

TITLE 28—JUDICIARY AND JUDICIAL PROCEDURE

This title was enacted by act June 25, 1948, ch. 646, §1, 62 Stat. 869

Part		Sec.
I.	Organization of Courts	1
II.	Department of Justice	501
III.	Court Officers and Employees	601
IV.	Jurisdiction and Venue	1251
V.	Procedure	1651
VI.	Particular Proceedings	2201

AMENDMENTS

1966—Pub. L. 89-554, §4(a), Sept. 6, 1966, 80 Stat. 611, substituted "Department of Justice" for "United States Attorneys and Marshals" in item for part II.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 28

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
1-4bb	132-134
1 nt	133
5	135
5a	T. 48 §1392a
5b	Elim.
6, 7	751
8	751, 954
9	604, 755
9a	1915
9a(a)	753, 1920
9a(b)	753
9a(c)	550, 604, 753, 1915
9a(d)	753
9a(e)	1915
9b	Rep. See Civ. Proc. R. 75.
10	457
11, 12	Rep. See Civ. Proc. R. 6(c), Cr. Proc. R. 45(c).
13	452
14	Rep. See Cr. Proc. R. 45(c).
15	141
16	140, 296
17	291, 292, 295, 296
18	296
19	Rep.
20	295
21	292
22	291, 296
23	296
24	455
25	144
26	143
27	137
41(1)	1331, 1332, 1341, 1342, 1345, 1354, 1359
41(2)	Rep.
41(3)	1333, 1356
41(4)	Rep.
41(5)	1340
41(6)	1339
41(7)	1338
41(8)	1337
41(9)	1355
41(10)	Rep.
41(11)	1357
41(12-14)	1343
41(15)	1344
41(16)	1348
41(17)	1350
41(18)	1351
41(19)	1334
41(20)	1346, 2401, 2402

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
41(21)	Rep.
41(22)	Rep.
41(23)	1337
41(24)	1353
41(25)	1357, 1399
41(26)	1335, 1397, 2361
41(27), (28)	1336
42	1349
43	1398
44	2321
45	Rep.
45a	2323
46	2324
47	1253, 2101, 2284, 2325
47a	1253, 2101, 2284
48	2322
49-51	Rep.
52	Elim.
53	T. 15 §146a
71	1441, 1445, 1447
72	1446, 1447
73	Rep.
74	1443, 1446, 1447
75	1446
76	1442, 1446, 1447
77	1442
78	1449
79	1450
80	1359, 1447, 1919
81	1447
82	Rep.
83	1447, 1448
101	T. 18 §3235
102	T. 18 §3238
103	T. 18 §3237
104	1395
105	1396
106-108	1395
109	1400, 1694
110	1394
111	1391
112	1391, 1401, 1693, 1695
113	1392
114	1393, 1441
115	Rep. See Civ. Proc. R. 4(f).
116	1392
117	754, 1692
118	1655
119	1404
120	Rep.
121	1405; T. 18 §3240
122	1656
123	Rep.
124	959; T. 18 §1911
124a	960
125	959
126	458
127	957
128	604, 752
141	Rep.
142	81
143	82
144	83
145	84
146	85, 140
147	86
148	87
149	89

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 28—Continued

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
149a, 149b	Rep.
150	90
150a	Rep.
151	92
152	93
153	94
154, 155	Rep.
156, 156a	95
157	96
158	97
159	98
160	99
161	Rep.
162	Rep.
163	1404
164	Rep. See Civ. Proc. R. 77.
165	Rep.
166	100
167	101
168	102
169	103
170	104
171	105
172	106
173	107
174	108
175	109
176	110
177	111
178, 178a	112
179	113
179a	Elim.
180	114
181	115, 1865
182	116, 138
182a	116
183	117
184	118
184a	Elim.
185	120
186	121
186a	Elim.
187	122
188	123
189	124
189a	Elim.
190	125
191	126
192, 192a	127
193	128
194	129
195	130
196	131
211	41
211a	Rep.
212	43, 46
213	44
213a-213h	Elim.
214	Rep.
215	42
216	45, 47, 292
216a	45
217	Rep.
218	231, 456
219	2071
220	547
221	711, 956
222	711, 954
222a	604, 712
223	48
224	Rep.
225(a)	1291, 1293
225(b)	1292
225(c)	Rep.
225(d)	1294
225(e), (f)	Rep.
226	Rep.
227	1292
227a	1292, 2107
228, 228a	Rep. See Civ. Proc. R. 73.
229	Rep.
230	2107
231	2108
241	171, 173, 453
242	Rep.

