

Congress of the United States

Washington, DC 20515

Friday, March 12th, 2021

Kaitlyn Hobbs Demers
Special Assistant to the President and Chief of Staff
Office of Legislative Affairs
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Ms. Kaitlyn Hobbs Demers,

We write today urging you to prioritize the appointment of judges to the two vacant seats in the Eastern District of California. With an existing judge shortage already crippling the Eastern District's ability to see cases to completion in a timely manner, vacancies have only further hindered the court's ability to deliver prompt justice to those before it.

The Eastern District of California covers 34 counties, stretching from Bakersfield in the southern part of the state's Central Valley to Redding in the northernmost part of the state. It includes five of the fastest growing cities in the state – Rocklin, Roseville, Clovis, Folsom, and Merced - and three of the top 10 most-populated cities in the state – Fresno (with 545,769 residents), Sacramento (with 510,931 residents) and Bakersfield (with 392,756 residents)¹. All-together, the population served by the court is approximately 8.4 million.

In her recent testimony before the House Judiciary Subcommittee on Courts, Intellectual Property, and the Internet, Chief Judge Kimberly J. Mueller of the Eastern District of California highlighted the current challenges her court faces. The court has had six permanent judgeships since 1978, when the population served was half of what it is today. Justices in the Eastern District of California regularly face caseloads that double the national average and with two current vacancies, that number has only grown to be closer to triple the national average. In fact, Chief Judge Mueller testified that, accounting for the two vacancies on the court, the current caseload is roughly 1,839 per active district judge. Nationally, the average caseload per judgeship is 734.

The Eastern District of California is ranked second in their Circuit and eight nationwide in terms of productivity, measured in terms of cases closed per year. Yet, the court currently ranks 93 out of 94 for time to close criminal cases, with the median time from filing to disposition for criminal felony cases taking 20.6 months². Civil cases can take even longer to resolve, at times five years or more.

¹ **Sacramento Bee**, [These are the fastest-growing cities in California, says the state's latest population study](#), Emiliano Tahui Gomez, June 9, 2020

² **Administrative Office of U.S. Courts**, [Comparison of Districts Within the First Circuit](#) — 12-Month Period Ending September 30, 2020

Given the untenably large caseloads judges in the Eastern District of California currently face, we urge you to take swift action to fill the two vacant seats so that the court can deliver justice for those it serves in a more timely and efficient manner.

Sincerely,



Josh Harder
Member of Congress



Doris Matsui
Member of Congress



Jim Costa
Member of Congress



John Garamendi
Member of Congress



Ami Bera, M.D.
Member of Congress



Jerry McNerney
Member of Congress