district in which the case arose. The Secretary shall publish weekly such decisions as he or the court may designate and abstracts of all other decisions.

(June 25, 1948, ch. 646, 62 Stat. 900, § 255; renumbered § 257 and amended Pub. L. 91–271, title I, § 107, June 2, 1970, 84 Stat. 277; Pub. L. 96–417, title V, § 501(6), Oct. 10, 1980, 94 Stat. 1742.)

HISTORICAL AND REVISION NOTES

Based on section 1519 of title 19, U.S.C., 1940 ed., Customs Duties (June 17, 1930, ch. 497, title IV, § 519, 46 Stat. 739).

Changes in phraseology were made.

AMENDMENTS

1980—Pub. L. 96–417 redesignated the Customs Court as the Court of International Trade.

1970—Pub. L. 91–271 inserted ''or his designee'' after ''Secretary of the Treasury,'' and substituted ''to the appropriate customs officer'' for ''the collector''.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–417 effective Nov. 1, 1980, and applicable with respect to civil actions pending on or commenced on or after such date, see section 701(a) of Pub. L. 96–417, set out as a note under section 251 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–271 effective Oct. 1, 1970, see section 122 of Pub. L. 91–271, set out as an Effective Date note under section 256 of this title.

§ 258. Chief judges; precedence of judges

(a)(1) The chief judge of the Court of International Trade shall be the judge of the court in regular active service who is senior in commission of those judges who—

(A) are 64 years of age or under;

(B) have served for 1 year or more as a judge of the court; and

(C) have not served previously as chief judge.

(2)(A) In any case in which no judge of the court meets the qualifications under paragraph (1), the youngest judge in regular active service who is 65 years of age or over and who has served as a judge of the court for 1 year or more shall act as the chief judge.

(B) In any case under subparagraph (A) in which there is no judge of the court in regular active service who has served as a judge of the court for 1 year or more, the judge of the court in regular active service who is senior in commission and who has not served previously as chief judge shall act as the chief judge.

(3)(A) Except as provided under subparagraph (C), the chief judge serving under paragraph (1) shall serve for a term of 7 years and shall serve after expiration of such term until another judge is eligible under paragraph (1) to serve as chief judge.

(B) Except as provided under subparagraph (C), a judge of the court acting as chief judge under subparagraph (A) or (B) of paragraph (2) shall serve until a judge meets the qualifications under paragraph (1).

(C) No judge of the court may serve or act as chief judge of the court after attaining the age of 70 years unless no other judge is qualified to serve as chief judge under paragraph (1) or is qualified to act as chief judge under paragraph (2).

(b) The chief judge shall have precedence and preside at any session of the court which such judge attends. Other judges of the court shall have precedence and preside according to the seniority of their commissions. Judges whose commissions bear the same date shall have precedence according to seniority in age.

(c) If the chief judge desires to be relieved of the duties as chief judge while retaining active status as a judge of the court, the chief judge may so certify to the Chief Justice of the United States, and thereafter the chief judge of the court shall be such other judge of the court who is qualified to serve or act as chief judge under subsection (a).

(d) If a chief judge is temporarily unable to perform the duties as such, such duties shall be performed by the judge of the court in active service, able and qualified to act, who is next in precedence.

(Added Pub. L. 104–317, title V, § 501(a), Oct. 19, 1996, 110 Stat. 3855.)

CONTINUANCE OF POSITION OF CHIEF JUDGE

Section 501(c) of Pub. L. 104–317 provided that:

''(1) Notwithstanding the provisions of section 258(a) of title 28, United States Code (as added by subsection (a) of this section), the chief judge of the United States Court of International Trade who is in office on the day before the date of enactment of this Act [Oct. 19, 1996] shall continue to be such chief judge on or after such date until any one of the following events occurs:

''(A) The chief judge is relieved of his duties under section 258(c) of title 28, United States Code.

''(B) The regular active status of the chief judge is terminated.

''(C) The chief judge attains the age of 70 years.

''(D) The chief judge has served for a term of 7 years as chief judge.

''(2) When the chief judge vacates the position of chief judge under paragraph (1), the position of chief judge of the Court of International Trade shall be filled in accordance with section 258(a) of title 28, United States Code.''

CHAPTER 13—ASSIGNMENT OF JUDGES TO OTHER COURTS

Sec.
291. Circuit judges.
292. District judges.
293. Judges of the Court of International Trade.
294. Assignment of retired justices or judges to active duty.[1]
295. Conditions upon designation and assignment.
296. Powers upon designation and assignment.
297. Assignment of judges to courts of the freely associated compact states.

AMENDMENTS

1988—Pub. L. 100–702, title X, § 1022(2), Nov. 19, 1988, 102 Stat. 4673, added item 297.

1982—Pub. L. 97–164, title I, § 110(c), Apr. 2, 1982, 96 Stat. 29, substituted ''the Court of International Trade'' for ''other courts'' in item 293.

1958—Pub. L. 85–755, § 8, Aug. 25, 1958, 72 Stat. 850, substituted ''Judges of other courts'' for ''Circuit or district judges to Court of Customs and Patent Appeals'' in item 293.

§ 291. Circuit judges

(a) The Chief Justice of the United States may, in the public interest, designate and assign

[1] Section catchline amended by Pub. L. 85–755 without corresponding amendment of analysis.