

119TH CONGRESS  
1ST SESSION

# H. R. 4124

To reform the Supreme Court of the United States, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2025

Mr. CASTEN introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To reform the Supreme Court of the United States, 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 “Restoring Judicial Sep-  
5 aration of Powers Act”.

6 **TITLE I—ORGANIZATION OF**  
7 **COURTS**

8 **SEC. 101. DIRECT APPEALS.**

9 (a) IN GENERAL.—Section 1253 of title 28, United  
10 States Code, is amended to read as follows:

1 **“§ 1253. Direct appeals from decisions of three-judge**  
2 **courts**

3 “Except as otherwise provided by law, any party may  
4 appeal to the United States Court of Appeals for the Dis-  
5 trict of Columbia Circuit from an order granting or deny-  
6 ing, after notice and hearing, an interlocutory or perma-  
7 nent injunction in any civil action, suit or proceeding re-  
8 quired by any Act of Congress to be heard and determined  
9 by a district court of three judges.”.

10 **SEC. 102. COURTS OF APPEALS REVIEW.**

11 Section 1254 of title 28, United States Code, is  
12 amended to read as follows:

13 **“§ 1254. Courts of appeals; certiorari; certified ques-**  
14 **tions**

15 “Cases in the courts of appeals may be reviewed by  
16 the United States Court of Appeals for the District of Co-  
17 lumbia Circuit by the following methods:

18 “(1) By writ of certiorari granted upon the pe-  
19 tition of any party to any civil or criminal case, be-  
20 fore or after rendition of judgment or decree.

21 “(2) By certification at any time by a court of  
22 appeals of any question of law in any civil or crimi-  
23 nal case as to which instructions are desired, and  
24 upon such certification the United States Court of  
25 Appeals for the District of Columbia Circuit may  
26 give binding instructions or require the entire record

1 to be sent up for decision of the entire matter in  
2 controversy.”.

3 **SEC. 103. FINAL DECISIONS OF DISTRICT COURTS.**

4 Section 1291 of title 28, United States Code, is  
5 amended by striking “in the Supreme Court” and insert-  
6 ing “in the United States Court of Appeals for the District  
7 of Columbia Circuit”.

8 **SEC. 104. JURISDICTION FOR THE UNITED STATES COURT**  
9 **OF APPEALS FOR THE DISTRICT OF COLUM-**  
10 **BIA CIRCUIT.**

11 (a) IN GENERAL.—Chapter 83 of title 28, United  
12 States Code, is amended by adding at the end the fol-  
13 lowing:

14 **“§ 1297. Multi-circuit panel of United States Court of**  
15 **Appeals for the District of Columbia Cir-**  
16 **cuit**

17 “(a) CONVENING MULTI-CIRCUIT PANEL.—Each  
18 year the chief judge of the United States Court of Appeals  
19 for the District of Columbia Circuit shall convene a multi-  
20 circuit panel of 13 judges consisting of each of the fol-  
21 lowing:

22 “(1) ASSOCIATE JUDGES.—The multi-circuit  
23 panel shall consist of 1 judge to be randomly se-  
24 lected from each of the following circuit courts of  
25 appeals:

1           “(A) United States Court of Appeals for  
2 the District of Columbia Circuit.

3           “(B) United States Court of Appeals for  
4 the First Circuit.

5           “(C) United States Court of Appeals for  
6 the Second Circuit.

7           “(D) United States Court of Appeals for  
8 the Third Circuit.

9           “(E) United States Court of Appeals for  
10 the Fourth Circuit.

11           “(F) United States Court of Appeals for  
12 the Fifth Circuit.

13           “(G) United States Court of Appeals for  
14 the Sixth Circuit.

15           “(H) United States Court of Appeals for  
16 the Seventh Circuit.

17           “(I) United States Court of Appeals for  
18 the Eighth Circuit.

19           “(J) United States Court of Appeals for  
20 the Ninth Circuit.

21           “(K) United States Court of Appeals for  
22 the Tenth Circuit.

23           “(L) United States Court of Appeals for  
24 the Eleventh Circuit.

1           “(2) CHIEF JUDGE.—The multi-circuit panel  
2           shall consist of 1 chief judge to be randomly selected  
3           from the circuit courts of appeals described in para-  
4           graph (1).

5           “(b) JURISDICTION.—The chief judge of the United  
6 States Court of Appeals for the District of Columbia Cir-  
7 cuit shall assign to the multi-circuit panel any case in  
8 which the United States or a Federal agency is a party,  
9 or a case concerning constitutional interpretation, statu-  
10 tory interpretation of Federal law, or the function or ac-  
11 tions of an executive order.

12          “(c) DURATION OF SERVICE.—Each judge of the  
13 multi-circuit panel shall serve on the panel during the pe-  
14 riod beginning at 10 a.m. (Eastern Time Zone) on the  
15 first Monday in October and ending at 9:59 a.m. (Eastern  
16 Time Zone) on the first Monday in October of the fol-  
17 lowing year.

