

# Federal Judiciary Tracker

An up-to-date look at the federal  
judiciary and the status of President  
Trump's judicial nominations

October 17, 2019



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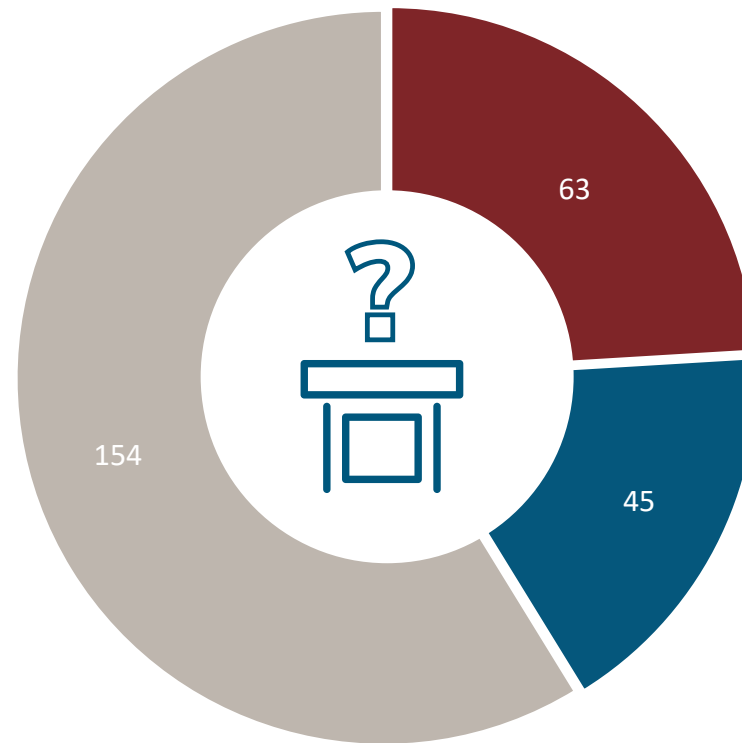


# Trump has had 154 federal judges confirmed while 63 seats remain vacant without a nominee

## Status of key positions requiring Senate confirmation

- No nominee
- Awaiting confirmation
- Confirmed

Source: National Journal as of October 17, 2019



President Trump inherited **108** federal judge vacancies

As of October 17, 2019:

**148** judiciary positions have opened up during Trump's presidency and either remain vacant or have been filled

Total:

