

siders necessary. These disbursing officers will: (1) disburse moneys appropriated to the judicial branch and other funds only in strict accordance with payment requests certified by the Director or in accordance with subsection (b) of this section; (2) examine payment requests as necessary to ascertain whether they are in proper form, certified, and approved; and (3) be held accountable as provided by law. However, a disbursing officer will not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate for which a certifying officer is responsible under subsection (b) of this section.

“(b)(1) The Director may designate in writing officers and employees of the judicial branch of the United States Government, including the courts as defined in section 610 of title 28, United States Code, but excluding the Supreme Court, to certify payment requests payable from appropriations and funds. These certifying officers will be responsible and accountable for: (A) the existence and correctness of the facts recited in the certificate or other request for payment or its supporting papers; (B) the legality of the proposed payment under the appropriation or fund involved; and (C) the correctness of the computations of certified payment requests.

“(2) The liability of a certifying officer will be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. A certifying officer shall be required to make restitution to the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificates made by the certifying officer, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

“(c) A certifying or disbursing officer: (1) has the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment request presented for certification; and (2) is entitled to relief from liability arising under this section as provided by law.

“(d) The Director shall disburse, directly or through officials designated pursuant to this section, appropriations and other funds for the maintenance and operation of the courts.

“(e) Nothing in this section affects the authority of the courts to receive or disburse moneys in accordance with chapter 129 of title 28, United States Code.

“(f) This section shall be effective for fiscal year 2001 and hereafter.”

CHAPTER 42—FEDERAL JUDICIAL CENTER

Sec.	
620.	Federal Judicial Center.
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629.	Federal Judicial Center Foundation.

AMENDMENTS

1988—Pub. L. 100-702, title III, §§ 301(b), 304(b)(2), Nov. 19, 1988, 102 Stat. 4647, 4648, inserted “and Deputy Director” after “Director” in item 626 and added item 629.

1978—Pub. L. 95-598, title II, § 230(2), Nov. 6, 1978, 92 Stat. 2665, struck out item 629 “Organizational provisions”.

1967—Pub. L. 90-219, title I, § 101, Dec. 20, 1967, 81 Stat. 664, added chapter 42 and items 620 to 629.

§ 620. Federal Judicial Center

(a) There is established within the judicial branch of the Government a Federal Judicial

Center, whose purpose it shall be to further the development and adoption of improved judicial administration in the courts of the United States.

(b) The Center shall have the following functions:

(1) to conduct research and study of the operation of the courts of the United States, and to stimulate and coordinate such research and study on the part of other public and private persons and agencies;

(2) to develop and present for consideration by the Judicial Conference of the United States recommendations for improvement of the administration and management of the courts of the United States;

(3) to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government and other persons whose participation in such programs would improve the operation of the judicial branch, including, but not limited to, judges, United States magistrate judges, clerks of court, probation officers, and persons serving as mediators and arbitrators;

(4) insofar as may be consistent with the performance of the other functions set forth in this section, to provide staff, research, and planning assistance to the Judicial Conference of the United States and its committees;

(5) Insofar¹ as may be consistent with the performance of the other functions set forth in this section, to cooperate with the State Justice Institute in the establishment and coordination of research and programs concerning the administration of justice; and

(6) insofar as may be consistent with the performance of the other functions set forth in this section, to cooperate with and assist agencies of the Federal Government and other appropriate organizations in providing information and advice to further improvement in the administration of justice in the courts of foreign countries and to acquire information about judicial administration in foreign countries that may contribute to performing the other functions set forth in this section.

(Added Pub. L. 90-219, title I, § 101, Dec. 20, 1967, 81 Stat. 664; amended Pub. L. 95-598, title II, § 227, Nov. 6, 1978, 92 Stat. 2665; Pub. L. 98-620, title II, § 214, Nov. 8, 1984, 98 Stat. 3346; Pub. L. 99-336, § 6(b), June 19, 1986, 100 Stat. 639; Pub. L. 100-702, title III, § 303, Nov. 19, 1988, 102 Stat. 4648; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117; Pub. L. 102-572, title VI, § 602(a), Oct. 29, 1992, 106 Stat. 4514.)

AMENDMENTS

1992—Subsec. (b)(6). Pub. L. 102-572 added par. (6).

1988—Subsec. (b)(3). Pub. L. 100-702 amended par. (3) generally. Prior to amendment, par. (3) read as follows: “to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government, including, but not limited to, judges, clerks of court, probation officers, and United States magistrates.”

1986—Subsec. (b)(3). Pub. L. 99-336 struck out “referees,” after “judges,” and substituted “magistrates” for “commissioners”.

¹ So in original. Probably should not be capitalized.

1984—Subsec. (b)(5). Pub. L. 98-620 added par. (5).

