

CHAPTER 6—BANKRUPTCY JUDGES

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151.	Designation of bankruptcy courts.
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Editorial Notes

AMENDMENTS

2005—Pub. L. 109-8, title VI, § 601(b), Apr. 20, 2005, 119 Stat. 120, added item 159.

PRIOR PROVISIONS

A prior chapter 6, consisting of sections 151 to 160, which was added by Pub. L. 95-598, title II, § 201(a), Nov. 6, 1978, 92 Stat. 2657, as amended by Pub. L. 97-164, title I, § 110(d), Apr. 2, 1982, 96 Stat. 29, and which related to bankruptcy courts, 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.

Statutory Notes and Related Subsidiaries

COURTS DURING TRANSITION

Pub. L. 95-598, title IV, § 404, Nov. 6, 1978, 92 Stat. 2683, as amended by Pub. L. 98-249, § 1(b), Mar. 31, 1984, 98 Stat. 116; Pub. L. 98-271, § 1(b), Apr. 30, 1984, 98 Stat. 163; Pub. L. 98-299, § 1(b), May 25, 1984, 98 Stat. 214; Pub. L. 98-325, § 1(b), June 20, 1984, 98 Stat. 268; Pub. L. 98-353, title I, § 121(b), July 10, 1984, 98 Stat. 345, which provided that, for purposes of Pub. L. 95-598, which enacted Title 11, Bankruptcy, and the amendments made by Pub. L. 95-598, the courts of bankruptcy as defined under section 1(10) of former Title 11, created under section 11(a) of former Title 11, and existing on Sept. 30, 1979, continue to be courts of bankruptcy during the transition period beginning Oct. 1, 1979, and ending July 9, 1984, made provision for extension of the term of office of referees in bankruptcy serving on Nov. 6, 1978, and for such a referee to have the title of United States bankruptcy judge, established for each State a merit screening committee to pass on qualifications of such a referee and determine if the term of such a referee should be extended, and set forth the rules and provisions applicable to United States bankruptcy judges during the transition period, was repealed by Pub. L. 98-353, title I, §§ 114, 122(a), July 10, 1984, 98 Stat. 343, 346, eff. July 10, 1984.

TRANSITION STUDY

Pub. L. 95-598, title IV, § 406, Nov. 6, 1978, 92 Stat. 2686, as amended by Pub. L. 98-249, § 1(c), Mar. 31, 1984, 98 Stat. 116; Pub. L. 98-271, § 1(c), Apr. 30, 1984, 98 Stat. 163; Pub. L. 98-299, § 1(c), May 25, 1984, 98 Stat. 214; Pub. L. 98-325, § 1(c), June 20, 1984, 98 Stat. 268; Pub. L. 98-353, title I, § 121(c), July 10, 1984, 98 Stat. 346, which provided that during the transition period, Oct. 1, 1979, to July 9, 1984, the Director of the Administrative Office of the United States Courts make continuing studies and surveys in the judicial districts to determine the number of bankruptcy judges needed after July 9, 1984, to provide for the expeditious and effective administration of justice, their regular places of offices, and the places where the court was to be held, and that the Director report to the judicial councils of the circuits and the Judicial Conference of the United States his recommendations, the judicial councils advise the Conference of their recommendations, and the Conference

¹ So in original. Does not conform to section catchline.

recommend to the Congress and the President, before Jan. 3, 1983, the number of bankruptcy judges needed after July 9, 1984, and the locations at which they were to serve, was repealed by Pub. L. 98-353, title I, §§ 114, 122(a), July 10, 1984, 98 Stat. 343, 346, eff. July 10, 1984.

JUDICIAL ADMINISTRATION DURING TRANSITION

Pub. L. 95-598, title IV, § 407, Nov. 6, 1978, 92 Stat. 2686, which provided that the Director of the Administrative Office of the United States Courts appoint a committee of not fewer than seven United States bankruptcy judges to advise the Director with respect to matters arising during the transition period or that are relevant to the purposes of the transition period, and directed that during the transition period, the chief judge of each circuit summon at least one bankruptcy judge from each judicial district within the circuit to the judicial conference of such circuit called and held under section 332 of this title, was repealed by Pub. L. 98-353, title I, §§ 114, 122(a), July 10, 1984, 98 Stat. 343, 346, eff. July 10, 1984.

EXTENSION AND TERMINATION OF TERM OF OFFICE OF BANKRUPTCY JUDGE SERVING ON JUNE 27, 1984

Pub. L. 98-353, title I, § 121(e), July 10, 1984, 98 Stat. 346, provided that: "The term of office of any bankruptcy judge who was serving on June 27, 1984, is extended to and shall expire at the end of the day of enactment of this Act [July 10, 1984]."

[Section 121(e) of Pub. L. 98-353 effective June 27, 1984, see section 122(c) of Pub. L. 98-353, set out as an Effective Date note under section 151 of this title.]

For prior extensions of the term of office of bankruptcy judges see:

- Pub. L. 98-325, § 2, June 20, 1984, 98 Stat. 268.
- Pub. L. 98-299, § 2, May 25, 1984, 98 Stat. 214.
- Pub. L. 98-271, § 2, Apr. 30, 1984, 98 Stat. 163.
- Pub. L. 98-249, § 2, Mar. 31, 1984, 98 Stat. 116.

§ 151. Designation of bankruptcy courts

In each judicial district, the bankruptcy judges in regular active service shall constitute a unit of the district court to be known as the bankruptcy court for that district. Each bankruptcy judge, as a judicial officer of the district court, may exercise the authority conferred under this chapter with respect to any action, suit, or proceeding and may preside alone and hold a regular or special session of the court, except as otherwise provided by law or by rule or order of the district court.

(Added Pub. L. 98-353, title I, § 104(a), July 10, 1984, 98 Stat. 336.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 98-353, title I, § 122, July 10, 1984, 98 Stat. 346, provided that:

"(a) Except as otherwise provided in this section, this title and the amendments made by this title [enacting this chapter and sections 1408 to 1412 and 1452 of this title, amending sections 372, 634, 957, 1334, 1360, and 1930 of this title, sections 8331, 8334, 8336, 8339, 8341, and 8344 of Title 5, Government Organization and Employees, and section 105 of Title 11, Bankruptcy, enacting provisions set out as notes preceding section 151 of this title and under sections 151 to 153, 634, and 1334 of this title and section 8331 of Title 5, amending provisions set out as notes preceding sections 151 and 1471 of this title and section 101 of Title 11, and repealing provisions set out as notes preceding sections 151 and 1471 of this title] shall take effect on the date of the enactment of this Act [July 10, 1984].

"(b) Section 1334(c)(2) of title 28, United States Code, and section 1411(a) of title 28, United States Code, as