



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 21, 2007

### **S. 1327**

#### **A bill to create and extend certain temporary district court judgeships**

*As reported by the Senate Committee on the Judiciary on May 24, 2007*

#### **SUMMARY**

S. 1327 would increase the number of federal judgeships by one in the eastern district of California and in the district of Nebraska. Beginning 10 years after the initial confirmation of a judge created by this legislation, the first vacancy that occurs in each district would not be filled. CBO estimates that the mandatory pay and benefits for two additional district court judges would increase direct spending by less than \$500,000 per year, for a total cost of about \$3 million over the 2008-2017 period. Enacting this legislation would have no effect on revenues.

In addition, CBO estimates that discretionary expenditures for support staff and additional office space associated with each judgeship would cost about \$5 million over the 2008-2012 period. Such costs would be subject to the appropriation of the necessary funds.

S. 1327 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of S. 1327 is shown in the following table. The cost of this legislation falls within budget function 750 (administration of justice).

By Fiscal Year, in Millions of Dollars												
2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2008- 2012	2008- 2017	

### CHANGES IN DIRECT SPENDING

#### Additional Judges' Salaries and Benefits

Estimated Budget Authority	*	*	*	*	*	*	*	*	*	2	3
Estimated Outlays	*	*	*	*	*	*	*	*	*	2	3

### CHANGES IN SPENDING SUBJECT TO APPROPRIATION

#### Administrative Expenses

Estimated Authorization Level	*	1	1	1	1	1	1	1	1	5	10
Estimated Outlays	*	1	1	1	1	1	1	1	1	5	10

Note: \* = less than \$500,000.

## BASIS OF ESTIMATE

For this estimate, CBO assumes that S. 1327 will be enacted in fiscal year 2007 and that additional judges authorized by the bill will be confirmed in the following year.

### Direct Spending

S. 1327 would authorize one additional federal judgeship in the eastern district of California and one in the district of Nebraska. Under the bill, the first vacancy that occurs in those districts more than 10 years after the initial confirmation of those positions would not be filled. Expenditures related to the salaries and benefits of federal district court judges are considered to be mandatory. Based on the current-law salaries of judges, as well as information from the Administrative Office of the United States Courts (AOUSC) on the benefits of federal judges, CBO estimates the mandatory pay and benefits for two additional district court judges would total roughly \$360,000 per year. As such, enacting S. 1327 would increase direct spending by \$1.6 million over the next five years and \$3.4 million over the 2008-2017 period.

Under S. 1327, any vacancy that occurs for existing federal judgeships in the districts of Hawaii and Kansas, and in the northern district of Ohio would continue to be filled for an additional 10 years. The salaries and benefits of those judges are also mandatory; however, CBO cannot predict whether judicial vacancies would occur in those districts under current

law during the 2008-2017 period. Therefore, this estimate does not include any possible increases in direct spending resulting from this extension.

### **Spending Subject to Appropriation**

The judgeships authorized in the legislation would require administrative support and office space. Based on information from AOUSC, CBO estimates that discretionary expenditures for administrative costs (e.g., support staff, equipment, furniture) associated with each additional judgeship would amount to about \$600,000 a year (in 2008 dollars). As such, CBO estimates that implementing S. 1327 would cost about \$5 million over the 2008-2012 period, subject to the appropriation of the necessary funds.

### **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

S. 1327 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

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