



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

HONORABLE ROBERT J. CONRAD, JR.
Director

WASHINGTON, D.C. 20544

June 18, 2025

Honorable Jim Jordan
Chairman
Committee on the Judiciary
United States House of Representatives
Washington, DC 20515

Honorable Darrell Issa
Chairman
Subcommittee on Courts, Intellectual Property,
Artificial Intelligence, and the Internet
United States House of Representatives
Washington, DC 20515

Honorable Chip Roy
Chairman
Subcommittee on the Constitution and Limited
Government
United States House of Representatives
Washington, DC 20515

Dear Chairman Jordan, Chairman Issa, and Chairman Roy:

The Committee's letter of May 5, 2025, to the Clerk of the U.S. District Court for the District of Columbia (D.D.C.) seeking information about the case assignment processes utilized in the assignment of four cases to Chief Judge James E. Boasberg, has been forwarded to me for response. As relayed to me by the D.D.C., the case assignment processes of the Court are explained below. The Court has confirmed to the Administrative Office of the United States Courts (AO) that each of the four cases that are the subject of your inquiry were indeed randomly assigned to Chief Judge Boasberg following the district court's standard case assignment protocols.

For context, from January 20, 2025, through June 11, 2025, a total of 145 applications for temporary restraining orders and/or preliminary injunctions were filed in the D.D.C., with 112 of those applications identifying the U.S. government as a defendant as the basis of federal jurisdiction.¹ Chief Judge Boasberg was assigned 5 of the 145 applications for temporary restraining orders and/or preliminary injunctions filed during the referenced time period.

A. Random Case Assignment Procedures in D.D.C.

In alignment with Judicial Conference guidance,² civil, criminal, and miscellaneous cases are assigned to judges on the district court by random assignment using an automated

¹ This number does not include applications for temporary restraining orders or preliminary injunctions that were filed in a case more than seven days after the case was initiated.

² JCUS-SEP 1995, p. 46; JCUS-MAR 1999, p. 13; JCUS-MAR 2000, p. 13; JCUS-MAR 2024, p. 8;

system.³ Only limited exceptions are made to the fundamental principle of random assignment, such as for related cases.⁴ The district court's automated random assignment system uses separate assignment "decks" for different categories of cases.⁵ There are 14 categories of civil cases, each with a separate assignment deck, as follows:

- A. Antitrust
- B. Personal Injury/Malpractice
- C. Administrative Agency Review
- D. Temporary Restraining Order/Preliminary Injunction
- E. General Civil (other)
- F. Pro Se General Civil
- G. Habeas Corpus/2255
- H. Employment Discrimination
- I. FOIA/Privacy Act
- J. Student Loan
- K. Labor/ERISA (non-employment)
- L. Other Civil Rights (non-employment)
- M. Contract
- N. Three-Judge Court

The use of subcategories helps "assure a more even distribution of each type of case among the judges."⁶ When a civil case is filed, the attorney for the plaintiff is required to "note the proper classification of the case on a form provided by the Clerk."⁷ The classification

³ D.D.C. LCvR 40.3(a) (Random Assignment) ("Except as otherwise provided by these Rules, civil, criminal and miscellaneous cases shall be assigned to judges of this Court selected at random in the following manner: (1) The Clerk shall create a separate assignment deck in the automated system for each subclassification of civil and criminal cases established by the Court pursuant to LCvR 40.2 of these Rules The decks will be created by the Liaison to the Calendar and Case Management Committee or the Liaison's backup and access to this function shall be restricted to these individuals to protect the integrity and confidentiality of the random assignment of cases. The Calendar and Case Management Committee will, from time to time determine and indicate by order the frequency with which each judge's name shall appear in each designated deck, to effectuate an even distribution of cases among the active judges. (2) At the time a civil complaint is filed ... the case shall be assigned to the judge whose name appears on the screen when the appropriate deck is selected. ...").

⁴ D.D.C. LCvR 40.5(c) (Assignment of Related Cases) ("Related cases noted at or after the time of filing shall be assigned in the following manner: (1) Where the existence of a related case in this Court is noted at the time the indictment is returned or the complaint is filed, the Clerk shall assign the new case to the judge to whom the oldest related case is assigned. ... (2) Where the existence of related cases in this Court is revealed after the cases are assigned, the judge having the later-numbered case may transfer that case to the Calendar and Case Management Committee for reassignment to the judge having the earlier case. ...").

⁵ D.D.C. LCvR 40.2 (a) (Classification.) ("In order to assure a more even distribution of each type of case among the judges of this Court, each civil and criminal case will be classified for assignment purposes in accordance with a set of categories established by the Court on the recommendation of the Calendar and Case Management Committee."); *see also* D.D.C. LCvR 40.3(a), footnote 3, *supra*.

⁶ D.D.C. LCvR 40.2(a).

⁷ D.D.C. LCvR 40.2(b) (Designation at the Time of Filing) ("Upon filing the complaint in a civil action, the attorney for the plaintiff shall note the proper classification of the case on a form provided by the Clerk. ...").

selected by the plaintiff is used to determine which deck will be used for random assignment. During the automated selection process, a virtual “card” is pulled from the appropriate deck and the case is randomly assigned “to the judge whose name appears on the screen.”⁸

All active district judges are allotted an equal number of cards in each deck each time it is refilled. The chief judge and senior judges may elect to receive fewer cards in particular decks at their discretion. As cases are filed and assigned, the overall number of cards in a deck will decrease. When the overall number of cards in a deck drops to a threshold predetermined by the district court’s Calendar and Case Management Committee, the deck will be replenished with a new complete set of cards.⁹ During replenishment, the new complete set of cards is added to any unused cards remaining in the deck.

