

## HR 3892

Judicial Improvements Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Mar 7, 2002

**Current Status:** For Further Action See H.R.2215.

**Latest Action:** For Further Action See H.R.2215. (Oct 3, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/3892>

### Sponsor

**Name:** Rep. Coble, Howard [R-NC-6]

**Party:** Republican • **State:** NC • **Chamber:** House

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Berman, Howard L. [D-CA-26]	D · CA		Mar 7, 2002

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Mar 20, 2002
Judiciary Committee	Senate	Reported By	Jul 31, 2002

### Subjects & Policy Tags

#### Policy Area:

Law

### Related Bills

Bill	Relationship	Last Action
107 HR 2215	Related bill	<b>Nov 2, 2002:</b> Became Public Law No: 107-273.
107 S 2713	Related bill	<b>Jul 31, 2002:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 533.

## Summary (as of Jul 31, 2002)

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Judicial Improvements Act of 2002 - Amends the Federal judicial code to authorize any person alleging that a circuit, district, bankruptcy, or magistrate judge has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts, or is unable to discharge all the duties of office by reason of mental or physical disability, to file a written complaint with the clerk of the court of appeals for the circuit.

Directs the chief judge to expeditiously review such complaints. Authorizes the chief judge: (1) to conduct a limited inquiry to determine whether the facts are untrue or incapable of being established through investigation (in which case the chief judge may order the complaint to be dismissed) and whether appropriate corrective action has been or can be taken without a formal investigation (in which case the chief judge may order proceedings to be concluded); and (2) if he or she does not enter such an order, to form a special committee to investigate the allegations and report findings and recommended action to the judicial council. Authorizes the judicial council to: (1) conduct additional investigation and either dismiss the complaint or take appropriate action, including ordering assignment of no further cases to the judge, privately or publicly reprimanding or censuring the judge, certifying disability of the judge, or requesting that the judge voluntarily retire; or (2) refer the complaint to the Judicial Conference of the United States. Directs the Judicial Conference: (1) to take the actions authorized for the judicial council; or (2) if it finds that impeachment may be warranted, to certify and transmit the determination and record of proceedings to the House of Representatives for whatever action the House considers to be necessary.

Sets forth provisions regarding subpoena power, petitions by aggrieved complainants or judges for review of orders and actions, and rules for the conduct of proceedings.

Bars any judge whose conduct is the subject of an investigation under this Act from serving upon a special committee, judicial council, Judicial Conference, or standing committee until all related proceedings of the investigation are complete.

Makes all papers, documents, and records of an investigation confidential and not subject to disclosure, except to the extent that: (1) a judicial council elects to release a report developed by a special committee to the complainant and the affected judge; (2) the judicial council, Judicial Conference, or the Senate or House of Representatives by resolution releases information related to an impeachment investigation; or (3) the affected judge and either the chief judge of the circuit, the Chief Justice, or the chairman of a standing committee authorize in writing their joint desire to disclose information.

Directs that each written order to implement any action issued by a judicial council, Judicial Conference, or standing committee be made available to the appropriate clerk of court's office, accompanied by written reasons explaining the decision (unless contrary to the interests of justice).

Authorizes an affected judge to request that he or she be reimbursed through the Administrative Office of the U.S. Courts for reasonable expenses incurred in the course of an investigation when a complaint is dismissed.

Directs the Court of Federal Claims, Court of International Trade, and Court of Appeals for the Federal Circuit to establish procedures for the filing of complaints regarding the conduct of any judge of such court and for the investigation and resolution of complaints. Grants each of these courts the same powers granted to judicial councils under this Act. Prohibits a judge of such court who is convicted of a State or Federal felony and who has exhausted all means of direct review of the conviction (or for whom the time for obtaining such review has passed) from hearing or deciding cases unless the relevant court determines otherwise. Bars the inclusion of any service as such judge, after the conviction is final and all time for filing appeals thereof has expired, for purposes of determining years of service or creditable service.

## Actions Timeline

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- **Oct 3, 2002:** For Further Action See H.R.2215.
- **Jul 31, 2002:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 31, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Jul 31, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 532.
- **Jul 23, 2002:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Jul 22, 2002:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Jul 22, 2002:** Considered under suspension of the rules. (consideration: CR H4994-4998)
- **Jul 22, 2002:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3892.
- **Jul 22, 2002:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H4994-4996)
- **Jul 22, 2002:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H4994-4996)
- **Jul 22, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **May 14, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-459.
- **May 14, 2002:** Placed on the Union Calendar, Calendar No. 274.
- **Apr 24, 2002:** Committee Consideration and Mark-up Session Held.
- **Apr 24, 2002:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 20, 2002:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 20, 2002:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Mar 15, 2002:** Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.
- **Mar 7, 2002:** Introduced in House
- **Mar 7, 2002:** Sponsor introductory remarks on measure. (CR E302)
- **Mar 7, 2002:** Referred to the House Committee on the Judiciary.

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