

UNITED STATES CODE SERVICE
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28 USCS § 44 (2004)

§ 44. Appointment, tenure, residence and salary of circuit judges

(a) The President shall appoint, by and with the advice and consent of the Senate, circuit judges for the several circuits as follows:

Circuits	Number of Judges
District of Columbia	12
First	6
Second	13
Third	14
Fourth	15
Fifth	17
Sixth	16
Seventh	11
Eighth	11
Ninth	28
Tenth	12
Eleventh	12
Federal	12.

(b) Circuit judges shall hold office during good behavior.

(c) Except in the District of Columbia, each circuit judge shall be a resident of the circuit for which appointed at the time of his appointment and thereafter while in active service. While in active service, each circuit judge of the Federal judicial circuit appointed after the effective date of the Federal Courts Improvement Act of 1982, and the chief judge of the Federal judicial circuit, whenever appointed, shall reside within fifty miles of the District of Columbia. In each circuit (other than the Federal judicial circuit) there shall be at least one circuit judge in regular active service appointed from the residents of each state [State] in that circuit.

(d) Each circuit judge shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title [28 USCS § 461].

HISTORY:

(June 25, 1948, ch 646, § 1, 62 Stat. 871; Aug. 3, 1949, ch 387, § 1, 63 Stat. 493; Feb. 10, 1954, ch 6, § 1, 68 Stat. 8; March 2, 1955, ch 9, § 1(b), 69 Stat. 10; May 19, 1961, P.L. 87-36, § 1(b), 75 Stat. 80; Aug. 14, 1964, P.L. 88-426, Title IV, § 403(b), 78 Stat. 434; March 18, 1966, P.L. 89-372, § 1(b), 80 Stat. 75; June 18, 1968, P.L. 90-347, § 3, 82 Stat. 184; Aug. 9, 1975, P.L. 94-82, Title II, § 205(b)(2), 89 Stat. 422; Oct. 20, 1978, P.L. 95-486, § 3(b), 92 Stat. 1632; Oct. 14, 1980, P.L. 96-452, § 3, 94 Stat. 1994; April 2, 1982, P.L. 97-164, Title I, Part A, § 102, 96 Stat. 25; July 10, 1984, P.L. 98-353, Title II, § 201(b), 98 Stat. 346; Dec. 1, 1990, P.L. 101-650, Title II, § 202(b), 104 Stat. 5099; Dec. 9, 1991, P.L. 102-198, § 10(c), 105 Stat. 1626; Nov. 26, 1997, P.L. 105-119, Title III, § 307, 111 Stat. 2493.)