

EFFECTIVE DATE OF 1980 AMENDMENT; SAVINGS PROVISION

Pub. L. 96-462, § 7, Oct. 15, 1980, 94 Stat. 2054, provided that:

“(a) This Act and the amendments made by this Act [amending this section and sections 95, 105, 113, and 124 of this title and enacting provisions set out as notes under this section and sections 95, 105, and 113 of this title] shall take effect on October 1, 1981.

“(b) Nothing in this Act shall affect the composition or preclude the service of any grand or petit juror summoned, empaneled, or actually serving in any judicial district on the effective date of this Act [Oct. 1, 1981].”

EFFECTIVE DATE OF 1966 AMENDMENT

Pub. L. 89-372, § 3(i), Mar. 18, 1966, 80 Stat. 77, provided that: “The provisions of this section [amending this section and enacting provisions set out as a note under this section and section 133 of this title] shall become effective six months after the date of enactment of this Act [Mar. 18, 1966].”

CONGRESSIONAL FINDINGS CONCERNING CREATION OF THREE DIVISIONS IN CENTRAL DISTRICT

Pub. L. 102-357, § 1, Aug. 26, 1992, 106 Stat. 958, provided that: “The Congress makes the following findings:

“(1) The Federal Government has the responsibility to provide quality services which are readily accessible to the people it serves.

“(2) The court facilities in the Central Judicial District of California are presently inadequate, and current and projected growth exacerbates the problem.

“(3) The population demographics of southern California have changed dramatically over the last decade, as the center of population shifts inland. Between 1980 and 1990, the population of Riverside County increased 76.5 percent, and San Bernardino County’s population increased 58.5 percent, to a combined population of 2,600,000.

“(4) In the next 15 years, the population in Riverside and San Bernardino Counties is expected to increase again by 70 percent, and 67 percent, respectively. By the year 2005, Riverside and San Bernardino Counties will have 4,400,000 residents.

“(5) As a result of the population growth, the freeways connecting the Pacific coast and the inland areas are tremendously overburdened, and Federal offices along the coast are no longer accessible to the residents of Riverside and San Bernardino Counties.

“(6) The creation of 3 divisions in the Central Judicial District of California is urgently needed to provide for the delivery of judicial services to all areas and all residents of the Central Judicial District of California.”

STUDY OF JUDICIAL BUSINESS IN CENTRAL DISTRICT, CALIFORNIA AND EASTERN DISTRICT, NEW YORK AND RECOMMENDATIONS FOR CREATION OF NEW JUDICIAL DISTRICTS

Pub. L. 95-573, § 5, Nov. 2, 1978, 92 Stat. 2458, required the Director of the Administrative Office of the United States Courts to conduct a study of the judicial business of the Central District of California and the Eastern District of New York, within one year of Nov. 2, 1978, and to make recommendations to Congress with respect to the need for creation of new judicial districts.

CREATION OF EASTERN AND CENTRAL DISTRICTS; TRANSFER OF DISTRICT JUDGES; TRANSFER AND APPOINTMENT OF UNITED STATES ATTORNEYS AND UNITED STATES MARSHALS

Pub. L. 89-372, § 3(b)-(g), Mar. 18, 1966, 80 Stat. 76, 77, provided that:

“(b) The two district judges for the northern district of California holding office on the day before the effective date of this section [see Effective Date of 1966

Amendment note above] and whose official station is Sacramento shall, on and after such date, be district judges for the eastern district of California. All other district judges for the northern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the northern district of California.

“(c) The district judge for the southern district of California, residing in the northern division thereof and holding office on the day before the effective date of this section [see Effective Date of 1966 Amendment note above], shall, on and after such date, be a district judge for the eastern district of California. The two district judges for the southern district of California holding office on the day before the effective date of this section [see Effective Date of 1966 Amendment note above], and whose official station is San Diego shall, on and after such date, be the district judges for the southern district of California. All other district judges for the southern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the central district of California.

“(d) Nothing in this Act [amending this section and sections 44 and 133 of this title and enacting provisions set out as notes under this section and sections 44 and 133 of this title] shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the northern district of California who are in office on the effective date of this section [see Effective Date of 1966 Amendment note above], and who shall be during the remainder of their present terms of office the United States attorney and marshal for such district as constituted by this Act.

“(e) Nothing in this Act [amending this section and sections 44 and 133 of this title and enacting provisions set out as notes under this section and sections 44 and 133 of this title] shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the southern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for the central district of California.

“(f) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the southern district of California.

“(g) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the eastern district of California.”

§ 85. Colorado

Colorado constitutes one judicial district.

Court shall be held at Boulder, Colorado Springs, Denver, Durango, Grand Junction, Montrose, Pueblo, and Sterling.

(June 25, 1948, ch. 646, 62 Stat. 875; Pub. L. 98-620, title IV, § 409, Nov. 8, 1984, 98 Stat. 3362; Pub. L. 108-455, § 5, Dec. 10, 2004, 118 Stat. 3629; Pub. L. 108-482, title III, § 301, Dec. 23, 2004, 118 Stat. 3918.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 146 (Mar. 3, 1911, ch. 231, § 73, 36 Stat. 1108; June 12, 1916, ch. 143, 39 Stat. 225; May 29, 1924, ch. 209, 43 Stat. 243).

A provision for furnishing rooms and accommodations at Sterling was omitted as obsolete upon advice from the Director of the Administrative Office of the United States Courts that Federal accommodations are now available.

A provision authorizing adjournment at Denver when there is not business for terms at other places, is incorporated in section 138 of this title.

