

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

Table with 2 columns: Chap. and Sec. listing chapters 1 through 23 and their corresponding section numbers.

Editorial Notes

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.

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

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 Documents

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. 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.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 116-325, §1, Jan. 12, 2021, 134 Stat. 5086, provided that: "This Act [amending sections 375, 589a, and 1930 of this title and section 330 of Title 11, Bankruptcy, and enacting provisions set out as notes under sections 152, 589a, and 1930 of this title and section 330 of Title 11] may be cited as the 'Bankruptcy Administration Improvement Act of 2020'."

SHORT TITLE OF 2019 AMENDMENT

Pub. L. 116-73, §1, Nov. 26, 2019, 133 Stat. 1154, provided that: "This Act [amending section 83 of this title and enacting provisions set out as a note under section 83 of this title] may be cited as the 'Divisional Realignment for the Eastern District of Arkansas Act of 2019'."

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-332, §1, Dec. 19, 2018, 132 Stat. 4487, provided that: "This Act [amending section 1631 of this title] may be cited as the 'Protecting Access to the Courts for Taxpayers Act'."

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'."