.
- 1930 Two additional judgeships created. – 71 Cong. Ch. 538, June 19, 1930.
- 1938 One additional judgeship created. – 75 Cong. Ch. 290, May 31, 1938.
- 1949 Three additional judgeships created. – 81 Cong. Ch. 387, August 3, 1949.
- 1978 Two additional judgeships created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 One additional judgeship created. – Pub. L. No. 98-353, July 10, 1984.
- 2008 One judgeship was transferred to the Ninth Circuit - Pub. L. No. 110-177, January 7, 2008.

Total Judgeships - 11

## **First Circuit**

- 1801 Three circuit judgeships created. – 6 Cong. Ch. 4, February 13, 1801.
- 1802 Act of February 13, 1801 repealed. Circuit judgeships abolished. – 7 Cong. Ch. 31, April 29, 1802.
- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1905 One additional judgeship created. – 58 Cong. Ch. 51, January 21, 1905.
- 1978 One additional judgeship created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Two additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- Total Judgeships - 6

## **Second Circuit**

- 1801 Three circuit judgeships created. – 6 Cong. Ch. 4, February 13, 1801.
- 1802 Act of February 13, 1801 repealed. Circuit judgeships abolished. – 7 Cong. Ch. 31, April 29, 1802.
- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1887 One additional judgeship created. – 49 Cong. Ch. 347, March 3, 1887.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1902 One additional judgeship created. – 57 Cong. Ch. 530, April 17, 1902.
- 1929 One additional judgeship created. – 70 Cong. Ch. 73, January 17, 1929.
- 1938 One additional judgeship created. – 75 Cong. Ch. 290, May 31, 1938.
- 1961 Three additional judgeships created. – Pub. L. No. 87-36, May 19, 1961.
- 1978 Two additional judgeships created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Two additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- Total Judgeships - 13

### **Third Circuit**

- 1801 Three circuit judgeships created. – 6 Cong. Ch. 4, February 13, 1801.
- 1802 Act of February 13, 1801 repealed. Circuit judgeships abolished. – 7 Cong. Ch. 31, April 29, 1802.
- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1899 One additional judgeship created. – 55 Cong. Ch. 186, February 23, 1899.
- 1930 One additional judgeship created. – 71 Cong. Ch. 438, June 10, 1930.
- 1936 One temporary judgeship created. – 74 Cong. Ch. 753, June 24, 1936.
- 1938 Temporary judgeship made permanent. – 75 Cong. Ch. 290, May 31, 1938.
- 1944 One additional judgeship created. – 78 Cong. Ch. 521, December 7, 1944.
- 1949 One additional judgeship created. – 81 Cong. Ch. 387, August 3, 1949.
- 1961 One additional judgeship created. – Pub. L. No. 87-36, May 19, 1961.
- 1968 One additional judgeship created. – Pub. L. No. 90-347, June 18, 1968.
- 1978 One additional judgeship created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Two additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- 1990 Two additional judgeships created. – Pub. L. No. 101-650, December 1, 1990.
- Total Judgeships - 14

## **Fourth Circuit**

- 1801 Three circuit judgeships created. – 6 Cong. Ch. 4, February 13, 1801.
- 1802 Act of February 13, 1801 repealed. Circuit judgeships abolished. – 7 Cong. Ch. 31, April 29, 1802.
- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1922 One additional judgeship created. – 67 Cong. Ch. 306, September 14, 1922.
- 1961 Two additional judgeships created. – Pub. L. No. 87-36, May 19, 1961.
- 1966 Two additional judgeships created. – Pub. L. No. 89-372, March 18, 1966.
- 1978 Three additional judgeships created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 One additional judgeship created. – Pub. L. No. 98-353, July 10, 1984.
- 1990 Four additional judgeships created. – Pub. L. No. 101-650, December 1, 1990.
- Total Judgeships - 15

## **Fifth Circuit**

- 1801 Three circuit judgeships created. – 6 Cong. Ch. 4, February 13, 1801.
- 1802 Act of February 13, 1801 repealed. Circuit judgeships abolished. – 7 Cong. Ch. 31, April 29, 1802.
- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1899 One additional judgeship created. – 55 Cong. Ch. 56, January 25, 1899.
- 1930 One additional judgeship created. – 71 Cong. Ch. 438, June 10, 1930.
- 1938 One additional judgeship created. – 75 Cong. Ch. 290, May 31, 1938.
- 1942 One additional judgeship created. – 77 Cong. Ch. 731, December 14, 1942.
- 1954 One additional judgeship created. – 83 Cong. Ch. 6, February 10, 1954.
- 1961 Two additional judgeships created. – Pub. L. No. 87-36, May 19, 1961.
- 1966 Four additional temporary judgeships created. – Pub. L. No. 89-372, March 18, 1966.
- 1968 The four temporary positions created in 1966 were made permanent and two additional judgeships created. – Pub. L. No. 90-347, June 18, 1968.
- 1978 Eleven additional judgeships created. – Pub. L. No. 95-486, October 20, 1978.
- 1980 Fifth Circuit reorganized into two circuits, the Fifth (with 14 judgeships) and the Eleventh (with 12 judgeships). – Pub. L. No. 96-452, October 14, 1980.
- 1984 Two additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- 1990 One additional judgeship created. – Pub. L. No. 101-650, December 1, 1990.