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
243	174, 175
244	791, 795, 956
245	604
246	952
247	Rep.
248	415, 791
249	T. 18 §282
250(1)	1491, 1501
250(2)	1503, 2501
250(3)	1496
250a	1497, 2501
250b	Rep.
251	Rep.
252	2508
253	2512
254	1493, 2510
255	2510
256	Rep.
257	1492, 2509
258	2412
259	1502
259a	T. 25 §70w (Rep. See T. 28 §1505).
260	1500
261	2502
262	2501
263	792, 2071
264	459, 953
265	Rep. See Ct. Claims R. 1, 10, 16 et seq. ¹
266	Rep. See Ct. Claims R. 10. ¹
267, 268	Rep.
268a	604, 793
269	792, 2503
270	456, 792, 794
271	Rep.
272	2507
273	Rep.
274	2504
275, 275a	2505
276	2503
277	Rep. See Ct. Claims R. 40 et seq. ¹
278	2503
278a	604, 793
279, 280	2514
281, 282	2515
283	2520
283a	791, 2520
284	2516
285	2517
286	2519
287	1494, 2511
288	1255
289	791
290, 291	Rep.
292	2506
293	Rep.
296	251-254, 456, 1581, 2071, 2639, 2640
296a	456
297	2636
301	211-213, 215, 293, 296
301a	213
301b	(See former 301a)
302	214, 452, 456, 604
303	604, 832
304	604, 831, 956, 957, 1926
305	604, 831, 833, 834, 956
306	604, 834
307	211, 2071
308	1256, 1541
309	Rep.
309a	1542
310	2601
311	Rep.
312	216
321	1
322	4
323	3
324	5
325	671-673
326	671, 1737
327	671, 954
328	675
329	6
330	1911

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
331	672
332, 333	673
334	411
335	412
336	Elim.
337	413
338	2
339, 340	Rep.
341	1251
342	1651
343	1872
344	1257, 2103, 2106
345	Rep.
346, 347	1254
348, 349	Rep.
349a	1252, 2101
350	2101
351	2102
352	Rep. See Sup. Ct. R. 32.
353	Rep.
354	676
371(1)	Rep.
371(2)	1355
371(3)	1333
371(4)	1333, 1356
371(5)	1338
371(6)	1334
371(7)	1251
371(8)	1251, 1351
372	453
373	454
374	456
374a	Elim.
374b	604
374c, 374d	752
375	136, 294, 371
375a	294, 371
375b-375d	372
375e	Rep.
375f	294
375g, 375h	373
376, 377	1651
377a-377c	D.C. Code, §§16-3501 to 16-3503
378	Rep.
379	2283
380	1253, 2101, 2281, 2284
380a	1253, 2101, 2282, 2284
381	Rep. See Civ. Proc. R. 65.
382	Rep. See Civ. Proc. R. 65(c).
383	Rep. See Civ. Proc. R. 65(d).
384	Rep.
385	459; T. 18 § 401
386	T. 18 §§ 402, 3691
387	T. 18 § 402
388	Rep.
389	T. 18 §§ 402, 3691
390	T. 18 § 3285
390a	T. 18 § 402
391	Rep. See Civ. Proc. R. 59, 61; Cr. Proc. R. 33, 52.
392	T. 18 § 3043
393	T. 22 § 258a
394	1654
395	556, 955
396	556, 955
397, 398	Rep.
399	1653
400	2201, 2202
401	2403
402	374
411	1861
412, 412a	1864
413	1865
414	Rep.
415	1861, 1863
416	1867, 1868
417	1866, 1868
417a	Rep. See Cr. Proc. R. 24(c).
418	1866
419	T. 18 § 3321
420	Rep. See Cr. Proc. R. 6(c).
421	Rep. See Cr. Proc. R. 6(a), (g).
422	Rep. See Cr. Proc. R. 6(g).
423	1869
424	1870