As noted above, the initial classification of a civil case is made by the plaintiff. If a motion for a preliminary injunction or a temporary restraining order is made in a case within seven days of its filing, and the case was initially filed in a category other than D (Temporary Restraining Order/Preliminary Injunction), the case will be reclassified as a category D case and a corresponding adjustment will be made to the relevant decks to account for the change. The assigned judge will be given credit for taking a case in category D and will lose the credit previously given from the originally selected category. This adjustment process is designed to ensure that no judge receives an unequal share of motions for temporary restraining orders or preliminary injunctions over time.

B. The Assignment of Four Specific Cases to Chief Judge Boasberg

Your inquiry requests information about the assignment of four specific cases. Information about each is provided below:

1. *Project on Government Oversight v. Trump*, No. 25-cv-527 (D.D.C. Feb. 21, 2025)

This case was filed on February 21, 2025, and assigned the same day. The plaintiff selected category C (Administrative Agency Review) on the civil cover sheet and the case was randomly assigned from the category C deck. Chief Judge Boasberg received the random assignment. The Court has confirmed to the AO that there were no deviations from the standard assignment process. On March 24, 2025, the plaintiffs filed a motion for preliminary injunctive relief in the case. Because that motion was not made within the first seven days of the case filing, the case remained as a category C case and was not reclassified to category D, in accordance with the protocols noted above.

⁸ D.D.C. LCvR 40.3(a)(2), footnote 3 *supra*.

⁹ See D.D.C. LCvR 40.3(a) (“The Calendar and Case Management Committee will, from time to time determine and indicate by order the frequency with which each judge’s name shall appear in each designated deck, to effectuate an even distribution of cases among the active judges.”).

2. *J.G.G. v. Trump*, No. 25-cv-766 (D.D.C. Mar. 15, 2025)

This case was filed on March 15, 2025, and assigned the same day. The plaintiff selected category D (Temporary Restraining Order/Preliminary Injunction) on the civil cover sheet and the case was randomly assigned from the category D deck. Chief Judge Boasberg received the random assignment. The Court has confirmed to the AO that there were no deviations from the standard assignment process.

3. *Erie County v. Corporation for National and Community Service*, No. 25-cv-783 (D.D.C. Mar. 17, 2025)

This case was filed on March 17, 2025, and assigned on March 18, 2025. The plaintiff selected category E (General Civil) on the civil cover sheet and the case was randomly assigned from the category E deck. Chief Judge Boasberg received the random assignment. The Court has confirmed to the AO that there were no deviations from the standard assignment process. Several days later, on March 21, 2025, the plaintiff filed a motion for a preliminary injunction in the case. To account for the preliminary injunction motion, the case was recharacterized as a category D (Temporary Restraining Order/Preliminary Injunction) case. The Court indicated to the AO that, as a result of this adjustment, Chief Judge Boasberg was credited a card in the category E deck and debited a card in the category D deck, and this adjustment followed the standard operating procedures noted above.

4. *American Oversight v. Hegseth*, No. 25-cv-883 (D.D.C. Mar. 25, 2025)

This case was filed after business hours on March 25, 2025, and assigned in the morning of March 26, 2025. The plaintiff selected category C (Administrative Agency Review) on the civil cover sheet and the case was randomly assigned from the category C deck. Chief Judge Boasberg received the random assignment. The Court confirmed to the AO that there were no deviations from the standard assignment process. Late in the day on March 26, 2025, the plaintiff filed a motion for a temporary restraining order. The case was then recharacterized as a category D (Temporary Restraining Order/Preliminary Injunction) case. The Court has informed the AO that, as a result of this adjustment, Chief Judge Boasberg was credited a card in the category C deck and debited a card in the category D deck and this adjustment followed the standard operating procedures noted above.

Specific information about the numbers of cards in a deck, the overall composition of a deck, and the timing of a replenishment of a deck is kept confidential in order to preserve the integrity of the district court's random case assignment system and to prevent judge shopping in subsequent cases. We trust the Committee will be understanding of these important considerations. Indeed, the local rules of the district court prohibit employees of the district court from revealing to any person, other than members of the Court's Calendar and Case Management Committee and the Chief Judge, "any list that may show the composition of any

Honorable Jim Jordan
Honorable Darrell Issa
Honorable Chip Roy
Page 5

deck.”¹⁰ Court employees are also prohibited from assigning any case other than in the manner provided for in the local rules.¹¹ After consulting with court administrators, we are not aware of any information to suggest that court staff deviated from the court rules, contravened any Judicial Conference policies or violated any law in connection with these events.

We hope this information is helpful to the Committee. For reference, we have enclosed copies of the civil cover sheets for each of the cases discussed above.

If we may be of further assistance to you in this or any other matter, please do not hesitate to contact us through the Office of Legislative Affairs at 202-502-1700.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Conrad, Jr.", with a stylized flourish at the end.

Robert J. Conrad, Jr.
Director

Enclosures

cc: Honorable Jamie Raskin
Honorable Henry C. “Hank” Johnson
Honorable Mary Gay Scanlon
Honorable James Boasberg

¹⁰ D.D.C. LCvR 40.9(a) (Court Officers and Employees) (“The Clerk or his/her designee may respond to or describe, in general terms, the process of creating case assignment decks for the automated case assignment system. In addition, the Clerk or his/her designee is also authorized to reveal the name of a judge assigned a case and the procedure by which the assignment was made. No employee of the Court may reveal to any other person, other than members of the Calendar and Case Management Committee and the Chief Judge, any list that may show the composition of any deck. No court employee may number or assign any case other than in the manner provided in these rules or in the manner ordered by the Calendar and Case Management Committee. An employee who violates this provision shall be subject to discharge from service.”).

¹¹*Id.*