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Re: Vote for H.R. 2266, the Bankruptcy Judgeship Act of 2017

Dear Representative:

On behalf of the ABA and its over 400,000 members, I am writing to urge you to vote for H.R. 2266, ABA-supported legislation that would convert 14 existing temporary bankruptcy judgeships to permanent status and authorize four new permanent bankruptcy judgeships in districts with some of the highest caseloads in the country. The bankruptcy bill, which was cosponsored by the Chair and Ranking Member of the House Judiciary Committee, is based on a rigorous bankruptcy judgeship needs assessment recently conducted by the Judicial Conference of the United States.

Expedited action on this bill is essential to prevent the 14 temporary bankruptcy judgeships from lapsing on May 29. Temporary judgeships, which are created for a specified number of years, are meant to accommodate existing or anticipated spikes in filings that are expected to subside over time. Once the term of a temporary judgeship expires, the bankruptcy court is obligated to reduce its total number of judgeships by not filling the next vacancy that occurs.

The 14 temporary bankruptcy judgeships addressed in this bill were created in 2005 to handle spikes in filings in the districts served by these judgeships. However, the spikes never subsided. In fact, over the last 12 years, the districts with these temporary judgeships have experienced a 55% increase in weighted case filings, a measurement that takes into account the complexity of each case. In some districts, where the growth in caseload has resulted in bankruptcy judges' being assigned hundreds of cases above the average workload of 1,200 cases a year, additional judgeships need to be created to handle the caseload growth. Therefore, this bill also would create four new permanent judgeships – two in Delaware, one in Michigan, and one in the Middle District of Florida.

Every year, thousands of individuals and businesses from every state turn to the bankruptcy court system for relief from burdensome debt that threatens to cast families into poverty and close businesses. As Chairman Goodlatte said in a statement during markup of the bill, "A well-functioning bankruptcy system is an essential element of our economy, providing relief to consumers and allowing businesses to reorganize, preserve jobs and maximize the value of assets."

Rather than relying on a piecemeal approach, it is time to convert these temporary judgeships to permanent status and to provide the additional judgeships that are needed to ensure an efficient bankruptcy system. We urge you to vote for H.R. 2266.

Sincerely,



Thomas M. Susman