Total Judgeships - 17

## **Sixth Circuit**

- 1801 One circuit judgeship and two district judgeships (one each from Kentucky and Tennessee) created. – 6 Cong. Ch. 4, February 13, 1801.
- 1802 Act of February 13, 1801 repealed. Circuit judgeships abolished. – 7 Cong. Ch. 31, April 29, 1802.
- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1899 One additional judgeship created. – 55 Cong. Ch. 56, January 25, 1899.
- 1928 One additional judgeship created. – 70 Cong. Ch. 508, May 8, 1928.
- 1938 One additional judgeship created. – 75 Cong. Ch. 290, May 31, 1938.
- 1940 One additional judgeship created. – 76 Cong. Ch. 209, May 24, 1940.
- 1966 Two additional judgeships created. – Pub. L. No. 89-372, March 18, 1966.
- 1968 One additional judgeship created. – Pub. L. No. 90-347, June 18, 1968.
- 1978 Two additional judgeships created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Four additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- 1990 One additional judgeship created. – Pub. L. No. 101-650, December 1, 1990.
- Total Judgeships - 16

## **Seventh Circuit**

- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1895 One additional judgeship created. – 53 Cong. Ch. 59, February 8, 1895.
- 1905 One additional judgeship created. – 58 Cong. Ch. 1427, March 3, 1905.
- 1938 One additional judgeship created. – 75 Cong. Ch. 290, May 31, 1938.
- 1949 One additional judgeship created. – 81 Cong. Ch. 387, August 3, 1949.
- 1961 One additional judgeship created. – Pub. L. No. 87-36, May 19, 1961.
- 1966 One additional judgeship created. – Pub. L. No. 89-372, March 18, 1966.
- 1978 One additional judgeship created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Two additional judgeships created. – Pub. L. No. 98-353, July 10, 1984
- Total Judgeships - 11

## **Eighth Circuit**

- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1894 One additional judgeship created. – 53 Cong. Ch. 147, July 23, 1894.
- 1903 One additional judgeship created. – 57 Cong. Ch. 345, January 31, 1903.
- 1925 Two additional judgeships created. – 68 Cong. Ch. 437, March 3, 1925.
- 1929 Eighth Circuit divided and the Tenth Circuit created. Of the six judgeships authorized for the former Eighth Circuit, four were assigned to the new Eighth Circuit and two were transferred to the Tenth Circuit. One additional judgeship for the Eighth Circuit created. – 70 Cong. Ch. 363, February 28, 1929.
- 1940 Two additional judgeships created. – 76 Cong. Ch. 209, May 24, 1940.
- 1966 One additional judgeship created. – Pub. L. No. 89-372, March 18, 1966.
- 1978 One additional judgeship created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 One additional judgeship created. – Pub. L. No. 98-353, July 10, 1984.
- 1990 One additional judgeship created. – Pub. L. No. 101-650, December 1, 1990.

Total Judgeships - 11

## **Ninth Circuit**

- 1869 One circuit judgeship created. – 41 Cong. Ch. 22, April 10, 1869.
- 1891 Circuit Court of Appeals established. One additional judgeship created. – 51 Cong. Ch. 517, March 3, 1891.
- 1895 One additional judgeship created. – 53 Cong. Ch. 94, February 18, 1895.
- 1929 One temporary judgeship created. – 70 Cong. Ch. 413, March 1, 1929.
- 1933 Temporary judgeship made permanent. – 73 Cong. Ch. 102, June 16, 1933.
- 1935 One additional judgeship created. – 74 Cong. Ch. 425, August 2, 1935.
- 1937 Two additional judgeships created. – 75 Cong. Ch. 80, April 14, 1937.
- 1954 Two additional judgeships created. – 83 Cong. Ch. 6, February 10, 1954.
- 1968 Four additional judgeships created. – Pub. L. No. 90-347, June 18, 1968.
- 1978 Ten additional judgeships created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Five additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- 2009 One additional judgeship, effective January 21, 2009, was transferred from the DC Circuit. – Pub. L. No. 110-177, January 7, 2008.

Total Judgeships - 29

## **Tenth Circuit**

- 1929 Four judgeships created, two of which were transferred from the Eighth Circuit when it was divided into the Eighth and Tenth Circuits. – 70 Cong. Ch. 363, February 28, 1929.
- 1949 One additional judgeship created. – 81 Cong. Ch. 387, August 3, 1949.
- 1961 One additional judgeship created. – Pub. L. No. 87-36, May 19, 1961.
- 1968 One additional judgeship created. – Pub. L. No. 90-347, June 18, 1968.
- 1978 One additional judgeship created. – Pub. L. No. 95-486, October 20, 1978.
- 1984 Two additional judgeships created. – Pub. L. No. 98-353, July 10, 1984.
- 1990 Two additional judgeships created. – Pub. L. No. 101-650, December 1, 1990.

Total Judgeships - 12

## **Eleventh Circuit**

1980 Twelve circuit judgeships created when the Fifth Circuit was reorganized into a new Fifth and Eleventh Circuit, and the judgeships transferred from the old Fifth Circuit. – Pub. L. No. 96-452, October 14, 1980.

Total Judgeships - 12

## **Federal Circuit**

1982 Federal Circuit consisting of all Federal judicial districts. Circuit court with 12 judgeships. – Pub. L. No. 97-164, April 2, 1982.

Total Judgeships - 12