Provisions as to clerk’s and marshal’s deputies and maintenance of offices were deleted as covered by sections 541 [see 561], 542 [see 561], and 751 of this title.

Changes in arrangement and phraseology were made.

AMENDMENTS

2004—Pub. L. 108-455 and 108-482 amended section identically, inserting “Colorado Springs,” after “Boulder.”

1984—Pub. L. 98-620 provided for holding court at Boulder.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-620, title IV, § 411, Nov. 8, 1984, 98 Stat. 3362, provided that:

“(a) The amendments made by this subtitle [subtitle B (§§ 404-411) of title IV of Pub. L. 98-620, amending this section and sections 90, 93, 112, 124, and 126 of this title and enacting provisions set out as notes under sections 1, 90, 93, and 124 of this title] shall take effect on January 1, 1985.

“(b) The amendments made by this subtitle shall not affect the composition, or preclude the service, of any grand or petit jury summoned, impaneled, or actually serving on the effective date of this subtitle [Jan. 1, 1985].”

§ 86. Connecticut

Connecticut constitutes one judicial district.

Court shall be held at Bridgeport, Hartford, New Haven, New London, and Waterbury.

(June 25, 1948, ch. 646, 62 Stat. 875; Pub. L. 87-36, § 3(b), May 19, 1961, 75 Stat. 83; Pub. L. 89-558, Sept. 7, 1966, 80 Stat. 705.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 147 (Mar. 3, 1911, ch. 231, § 74, 36 Stat. 1108; Feb. 27, 1921, ch. 74, 41 Stat. 1146; June 15, 1933, ch. 80, 48 Stat. 148; Dec. 28, 1945, ch. 599, 59 Stat. 663).

Changes in arrangement and phraseology were made.

AMENDMENTS

1966—Pub. L. 89-558 provided for holding court at New London.

1961—Pub. L. 87-36 provided for holding court at Bridgeport and Waterbury.

§ 87. Delaware

Delaware constitutes one judicial district.

Court shall be held at Wilmington.

(June 25, 1948, ch. 646, 62 Stat. 875.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 148 (Mar. 3, 1911, ch. 231, § 75, 36 Stat. 1108).

Minor changes in phraseology were made.

§ 88. District of Columbia

The District of Columbia constitutes one judicial district.

Court shall be held at Washington.

(June 25, 1948, ch. 646, 62 Stat. 875.)

HISTORICAL AND REVISION NOTES

This section expressly makes the District of Columbia a judicial district of the United States.

Section 41 of this title also makes the District of Columbia a judicial circuit of the United States.

Section 11-305 of the District of Columbia Code, 1940 ed., provides that the District Court of the United States for the District of Columbia shall possess the same powers and exercise the same jurisdiction as the district courts of the United States, and shall be deemed a court of the United States.

It is consonant with the ruling of the Supreme Court in *O'Donoghue v. United States*, 1933, 53 S.Ct. 740, 289 U.S. 516, 77 L.Ed. 1356, that the (then called) Supreme Court and Court of Appeals of the District of Columbia are constitutional courts of the United States, ordained and established under article III of the Constitution, Congress enacted that the Court of Appeals “shall hereafter be known as the United States Court of Appeals for the District of Columbia” (Act of June 7, 1934, 48 Stat. 926); and also changed the name of the Supreme Court of the District of Columbia to “district court of the United States for the District of Columbia” (Act of June 25, 1936, 49 Stat. 1921). In *Federal Trade Commission v. Klesner*, 1927, 47 S.Ct. 557, 274 U.S. 145, 71 L.Ed. 972, the Supreme Court ruled: “* * * The parallelism between the Supreme Court of the District [of Columbia] and the Court of Appeals of the District [of Columbia], on the one hand, and the district courts of the United States and the circuit courts of appeals, on the other, in the consideration and disposition of cases involving what among the States would be regarded as within Federal jurisdiction, is complete.” See also to the same effect *Clairborne-Annapolis Ferry Company v. United States*, 1932, 52 S.Ct. 440, 285 U.S. 382, 76 L.Ed. 808.

§ 89. Florida

Florida is divided into three judicial districts to be known as the Northern, Middle, and Southern Districts of Florida.

Northern District

(a) The Northern District comprises the counties of Alachua, Bay, Calhoun, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington.

Court for the Northern District shall be held at Gainesville, Marianna, Panama City, Pensacola, and Tallahassee.

Middle District

(b) The Middle District comprises the counties of Baker, Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Columbia, De Soto, Duval, Flagler, Glades, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Lake, Lee, Manatee, Marion, Nassau, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, St. Johns, Sarasota, Seminole, Sumter, Suwannee, Union, and Volusia.

Court for the Middle District shall be held at Fernandina, Fort Myers, Jacksonville, Live Oak, Ocala, Orlando, Saint Petersburg, and Tampa.

Southern District

(c) The Southern District comprises the counties of Broward, Dade, Highlands, Indian River, Martin, Monroe, Okeechobee, Palm Beach, and St. Lucie.

Court for the Southern District shall be held at Fort Lauderdale, Fort Pierce, Key West, Miami, and West Palm Beach.

(June 25, 1948, ch. 646, 62 Stat. 876; July 17, 1952, ch. 929, 66 Stat. 757; Pub. L. 87-36, § 3(f), May 19, 1961, 75 Stat. 83; Pub. L. 87-562, § 1, July 30, 1962, 76 Stat. 247; Pub. L. 91-272, § 10, June 2, 1970, 84 Stat. 298; Pub. L. 95-408, § 4(a), Oct. 2, 1978, 92 Stat. 884; Pub. L. 100-702, title X, § 1021(a), Nov. 19, 1988, 102 Stat. 4672.)