

28 USC Sec. 453

01/19/04

-EXPCITE-

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART I - ORGANIZATION OF COURTS
CHAPTER 21 - GENERAL PROVISIONS APPLICABLE TO COURTS
AND JUDGES

-HEAD-

Sec. 453. Oaths of justices and judges

-STATUTE-

Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: "I, ___ XXX, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ___ under the Constitution and laws of the United States. So help me God."

-SOURCE-

(June 25, 1948, ch. 646, 62 Stat. 907; Pub. L. 101-650, title IV, Sec. 404, Dec. 1, 1990, 104 Stat. 5124.)

-MISC1-

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., Secs. 241, 372, and District of Columbia Code, 1940 ed., Secs. 11-203, 11-303 (R.S.D.C., Sec. 752, 18 Stat. pt. II, 90; Feb. 9, 1893, ch. 74, Sec. 3, 27 Stat. 435; Mar. 3, 1901, ch. 854, Sec. 223, 31 Stat. 1224; Mar. 3, 1911, ch. 231, Secs. 136, 137, 257, 36 Stat. 1135, 1161; Feb. 25, 1919,

ch. 29, Sec. 4, 40 Stat. 1157).

This section consolidates sections 11-203 and 11-303 of District of Columbia Code, 1940 ed., and section 372 of title 28, U.S.C., 1940 ed., with that portion of section 241 of said title 28 providing that judges of the Court of Claims shall take an oath of office. The remainder of said section 241 comprises sections 171 and 173 of this title.

The phrase "justice or judge of the United States" was substituted for "justices of the Supreme Court, the circuit judges, and the district judges" appearing in said section 372, in order to extend the provisions of this section to judges of the Court of Claims, Customs Court, and Court of Customs and Patent Appeals and to all judges of any court which may be created by enactment of Congress. See definition in section 451 of this title.

The Attorney General has ruled that the expression "any judge of any court of the United States" applied to the Chief Justice and all judges of the Court of Claims. (21 Op. Atty. Gen. 449.)

AMENDMENTS

1990 - Pub. L. 101-650 substituted "under the Constitution" for "according to the best of my abilities and understanding, agreeably to the Constitution".

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-650 effective 90 days after Dec. 1, 1990, see section 407 of Pub. L. 101-650, set out as a note under section 332 of this title.

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 153, 460, 631, 655 of this title.

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