

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4506

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IN THE SENATE OF THE UNITED STATES

MARCH 15, 2010

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bankruptcy Judgeship  
3 Act of 2010”.

4 **SEC. 2. ADDITIONAL PERMANENT OFFICES OF BANK-**  
5 **RUPTCY JUDGES.**

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

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

11 (2) in the item relating to the eastern district  
12 of California by striking “6” and inserting “8”;

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

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

17 (5) in the item relating to the northern district  
18 of Florida by striking “1” and inserting “2”;

19 (6) in the item relating to the southern district  
20 of Florida by striking “5” and inserting “7”;

21 (7) in the item relating to the northern district  
22 of Georgia by striking “8” and inserting “10”;

23 (8) in the item relating to the southern district  
24 of Georgia by striking “2” and inserting “3”;

25 (9) in the item relating to the district of Mary-  
26 land by striking “4” and inserting “7”;

1           (10) in the item relating to the eastern district  
2 of Michigan by striking “4” and inserting “7”;

3           (11) in the item relating to the northern district  
4 of Mississippi by striking “1” and inserting “2”;

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

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

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

11           (15) in the item relating to the northern district  
12 of New York by striking “2” and inserting “3”;

13           (16) in the item relating to the southern district  
14 of New York by striking “9” and inserting “10”;

15           (17) in the item relating to the eastern district  
16 of North Carolina by striking “2” and inserting “3”;

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

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

21           (20) in the item relating to the eastern district  
22 of Tennessee by striking “3” and inserting “4”;

23           (21) in the item relating to the western district  
24 of Tennessee by striking “4” and inserting “5”;

1           (22) in the item relating to the eastern district  
2           of Virginia by striking “5” and inserting “6”; and

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

5 **SEC. 3. CONVERSION OF CERTAIN TEMPORARY OFFICES OF**  
6                           **BANKRUPTCY JUDGES TO PERMANENT OF-**  
7                           **FICES.**

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

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

1 (11) The western district of Tennessee.

2 (12) The eastern district of Virginia.

3 (13) The district of Nevada.

4 (b) CONVERSION OF CERTAIN TEMPORARY OFFICES  
5 ESTABLISHED BY PUBLIC LAW 102-361.—The tem-  
6 porary offices of bankruptcy judges established by section  
7 3(a) of Public Law 102-361 (28 U.S.C. 152 note) for the  
8 following districts are hereby converted so as to be in-  
9 cluded in the permanent offices of bankruptcy judges that  
10 are added by the amendments made by section 2 with re-  
11 spect to the corresponding districts:

12 (1) The district of Delaware.

13 (2) The district of New Hampshire.

14 (3) The eastern district of Tennessee.

15 **SEC. 4. EXTENSION OF CERTAIN TEMPORARY OFFICES OF**  
16 **BANKRUPTCY JUDGES ESTABLISHED BY PUB-**  
17 **LIC LAW 109-8.**

18 (a) EXTENSIONS.—The temporary offices of bank-  
19 ruptcy judges established for the eastern district of Penn-  
20 sylvania and the middle district of North Carolina by sec-  
21 tion 1223(b)(1) of Public Law 109-8 (28 U.S.C. 152  
22 note) are extended until the 1st vacancy occurring in the  
23 office of a bankruptcy judge in the respective district re-  
24 sulting from the death, retirement, resignation, or removal

1 of a bankruptcy judge and occurring 5 years or more after  
2 the date of the enactment of this Act.

3 (b) **APPLICABILITY OF OTHER PROVISIONS.**—Except  
4 as provided in subsection (a), all other provisions of sec-  
5 tion 1223(b) of Public Law 109–8 (28 U.S.C. 152 note)  
6 remain applicable to the temporary offices of bankruptcy  
7 judges referred to in subsection (a).

8 **SEC. 5. PAYGO OFFSET.**

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

11 (1) in paragraph (1)—

12 (A) in subparagraph (A) by striking  
13 “\$245” and inserting “\$246”; and

14 (B) in subparagraph (B) by striking  
15 “\$235” and inserting “\$236”; and

16 (2) in paragraph (3) by striking “\$1,000” and  
17 inserting “\$1,042”.

18 (b) **UNITED STATES TRUSTEE FUND.**—Section  
19 589a(b) of title 28, United States Code, is amended—

20 (1) in paragraph (1)—

21 (A) in subparagraph (A) by striking  
22 “40.46” and inserting “40.28”; and

23 (B) in subparagraph (B) by striking  
24 “28.33” and inserting “28.15”; and