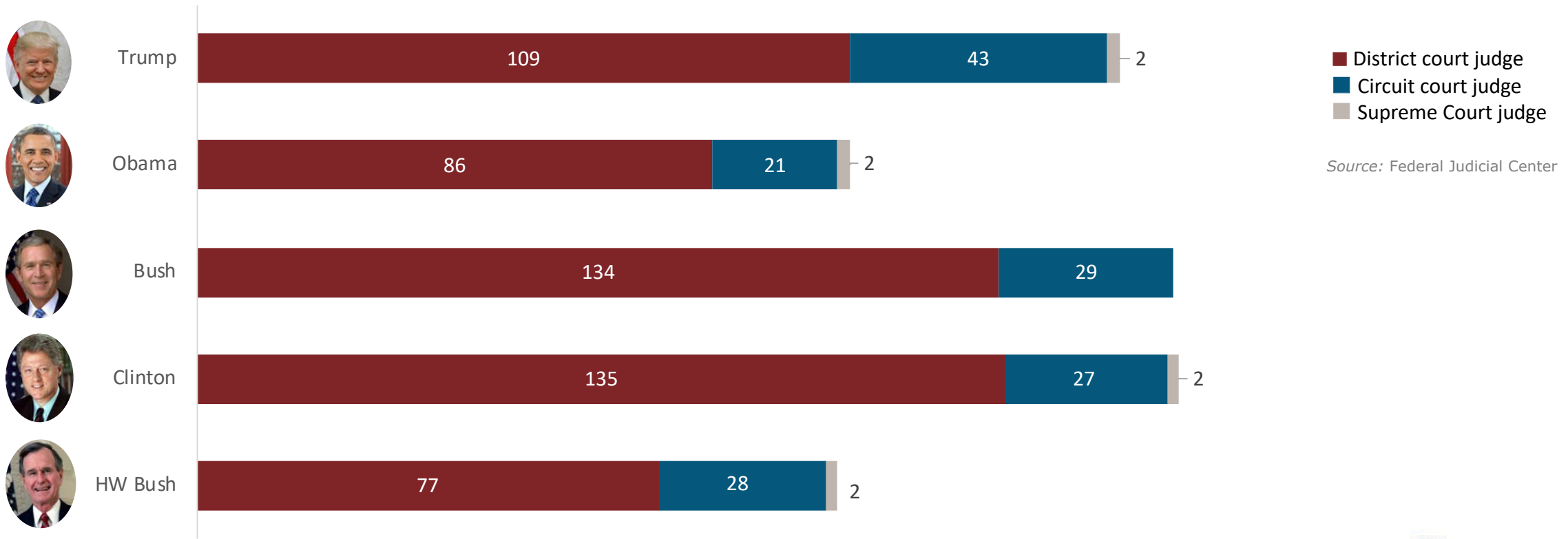
**256 potential Trump nominations**



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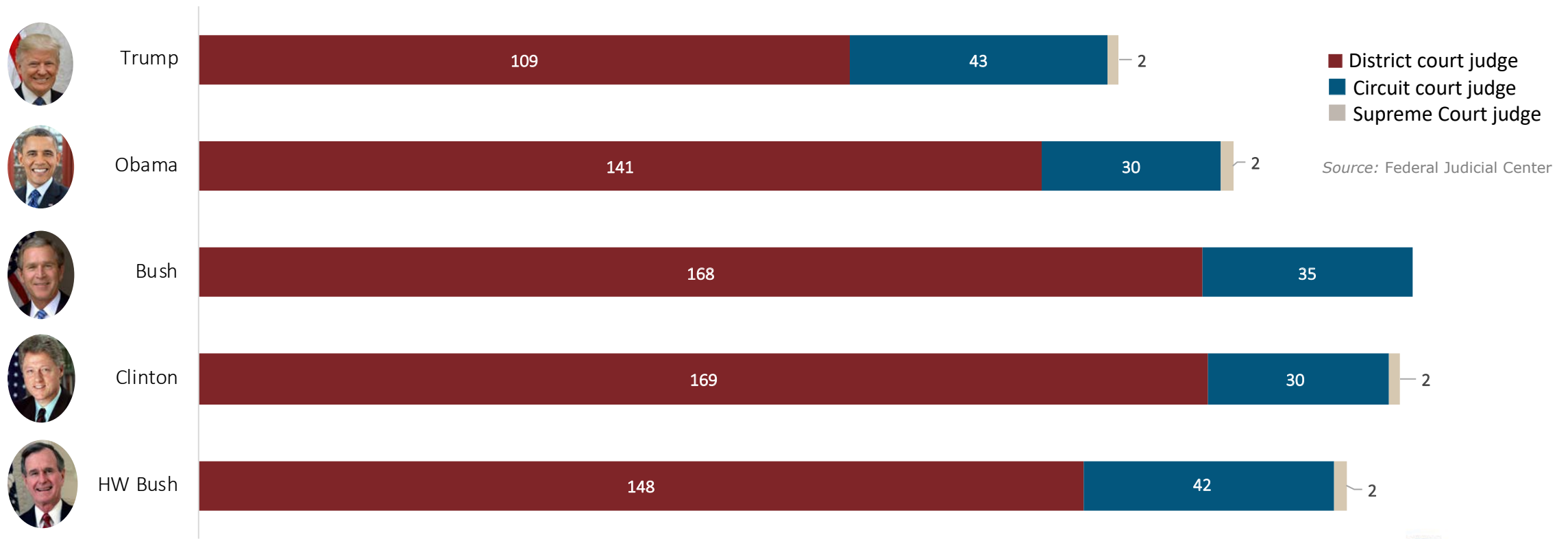
# Trump has had more circuit judges confirmed than the average of recent presidents at this point

