

118TH CONGRESS
2D SESSION

S. 4837

To amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2024

Mr. DURBIN (for himself and Ms. COLLINS) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Criminal Judicial Ad-
5 ministration Act of 2024”.

6 **SEC. 2. TRANSPORTATION AND SUBSISTENCE FOR CRIMI-**
7 **NAL JUSTICE ACT DEFENDANTS.**

8 Section 4285 of title 18, United States Code, is
9 amended in the first sentence—

1 (1) by striking “when the interests of justice
2 would be served thereby and the United States judge
3 or magistrate judge is satisfied, after appropriate in-
4 quiry, that the defendant is financially unable to
5 provide the necessary transportation to appear be-
6 fore the required court on his own” and inserting
7 “when the United States judge or magistrate judge
8 is satisfied that the defendant is indigent based on
9 appointment of counsel pursuant to section 3006A,
10 or, after appropriate inquiry, that the defendant is
11 financially unable to provide necessary transpor-
12 tation”;

13 (2) by striking “to the place where his appear-
14 ance is required,” and inserting “to the place where
15 each appearance is required and back to the place
16 of the person’s arrest or bona fide residence,”; and

17 (3) by striking “to his destination” and insert-
18 ing “, which includes money for both lodging and
19 food, during travel to the person’s destination and
20 during any proceeding at which the person’s appear-
21 ance is required”.

22 **SEC. 3. EFFECTIVE USE OF MAGISTRATE JUDGES TO DE-**
23 **CIDE POSTJUDGMENT MOTIONS.**

24 Section 3401 of title 18, United States Code, is
25 amended—

1 (1) in subsection (b)—

2 (A) in the second sentence—

3 (i) by striking “and” after “trial,
4 judgment,”; and

5 (ii) by inserting “, and rulings on all
6 post-judgment motions” after “sen-
7 tencing”; and

8 (B) in the third sentence—

9 (i) by striking “and” after “trial,
10 judgment,”; and

11 (ii) by inserting “, and rulings on all
12 post-judgment motions” after “sen-
13 tencing”;

14 (2) in subsection (c), by striking “, with the ap-
15 proval of a judge of the district court,”; and

16 (3) by inserting after subsection (i) the fol-
17 lowing:

18 “(j) A magistrate judge who exercises trial jurisdic-
19 tion under this section, in either a petty offense case or
20 a misdemeanor case in which the defendant has consented
21 to a magistrate judge, may also rule on all post-judgment
22 motions in that case, including petitions for writs of ha-
23 beas corpus, petitions for writs of coram nobis, motions
24 to vacate a sentence under section 2255 of title 28, and

- 1 motions related to mental competency under chapter 313
- 2 of this title.”.