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
425	Rep. See Cr. Proc. R. 24(b).
426	Rep.
430, 430a	Rep.
431-432a	Rep.
433, 434	Rep.
441-443	Rep.
444	601, 603, 606, 608
445	602, 603, 607
446	604, 609
447	604, 605
448	332
449	333, 456
450	333, 604, 610
451-453	2241
454	2242
455-461	2243
462	2252
463(a)	2253
463(b)-(d)	Rep.
464	Rep. See Civ. Proc. R. 73-75, 81(a)(2).
465	2251
466	2253
481	501
481a	Elim.
482	504
483	502
484	550
485-489	547
490	541
490a	Elim.
491	541
492, 493	542
494	543
495	548
496-498	564
499	564, 1737
500-502	564
503	547
504	549
504a	T. 18 § 3053
505	550
506	546
507	554
508	555
509, 510	Rep.
511	506, 544, 545
512	951
513, 514	952, 1737
515-517	952
518, 519	Rep.
520	Rep. See Civ. Proc. R. 81(b).
521	Rep.
522	T. 18 § 2076
523	953
523a, 523b	457
524	505, 541, 751
525	636, 953
526	631
527	631, 958
528	638
528a	638, 639
529	Rep. See Cr. Proc. R. 55.
530	413, 414
530a	Elim.
531	T. 18 § 1910
541, 542	671
543	1913
544	604, 711, 961, 962
545	604
546	711
547	604, 713
548	Rep.
549	1914
550, 551	Rep.
552	1917
553	1914
554	Rep.
555	1914
556	Rep.
557	604, 751
558	604
559	Rep.
560	604, 962
561, 561a	604

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
562	604, 962
563	604, 961
564	Rep.
565, 566	604
567-569	751
570	Rep.
571, 572	1923
572a	T. 18 § 155
573	Rep.
574	553, 1921
575	Rep.
576	553
577	551, 1929
578	1923
578a	551
578b, 578c	Rep.
579	508, 552
580	508
581	Rep.
582, 583	552, 553
584, 584a, 585	553
586	509, 550
586a	Rep.
587	509, 553
588, 589	Rep.
590	T. 18 § 203
591	Rep.
592	509
593	510
594	502
595, 596	604, 755
597-597c	635
598-599a	636
600-600b	1871
600c	1821, 1825
600d	Rep.
601	Elim.
602	1824
603-604a	1823
605	Rep.
606, 607	T. 44 §§ 325, 326 (See Rev. T. 44 Table)
608	1825, 1871
609	Rep.
631	Rep. See Civ. Proc. R. 43.
632	T. 18 § 3481
633	Rep.
634	T. 18 § 3486
635	Rep. See Civ. Proc. R. 43(a).
636	Rep. See Civ. Proc. R. 34, 55.
637	2072, 2073
638	1731
639-641	Note prec. 1781
642	Rep. See Civ. Proc. R. 28.
643, 644	Rep. See Civ. Proc. R. 26 et seq.
645	Rep. See Civ. Proc. R. 27(a)(4).
646	Rep. See Civ. Proc. R. 26 et seq.
647	Rep. See Civ. Proc. R. 45; Cr. Proc. R. 17.
648	Rep. See Civ. Proc. R. 45(d); Cr. Proc. R. 17(f).
649-652	1782
653	1781, 1782
654	Rep. See Civ. Proc. R. 45(e)(1); Cr. Proc. R. 17(e).
655	Rep. See Civ. Proc. R. 45; Cr. Proc. R. 17.
656	Rep. See Cr. Proc. R. 17(b).
657	Rep. See Cr. Proc. R. 46(b).
658	Rep.
659	Rep. See Cr. Proc. R. 46(b).
660	Rep.
661-667	1733
668	T. 18 § 3497
669	Rep.
670	1743
671	1733
672	Rep.
673	1744
674	1745
675	Rep.
676	1736
677	1740
678-680	Rep.
681-684	1734