## Number of Federal Judges Nominated and Confirmed



# In two and a half years, Trump has confirmed a higher number of circuit judges as prior presidents in four years

## Number of Federal Judges Nominated and Confirmed

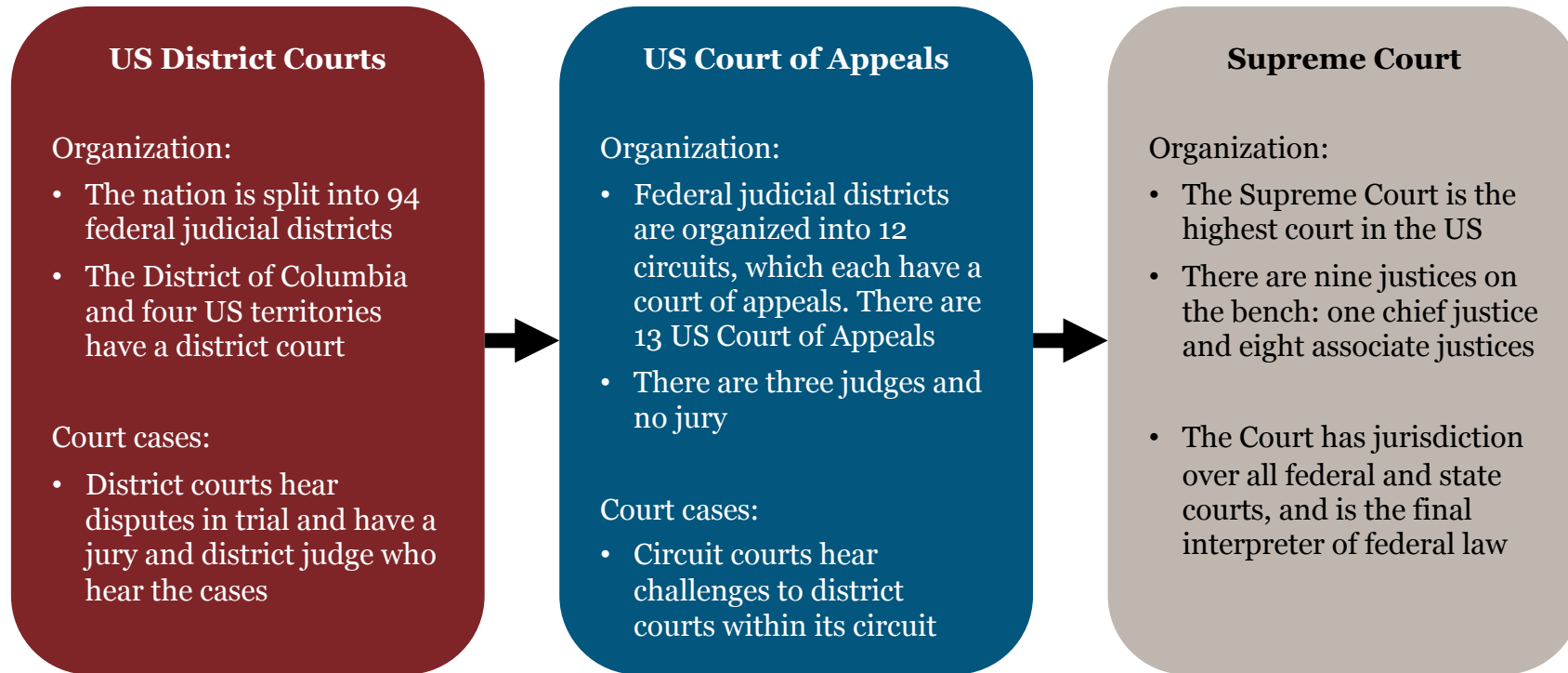


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# An overview of the Article III courts



