



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

UNITED STATES MARSHALS – GUARDIANS OF THE JUDICIARY

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Federal judges understandably receive the most public attention in carrying out the judiciary's responsibility of upholding the rule of law, interpreting the Constitution, and striving to see that justice is done. But for judges to meet this responsibility, the assistance of many others is necessary. For the most part, these are people who quietly do essential work behind the scenes. Among these unsung workers are the members of the United States Marshals Service.

THE OLDEST FEDERAL LAW ENFORCEMENT AGENCY.

The United States Marshals Service traces its beginnings to September 24, 1789, when Congress passed the first Judiciary Act. This Act set up the federal court system and created the Office of the United States Marshals. This makes the Marshals Service our oldest federal law enforcement agency. Despite being created by the Judiciary Act, the Marshals Service is, in fact, not a part of the judiciary. Rather, it is an executive branch agency under the United States Department of Justice.

Some of us will recall western movies or television shows depicting U.S. Marshals on horseback going into the Oklahoma territory to capture fugitives and bring them at gunpoint back to federal court for trial and sentencing. Marshals no longer ride horses, but locating, arresting, and delivering individuals charged with federal crimes to federal court is still one of their primary responsibilities.

MARSHALS PROTECT THE JUDICIAL PROCESS.

Another primary responsibility of the U.S. Marshals, and one which is greatly appreciated by all federal judges, is safeguarding judges. While U.S. Marshals protect judges in the courtroom and the courthouse, they also have a responsibility to protect judges in their homes and daily lives. For example, when a judge is under a specific threat, deputy marshals may accompany the judge wherever he or she goes. This personal protection helps alleviate concerns judges may have about their and their family's personal safety, allowing judges to devote their full attention to the cases before them.

In addition to protecting judges, U.S. Marshals are responsible for protecting federal courthouses and providing security to all people who enter them, including jurors, lawyers,

litigants, courtroom spectators, and casual visitors. Marshals also protect endangered government witnesses and their families. The Marshals Service thus ensures that judicial proceedings can take place in a safe and orderly fashion and are not disrupted by dangerous individuals.

Another way in which U.S. Marshals protect the judicial process is through their responsibility for individuals held in custody while awaiting trial or sentencing on federal criminal charges. The Marshals Service houses these individuals, generally through contracts with local jail facilities. When these individuals must appear in court, deputy marshals manage their transportation and move them safely through the courthouse. The Marshals Service performs these tasks with precision and professionalism, allowing the judicial process to move forward seamlessly.

MARSHALS ENFORCE JUDICIAL ORDERS.

A fundamental obligation of judges is to render decisions in cases. But judges have very limited authority to actually enforce court judgments. This is another vital role U.S. Marshals perform. They execute judicial orders, whether in a criminal case by transferring convicted defendants to the custody of the federal Bureau of Prisons, or in a civil case by seizing monies or property to satisfy a civil judgement. They serve subpoenas or summonses that require a person to appear in court.

They are also charged with responsibilities in asset-forfeiture matters. When individuals obtain or use funds or assets in violation of the law, a court may order that the property be forfeited to the government. U.S. Marshals are the ones who seize forfeited funds and assets and assure their proper custody, management, and disposal.

CONCLUSION.

As a nation rooted in the rule of law, we depend on many to ensure that justice is done. Often unseen by the wider public, U.S. Marshals are tireless in their work to support the rule of law by serving as guardians of the federal judiciary. Their presence is felt in every federal courthouse in the country. They provide an indispensable service to the federal judiciary and to the nation as a whole.

Curtis L. Collier
United States District Judge
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