1978—Subsec. (b)(3). Pub. L. 95-598 directed the amendment of par. (3) by striking out “referees,” and by substituting “magistrates” for “commissioners”, which amendment did not become effective pursuant to section 402(b) of Pub. L. 95-598, as amended, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

CHANGE OF NAME

“United States magistrate judges” substituted for “United States magistrates” in subsec. (b)(3) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Jan. 1, 1993, see section 1101(a) of Pub. L. 102-572, set out as a note under section 905 of Title 2, The Congress.

EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-336, §6(c), June 19, 1986, 100 Stat. 639, provided that: “The amendments made by this section [amending this section and section 288d of Title 2, The Congress, and redesignating sections 1364 to 1366 of this title] shall take effect on the date of the enactment of this Act [June 19, 1986].”

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 effective Oct. 1, 1985, see section 216 of Pub. L. 98-620, set out as a note under section 10701 of Title 42, The Public Health and Welfare.

STUDY OF INTERCIRCUIT CONFLICTS AND STRUCTURAL ALTERNATIVES FOR COURTS OF APPEALS BY FEDERAL JUDICIAL CENTER

Pub. L. 101-650, title III, §302, Dec. 1, 1990, 104 Stat. 5104, as amended by Pub. L. 102-572, title V, §502(c), Oct. 29, 1992, 106 Stat. 4513, directed Board of the Federal Judicial Center to conduct study and submit report to Congress by Jan. 1, 1992, on number and frequency of conflicts among judicial circuits in interpreting law that remain unresolved because they are not heard by the Supreme Court, and further directed Board to study full range of structural alternatives for Federal Courts of Appeals and submit report on the study to Congress and Judicial Conference of the United States, no later than 2 years and 9 months after Dec. 1, 1990.

§ 621. Board; composition, tenure of members, compensation

(a) The activities of the Center shall be supervised by a Board to be composed of—

(1) the Chief Justice of the United States, who shall be the permanent Chairman of the Board;

(2) two circuit judges, three district judges, one bankruptcy judge, and one magistrate judge, elected by vote of the members of the Judicial Conference of the United States, except that any circuit or district judge so elected may be either a judge in regular active service or a judge retired from regular active service under section 371(b) of this title but shall not be a member of the Judicial Conference of the United States; and

(3) the Director of the Administrative Office of the United States Courts, who shall be a permanent member of the Board.

(b) The term of office of each elected member of the Board shall be four years. A member elected to serve for an unexpired term arising by virtue of the death, disability, retirement pursuant to section 371(a) or section 372(a) of this

title, or resignation of a member shall be elected only for such unexpired term.

(c) No member elected for a four-year term shall be eligible for reelection to the Board.

(d) Members of the Board shall serve without additional compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

(Added Pub. L. 90-219, title I, §101, Dec. 20, 1967, 81 Stat. 664; amended Pub. L. 95-598, title II, §§228, 229, Nov. 6, 1978, 92 Stat. 2665; Pub. L. 104-317, title VI, §601(b), Oct. 19, 1996, 110 Stat. 3857.)

AMENDMENTS

1996—Subsec. (a)(2). Pub. L. 104-317, §601(b)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “two active judges of the courts of appeals of the United States, three active judges of the district courts of the United States, one active judge of the bankruptcy courts of the United States elected by vote of the members of the Judicial Conference of the United States: *Provided, however*, That the judges so elected shall not be members of the Judicial Conference of the United States; and”.

Subsec. (b). Pub. L. 104-317, §601(b)(2), substituted “retirement pursuant to section 371(a) or section 372(a) of this title,” for “retirement.”

1978—Subsec. (a)(2). Pub. L. 95-598, §228, inserted reference to one active judge of the bankruptcy courts of the United States.

Subsec. (b). Pub. L. 95-598, §229, struck out provisions requiring that section 629 of this title govern the terms of office of the first members elected to the Board.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(c) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

§ 622. Meetings; conduct of business

(a) Regular meetings of the Board shall be held quarterly. Special meetings shall be held from time to time upon the call of the Chairman, acting at his own discretion or pursuant to the petition of any four members.

(b) Each member of the Board shall be entitled to one vote. A simple majority of the membership shall constitute a quorum for the conduct of business. The Board shall act upon the concurrence of a simple majority of the members present and voting.

(Added Pub. L. 90-219, title I, §101, Dec. 20, 1967, 81 Stat. 665.)

§ 623. Duties of the Board

(a) In its direction and supervision of the activities of the Federal Judicial Center, the Board shall—

(1) establish such policies and develop such programs for the Federal Judicial Center as will further achievement of its purpose and performance of its functions;

(2) formulate recommendations for improvements in the administration of the courts of the United States, in the training of the personnel of those courts, and in the management of their resources;

(3) submit to the Judicial Conference of the United States, at least one month in advance