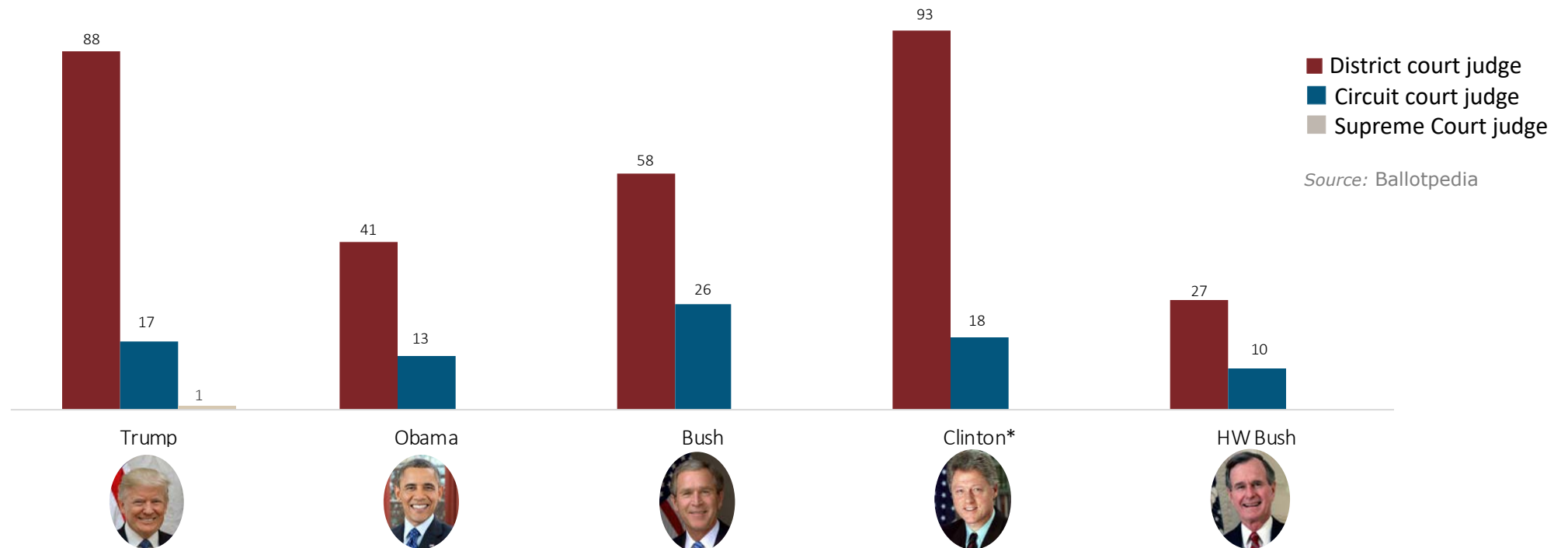
The three courts listed here are Article III courts, meaning that they are federal courts established under Article III of the US Constitution and have lifetime appointments