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
685, 686	1735
687	1738
688	1739
689	1742
690	T. 30 § 53
695	1732
695a	T. 18 § 3491
695b	T. 18 § 3492
695c	T. 18 § 3493
695d	T. 18 § 3494
695e	1741
695e-1	T. 22 § 4222
695f	T. 18 § 3495
695g	T. 18 § 3496
695h	Rep.
701	1782
702	1785
703, 704	1782
711-713	1783
714-718	1784
721	1691
722	Rep. See Civ. Proc. R. 4.
723	2071, 2073
723a	T. 18 § 3772
723a-1	T. 18 § 3771
723b, 723c	2072
724	Rep.
725	1652
726	Rep. See Civ. Proc. R. 64.
727	Rep. See Civ. Proc. R. 69.
728	Rep.
729	T. 42 § 1988
730	2072, 2073
731	2071
732-734	Rep.
735	Rep. See Civ. Proc. R. 4; Cr. Proc. R. 4, 9; Adm. R. 1. ²
736	Rep.
737	See 2710
738	See 2711
739	See 2712
740	See 2713
741	See 2714
742	See 2715
743	See 2716
744	See 2717
745	Rep.
746	Rep. See Civ. Proc. R. 64.
747	2463
748-750	2405
751, 752	Rep.
753	Adm. R. 6-8, 10, 12 ²
754	2464
755-757	Rep.
758	636
759, 760	Rep.
761	2071, 2072
762	1402
763	Rep. See Civ. Proc. R. 4(d), 12(a), 55(e).
764	Rep. See Civ. Proc. R. 52, 75.
765	2411
766	2409
767	Rep. See Civ. Proc. R. 4(h).
768	Rep. See Sup. Ct. R. 20.
769	Rep. See Civ. Proc. R. 40.
770	1873
771	Adm. R. 46 ^{1/2} ²
772	Rep. See Civ. Proc. R. 39(c), 48.
773	Rep. See Civ. Proc. R. 38 et seq.
774	2406
775	Rep.
776	Rep. See Civ. Proc. R. 46, 63, 75.
777	Rep. See Civ. Proc. R. 1, 15, 61.
778-780	Rep. See Civ. Proc. R. 25, 81.
780a	2404
781	2407
782	Rep. See Civ. Proc. R. 12(a).
783	Rep.
784	T. 19 § 579
785	1874
786	Rep.
787	T. 19 § 580
788	See 2718
789	Rep.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 28—Continued

<i>Title 28 Former Sections</i>	<i>Title 28 New Sections</i>
790	Rep. See Civ. Proc. R. 75; Adm. R. 49. ²
791	2462
792	2284
811	1961
811a	Rep.
812	1962
813	Rep.
814	1962
815	Rep. See Civ. Proc. R. 41(d), 42(a), 54(d), 68.
816	Rep.
817	Elim.
818	2465
819	Rep.
820	Rep.
821	1928
822	1918
823, 824	Rep.
825	Rep. See Civ. Proc. R. 42(a).
826	Rep.
827	2465
828	1922
829	1927
830	1920
831	1924
832-836	1915
837	1916
838	Rep. See Civ. Proc. R. 4.
839	2413
840	Rep. See Civ. Proc. R. 59, 62.
841	Rep. See Civ. Proc. R. 62(f).
842	2006
843-845	2007
846	2005
847	2001
848	2004
849	2002
850	2003
851	2041
852	2042
861	Rep.
861a	Rep.
861b	Elim.
862	Rep.
863	Rep. See Civ. Proc. R. 75; Adm. R. 49. ²
864	Rep. See Civ. Proc. R. 75(k).
865-867	Rep.
868	Rep. See Sup. Ct. R. 10, 36.
869	Rep.
870	2408
871	2104
872	Rep. See Civ. Proc. R. 73.
873	Rep.
874	Rep. See Civ. Proc. R. 62(d), 73(d); Sup. Ct. R. 36.
875	Rep. See Civ. Proc. R. 46, 52, 73, 75.
876, 877	2106
878	1912
879	2105
880	Rep.
901, 902	2410
903	1444
904, 905	2410
906	Rep.
921	2672
922	2673
931(a)	1346, 1402, 2402, 2411, 2412, 2674
931(b)	2675, 2676
932	1346, 2411
933(a)(1)	1291
933(a)(2)	1504, 2110
933(b)	Rep.
934	2677
941	2671
942	2401
943	2680
944	2678
945	2679
946	Elim.

¹Court of Claims Rules were replaced by U.S. Claims Court Rules effective Oct. 1, 1982, and subsequently by United States Court of Federal Claims Rules effective Dec. 4, 1992.