18          “(d) ACTS OF CONGRESS.—A supermajority of not  
19 less than 70 percent of judges of the multi-circuit panel  
20 described in subsection (a) shall be required to affirm any  
21 decision which holds that any Act of Congress is, in whole  
22 or in part, unconstitutional, unlawful, or otherwise in-  
23 valid.”.

24          (b) CLERICAL AMENDMENT.—The table of sections  
25 for chapter 83 of title 28, United States Code, is amended

1 by inserting after the item relating to section 1296 the  
 2 following:

“1297. Multi-circuit panel of United States Court of Appeals for the District  
 of Columbia Circuit.”.

3 **SEC. 105. EFFECTIVE DATE.**

4 This title, and the amendments made by this title,  
 5 shall apply in October of the year following the date of  
 6 enactment of this Act.

7 **TITLE II—INJUNCTIONS AND**  
 8 **COURT DOCKETS**

9 **SEC. 201. ANTI-NATIONWIDE INJUNCTION.**

10 (a) IN GENERAL.—Chapter 155 of title 28, United  
 11 States Code, is amended by adding at the end the fol-  
 12 lowing:

13 **“§ 2285. Nationwide injunction**

14 “(a) IN GENERAL.—Whenever any action before a  
 15 court of the United States seeks injunctive relief restrain-  
 16 ing the enforcement of any Federal statute, regulation, or  
 17 order against a nonparty, the court shall, upon a motion  
 18 of a party to the action made not later than 30 days after  
 19 an initial filing requesting such relief, transfer such action  
 20 to the United States Court of Appeals for the District of  
 21 Columbia Circuit.

22 “(b) CONSOLIDATION.—The Court shall have the  
 23 power to consolidate several cases concerning the same

1 matter into a single case under Rule 42 of the Federal  
2 Rules of Civil Procedure.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 for chapter 155 of title 28, United States Code, is amend-  
5 ed by inserting after the item relating to section 2284 the  
6 following:

“2285. Nationwide injunction.”.

7 **SEC. 202. SHADOW DOCKET LIMITATION; APPLICATION TO**  
8 **UNITED STATES COURT OF APPEALS FOR**  
9 **THE DISTRICT OF COLUMBIA CIRCUIT.**

10 (a) IN GENERAL.—Section 2101 of title 28, United  
11 States Code, is amended—

12 (1) in the section heading, by striking “**Su-**  
13 **preme Court; time for appeal**” and inserting  
14 **“Time for appeal”**;

15 (2) in subsection (a), by inserting “, the United  
16 States Court of Appeals for the District of Columbia  
17 Circuit, or a multi-circuit panel described in section  
18 1297” after “Supreme Court” the first place it ap-  
19 pears;

20 (3) in subsection (b), by inserting “, the United  
21 States Court of Appeals for the District of Columbia  
22 Circuit, or a multi-circuit panel described in section  
23 1297” after “Supreme Court”;

24 (4) in subsection (c)—

1 (A) by inserting “, the United States  
2 Court of Appeals for the District of Columbia  
3 Circuit, or a multi-circuit panel described in  
4 section 1297” after “Supreme Court” the first  
5 place it appears; and

6 (B) by striking “A justice of the Supreme  
7 Court” and inserting “A justice or judge of the  
8 relevant court”;

9 (5) in subsection (e), by inserting “, the United  
10 States Court of Appeals for the District of Columbia  
11 Circuit, or a multi-circuit panel described in section  
12 1297” after “Supreme Court”;

13 (6) in subsection (f)—

14 (A) by inserting “, the United States  
15 Court of Appeals for the District of Columbia  
16 Circuit, or a multi-circuit panel described in  
17 section 1297” after “review by the Supreme  
18 Court”;

19 (B) by striking “from the Supreme Court”  
20 and inserting “from the court”; and

21 (C) by striking “in the Supreme Court”  
22 and inserting “in the court”; and

23 (7) by adding at the end the following:

24 “(h) No order reversing a decision of a court on ap-  
25 peals before the Supreme Court, the United States Court

1 of Appeals for the District of Columbia Circuit, or a multi-  
2 circuit panel described in section 1297, shall issue unless  
3 such court provides to the parties a written explanation  
4 supporting such reversal, which shall be published on the  
5 website of such court.”.

6 (b) CLERICAL AMENDMENT.—The table of sections  
7 for chapter 133 of title 28, United States Code, is amend-  
8 ed by striking the item related to section 2101 and insert-  
9 ing the following:

“2101. Time for appeal of certiorari; docketing; stay.”.

10 **SEC. 203. EFFECTIVE DATE.**

11 This title, and the amendments made by this title,  
12 shall take effect on the date of enactment of this Act.

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