Source: Ballotpedia



# Trump inherited over 100 vacant judiciary seats to fill at the beginning of his presidency

## Number of Federal Judicial Vacancies At the Beginning of Each President's Term



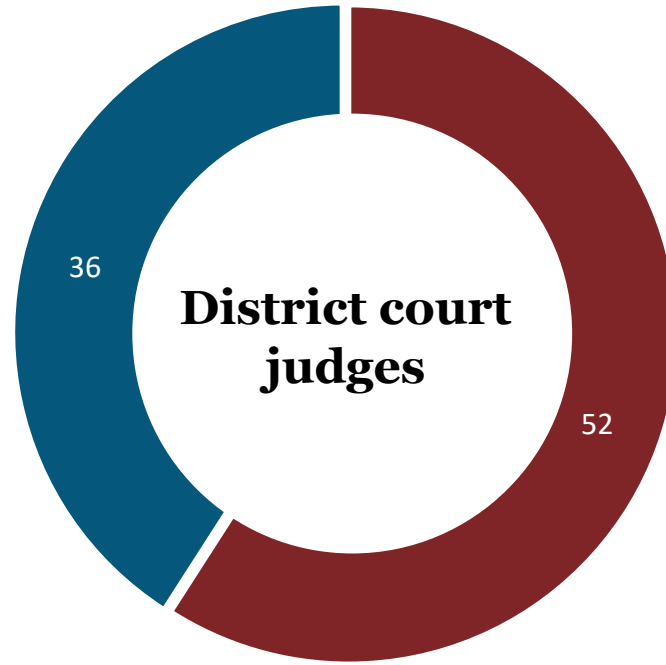
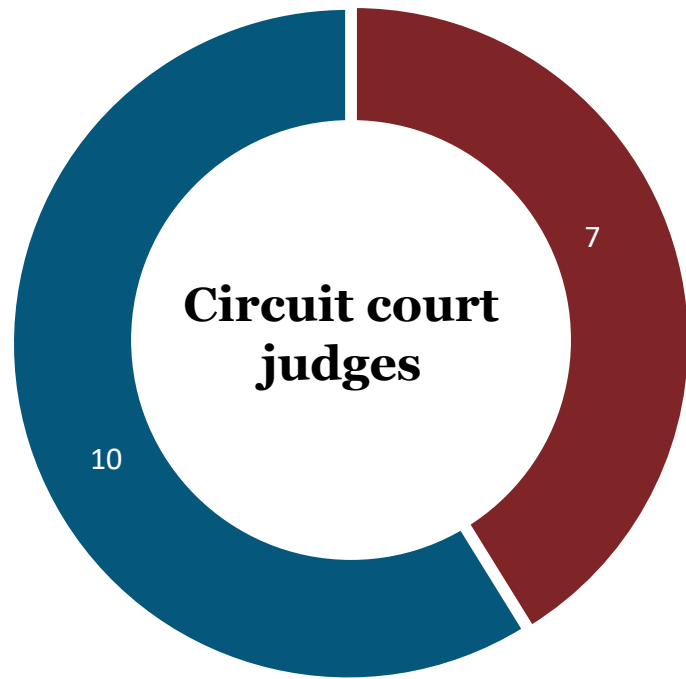
\*George HW Bush signed the Judicial Improvement Act of 1990 which created 85 new federal judicial positions. Due to congressional opposition and the 1991 Iraq War, Bush was not able to fill many of these positions, ultimately leaving a large number for Clinton to fill.



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# 105 federal judges will be eligible to take senior status during Trump's four years in office



Appointed by a Republican



Appointed by a Democrat

### Senior status:

- Article III judges can qualify for senior status through the “Rule of 80”
- Under senior status, judges continue to hear cases, but only a fraction of the normal case-load (semi-retirement)
- Starting at age 65, a judge can take senior status after having served 15 years
- The years of service required for senior status decreases as age increases (at 66, only 14 years needed, etc.)
- **Judges who take senior status create a vacancy for the president to fill**

Source: Ballotpedia



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# 1<sup>st</sup> Circuit: Maine, Massachusetts, New Hampshire, Puerto Rico and Rhode Island

**6 judges\* (4D, 2R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief - Jeffrey Howard	2002	G.W. Bush		
Juan Torruella	1984	Reagan		
Sandra Lynch	1995	Clinton		
O. Rogeriee Thompson	2010	Obama		
William Kayatta, Jr.	2013	Obama		
David Barron	2014	Obama		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



# 2<sup>nd</sup> Circuit: Connecticut, New York and Vermont

**11 judges\* (6D, 5R), 2 vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Robert Katzmann	1999	Clinton		
José Cabranes	1994	Clinton		
Rosemary Pooler	1998	Clinton		
Peter Hall	2004	G.W. Bush		
Debra Ann Livingston	2007	G.W. Bush		
Denny Chin	2010	Obama		
Raymond Lohier, Jr.	2010	Obama		
Susan Carney	2011	Obama		
Richard Sullivan	2018	Trump		
Joseph Frank Bianco	2019	Trump		
Michael H. Park	2019	Trump		
Vacant (Dennis Jacobs)	1992	G.H.W. Bush	Steven Menashi	September 9, 2019
Vacant (Christopher Droney)	2011	Obama	William Joseph Nardini	September 19, 2019

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center

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# 3<sup>rd</sup> Circuit: Delaware, New Jersey, Pennsylvania and the US Virgin Islands

**14 judges\* (6D, 8R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated	Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – D. Brooks Smith	2002	G.W. Bush			Patty Shwartz	2013	Obama		
Theodore McKee	1994	Clinton			Cheryl Ann Krause	2014	Obama		
Thomas Ambro	2000	Clinton			Luis Felipe Restrepo	2016	Obama		
Michael Chagares	2006	G.W. Bush			Stephanos Bibas	2017	Trump		
Kent Jordan	2006	G.W. Bush			David James Porter	2018	Trump		
Thomas Hardiman	2007	G.W. Bush			Paul Matey	2019	Trump		
Joseph Greenaway, Jr.	2010	Obama			Peter Joseph Phipps	2019	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 4<sup>th</sup> Circuit: Maryland, North Carolina, South Carolina, Virginia and West Virginia