²Admiralty Rules were superseded July 1, 1966, by Supplemental Rules for Certain Admiralty and Maritime Claims.

ENACTMENT INTO LAW; CITATION

Section 1 of act June 25, 1948, ch. 646, 62 Stat. 869, provided in part: "That title 28 of the United States Code, entitled 'Judicial Code and Judiciary' is hereby revised, codified, and enacted into law, and may be cited as 'Title 28, United States Code, section _____.'"

LEGISLATIVE CONSTRUCTION

Section 33 of act June 25, 1948, ch. 646, 62 Stat. 991, provided that: "No inference of a legislative construction is to be drawn by reason of the chapter in Title 28, Judiciary and Judicial Procedure, as set out in section 1 of this Act, in which any section is placed, nor by reason of the catchlines used in such title."

SEPARABILITY

Section 34 of act June 25, 1948, ch. 646, 62 Stat. 991, provided that: "If any part of Title 28, Judiciary and Judicial Procedure, as set out in section 1 of this Act, shall be held invalid, the remainder shall not be affected thereby."

EFFECTIVE DATE

Section 38 of act June 25, 1948, ch. 646, 62 Stat. 992, provided that: "The provisions of this Act shall take effect on September 1, 1948."

REPEALS; RIGHTS AND LIABILITIES SAVED

Act June 25, 1948, ch. 646, §39, 62 Stat. 992, repealed the sections or parts thereof of the Revised Statutes of the United States, Statutes at Large, or the Revised Statutes of the District of Columbia covering provisions codified in this title, but saved any rights or liabilities then existing under said sections or parts thereof.

R.S. §1012 as affected by act Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167 [section 880 of former Title 28, Judicial Code and Judiciary], provided that appeals from district courts shall be subject to the same rules, regulations, and restrictions as are or may be prescribed in law in cases of writs of error. This provision was repealed by act June 25, 1948, ch. 646, §39, 62 Stat. 992. Section 2 of act Jan. 31, 1928, ch. 14, 45 Stat. 54, as amended Apr. 26, 1928, ch. 440, 45 Stat. 466; June 25, 1948, ch. 646, §23, 62 Stat. 990 [section 861b of former Title 28, Judicial Code and Judiciary], provided that: "All Acts of Congress referring to writs of error shall be construed as amended to the extent necessary to substitute appeal for writ of error."

WRITS OF ERROR

Act Jan. 31, 1928, ch. 14, §1, 45 Stat. 54 [section 861a of former Title 28, Judicial Code and Judiciary], provided that: "The writ of error in cases, civil and criminal, is abolished. All relief which heretofore [Jan. 31, 1928] could be obtained by writ of error shall hereafter be obtainable by appeal." This provision was omitted from the 1948 Revised Judicial Code as obsolete, and repealed by act June 25, 1948, ch. 646, §39, 62 Stat. 992. Section 2 of act Jan. 31, 1928, which originally related to procedure in appeal cases, was also omitted from the 1948 Revised Judicial Code and was amended generally by act June 25, 1948, ch. 646, §23, 62 Stat. 990. Text as amended by section 23 of act June 25, 1948, is set out as a note preceding section 1 of Title 1, General Provisions.

TITLE 28 AS CONTINUATION OF EXISTING LAW; CHANGE OF NAME OF CIRCUIT COURTS OF APPEALS

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, hereafter be known as a United States court of appeals. No loss of rights, interruption of jurisdiction, or prejudice to matters pending in any of such courts on the effective date of this Act shall result from its enactment."

PART I—ORGANIZATION OF COURTS

Chap.		Sec.
1.	Supreme Court	1
3.	Courts of appeals	41
5.	District courts	81
6.	Bankruptcy judges	151
7.	United States Court of Federal Claims	171
[9.]	Repealed.]	
11.	Court of International Trade	251
13.	Assignment of judges to other courts	291
15.	Conferences and councils of judges	331
16.	Complaints against judges and judicial discipline	351
17.	Resignation and retirement of judges¹	371
19.	Distribution of reports and digests	411
21.	General provisions applicable to courts and judges	451
23.	Civil justice expense and delay reduction plans	471

AMENDMENTS

2002—Pub. L. 107-273, div. C, title I, §11042(b), Nov. 2, 2002, 116 Stat. 1855, added item for chapter 16.

