

1967—Pub. L. 90-219, title II, §204, Dec. 20, 1967, 81 Stat. 669, added item for chapter 42.

CHANGE OF NAME

“United States Magistrate Judges” substituted for “United States Magistrates” in item for chapter 43 pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of this title.

CHAPTER 41—ADMINISTRATIVE OFFICE OF UNITED STATES COURTS

Sec.	
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AMENDMENTS

2000—Pub. L. 106-518, title III, §304(b), Nov. 13, 2000, 114 Stat. 2418, added item 613.

1989—Pub. L. 101-162, title IV, §404(b)(2), Nov. 21, 1989, 103 Stat. 1015, added item 612.

1967—Pub. L. 90-219, title II, §201(b), Dec. 20, 1967, 81 Stat. 668, added item 611.

1959—Pub. L. 86-370, §5(a)(2), Sept. 23, 1959, 73 Stat. 652, substituted “Deputy Director” for “Assistant Director” in items 601 and 606.

1949—Act May 24, 1949, ch. 139, §72a, 63 Stat. 100, inserted an apostrophe after “Courts” and struck out comma after “Courts” in item 609.

§ 601. Creation; Director and Deputy Director

The Administrative Office of the United States Courts shall be maintained at the seat of government. It shall be supervised by a Director and a Deputy Director appointed and subject to removal by the Chief Justice of the United States, after consulting with the Judicial Conference. The Director and Deputy Director shall be deemed to be officers for purposes of title 5, United States Code.

(June 25, 1948, ch. 646, 62 Stat. 913; Pub. L. 86-370, §5(a)(1), Sept. 23, 1959, 73 Stat. 652; Pub. L. 101-650, title III, §307, Dec. 1, 1990, 104 Stat. 5112; Pub. L. 104-317, title VI, §602, Oct. 19, 1996, 110 Stat. 3857.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C. 1940 ed., §444 (Mar. 3, 1911, ch. 231, §302 as added Aug. 7, 1939, ch. 501, §1, 53 Stat. 1223).

This section contains part of section 444 of title 28, U.S.C., 1940 ed. The remainder of said section 444 is incorporated in sections 603, 606 and 608 of this title.

Changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104-317 inserted at end “The Director and Deputy Director shall be deemed to be officers for purposes of title 5, United States Code.”

1990—Pub. L. 101-650 substituted “Chief Justice of the United States, after consulting with the Judicial Conference” for “Supreme Court”.

1959—Pub. L. 86-370 substituted “Deputy Director” for “Assistant Director”.

¹Section catchline amended by Pub. L. 104-106 without corresponding amendment of chapter analysis.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86-370 effective Sept. 23, 1959, see section 7(a) of Pub. L. 86-370.

VETERANS' PREFERENCE IN JUDICIAL BRANCH APPOINTMENTS

Pub. L. 105-339, §4(d), Oct. 31, 1998, 112 Stat. 3186, provided that:

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Judicial Conference of the United States shall prescribe procedures to provide for—

“(A) veterans' preference in the consideration of applicants for employment, and in the conduct of any reductions in force, within the judicial branch; and

“(B) redress for alleged violations of any rights provided for under subparagraph (A).

“(2) PROCEDURES.—Under the procedures, a preference eligible (as defined by section 2108 of title 5, United States Code) shall be afforded preferences in a manner and to the extent consistent with preferences afforded to preference eligibles in the executive branch.

“(3) EXCLUSIONS.—Nothing in the procedures shall apply with respect to an applicant or employee—

“(A) whose appointment is made by the President with the advice and consent of the Senate;

“(B) whose appointment is as a judicial officer;

“(C) whose appointment is required by statute to be made by or with the approval of a court or judicial officer; or

“(D) whose appointment is to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code).

“(4) DEFINITIONS.—For purposes of this subsection, the term ‘judicial officer’ means a justice, judge, or magistrate judge listed in subparagraph (A), (B), (F), or (G) of section 376(a)(1) of title 28, United States Code.

“(5) SUBMISSION TO CONGRESS; EFFECTIVE DATE.—

“(A) SUBMISSION TO CONGRESS.—Not later than 12 months after the date of enactment of this Act [Oct. 31, 1998], the Judicial Conference of the United States shall submit a copy of the procedures prescribed under this subsection to the Committee on Government Reform and Oversight [now Committee on Oversight and Government Reform] and the Committee on the Judiciary of the House of Representatives and the Committee on Governmental Affairs [now Committee on Homeland Security and Governmental Affairs] and the Committee on the Judiciary of the Senate.

“(B) EFFECTIVE DATE.—The procedures prescribed under this subsection shall take effect 13 months after the date of enactment of this Act.”

REFERENCE TO ASSISTANT DIRECTOR DEEMED

REFERENCE TO DEPUTY DIRECTOR

Pub. L. 86-370, §5(a)(4), Sept. 23, 1959, 73 Stat. 652, provided that: “Whenever the Assistant Director of the Administrative Office of the United States Courts is referred to in any other law, such reference shall be deemed to be to the Deputy Director of the Administrative Office of the United States Courts.”

CONTINUATION OF LAW EXISTING ON SEPT. 1, 1948

Act June 25, 1948, ch. 646, §2(b), 62 Stat. 985, provided that: “The provisions of title 28, Judiciary and Judicial Procedure, of the United States Code, set out in section 1 of this Act, with respect to the organization of each of the several courts therein provided for and of the Administrative Office of the United States Courts, shall be construed as continuations of existing law, and the tenure of the judges, officers, and employees thereof and of the United States attorneys and marshals and their deputies and assistants, in office on the effective date of this Act [Sept. 1, 1948], shall not be affected by its enactment, but each of them shall continue to serve in the same capacity under the appropriate provisions of title 28, as set out in section 1 of this Act, pursuant to his prior appointment: *Provided, however,* That each circuit court of appeals shall, as in said title 28 set out,