1992—Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516, substituted "United States Court of Federal Claims" for "United States Claims Court" in item for chapter 7.

1990—Pub. L. 101-650, title I, §103(d), Dec. 1, 1990, 104 Stat. 5096, added item for chapter 23.

1984—Pub. L. 98-353, title I, §104(b), July 10, 1984, 98 Stat. 342, added item for chapter 6.

1982—Pub. L. 97-164, title I, §§105(b), 106, Apr. 2, 1982, 96 Stat. 28, substituted "United States Claims Court" for "Court of Claims" in item for chapter 7 and struck out item for chapter 9 "Court of Customs and Patent Appeals".

1980—Pub. L. 96-417, title V, §501(1), Oct. 10, 1980, 94 Stat. 1742, substituted "Court of International Trade" for "Customs Court" in item for chapter 11.

1978—Pub. L. 98-598, title II, §201(b), Nov. 6, 1978, 92 Stat. 2660, directed amendment of analysis of chapters comprising part I by adding item for chapter 6 "Bankruptcy courts", 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.

EXECUTIVE ORDER NO. 11992

Ex. Ord. No. 11992, May 24, 1977, 42 F.R. 27195, which established Committee on Selection of Federal Judicial Officers and provided for its membership, functions, etc., was revoked, and Committee terminated, by Ex.

¹Chapter heading amended by Pub. L. 92-397 without corresponding amendment of analysis.

Ord. No. 12305, May 5, 1981, 46 F.R. 25421, set out as a note under section 14 of the Federal Advisory Committee Act in the Appendix to Title 5, Government Organization and Employees.

CHAPTER 1—SUPREME COURT

- Sec.
1. Number of justices; quorum.
 2. Terms of court.
 3. Vacancy in office of Chief Justice; disability.
 4. Precedence of associate justices.
 5. Salaries of justices.
 6. Records of former court of appeals.

§ 1. Number of justices; quorum

The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum.

(June 25, 1948, ch. 646, 62 Stat. 869.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §321 (Mar. 3, 1911, ch. 231, §215, 36 Stat. 1152).

Appointment of "judges of the Supreme Court" by the President by and with the advice and consent of the Senate is provided by U.S. Constitution art. 2, §2, cl. 2.

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-72, div. B, §1001, Oct. 26, 2017, 131 Stat. 1229, provided that: "This division [enacting section 1232 of Title 11, Bankruptcy, amending section 1930 of this title and sections 1222, 1228, and 1229 of Title 11, and enacting provisions set out as notes under sections 152, 589a, and 1930 of this title and section 1222 of Title 11] may be cited as the 'Bankruptcy Judgeship Act of 2017'."

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-319, §1, Dec. 16, 2016, 130 Stat. 1618, provided that: "This Act [amending section 1605 of this title and enacting provisions set out as notes under section 1605 of this title] may be cited as the 'Foreign Cultural Exchange Jurisdictional Immunity Clarification Act'."

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-74, title VII, §701(a), Nov. 2, 2015, 129 Stat. 599, provided that: "This section [amending and repealing provisions set out as notes under section 2461 of this title] may be cited as the 'Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015'."

SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112-188, §1, Oct. 5, 2012, 126 Stat. 1433, provided that: "This Act [amending sections 104 and 105 of this title and enacting provisions set out as a note under section 104 of this title] may be cited as the 'Divisional Realignment Act of 2012'."

Pub. L. 112-121, §1, May 25, 2012, 126 Stat. 346, provided that: "This Act [amending sections 589a and 1930 of this title, enacting provisions set out as notes under sections 152, 589a, and 1931 of this title, and amending provisions set out as a note under section 1931 of this title] may be cited as the 'Temporary Bankruptcy Judgeships Extension Act of 2012'."

SHORT TITLE OF 2011 AMENDMENT

Pub. L. 112-63, §1(a), Dec. 7, 2011, 125 Stat. 758, provided that: "This Act [enacting sections 1390 and 1455 of this title, amending sections 1332, 1391, 1404, 1441, 1446, and 1453 of this title, repealing section 1392 of this title, and enacting provisions set out as notes under sections 1332 and 1390 of this title] may be cited as the 'Federal Courts Jurisdiction and Venue Clarification Act of 2011'."