**15 judges\* (9D, 6R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated	Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Roger Gregory	2000	Clinton/ G.W. Bush			Albert Diaz	2010	Obama		
J. Harvie Wilkinson III	1984	Reagan			Henry Franklin Floyd	2011	Obama		
Paul Niemeyer	1990	G.H.W. Bush			Stephanie Thacker	2012	Obama		
Diana Gribbon Motz	1994	Clinton			Pamela Harris	2014	Obama		
Robert King	1998	Clinton			Julius Ness Richardson	2018	Trump		
G. Steven Agee	2008	G.W. Bush			A. Marvin Quattlebaum, Jr.	2018	Trump		
Barbara Milano Keenan	2010	Obama			Allison Jones Rushing	2019	Trump		
James Wynn, Jr.	2010	Obama							

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 5<sup>th</sup> Circuit: Louisiana, Mississippi and Texas

**16 judges\* (5D, 11R), 1 vacancy**

Current judge	Date	President	Nominee (if applicable)	Date nominated	Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Carl Stewart	2012	Clinton			Stephen Higginson	2011	Obama		
Edith Jones	1985	Reagan			Gregg Costa	2014	Obama		
Jerry Edwin Smith	1987	Reagan			Don Willett	2018	Trump		
James Dennis	1995	Clinton			James Ho	2018	Trump		
Priscilla Owen	2005	G.W. Bush			Stuart Kyle Duncan	2018	Trump		
Jennifer Walker Elrod	2007	G.W. Bush			Kurt Engelhardt	2018	Trump		
Leslie Southwick	2007	G.W. Bush			Andrew Oldham	2018	Trump		
Catharina Haynes	2008	G.W. Bush			Vacant (E. Grady Jolly)	1982	Reagan	Halil Suleyman Ozerden	June 24, 2019
James Graves, Jr.	2011	Obama							

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 6<sup>th</sup> Circuit: Kentucky, Michigan, Ohio and Tennessee

**16\* judges (5D, 11R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated	Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – R. Guy Cole, Jr.	1995	Clinton			Jane Branstetter Stranch	2010	Obama		
Karen Nelson Moore	1995	Clinton			Bernice B. Donald	2011	Obama		
Eric Clay	1997	Clinton			Amul Thapar	2017	Trump		
Julia Smith Gibbons	2002	G.W. Bush			John Bush	2017	Trump		
Jeffrey Sutton	2003	G.W. Bush			Joan Larsen	2017	Trump		
Richard Griffin	2005	G.W. Bush			John Nalbandian	2018	Trump		
Raymond Kethledge	2008	G.W. Bush			Chad Readler	2019	Trump		
Helene White	2008	G.W. Bush			Eric Murphy	2019	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 7<sup>th</sup> Circuit: Illinois, Indiana and Wisconsin

**11 judges\* (2D, 9R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Diane Pamela Wood	1995	Clinton		
Joel Flaum	1983	Reagan		
Frank Easterbrook	1985	Reagan		
Michael Kanne	1987	Reagan		
Ilana Rovner	1992	G.H.W. Bush		
Diane Sykes	2004	G.W. Bush		
David Hamilton	2009	Obama		
Amy Barrett	2017	Trump		
Michael Brennan	2018	Trump		
Michael Scudder	2018	Trump		
Amy St. Eve	2018	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center

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# 8<sup>th</sup> Circuit: Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota and South Dakota

**11 judges\* (1D, 10R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Lavenski Smith	2002	G.W. Bush		
James Loken	1990	G.H.W. Bush		
Steven Colloton	2003	G.W. Bush		
Raymond Gruender	2004	G.W. Bush		
Duane Benton	2004	G.W. Bush		
Bobby Shepherd	2006	G.W. Bush		
Jane Kelly	2013	Obama		
Ralph Erickson	2017	Trump		
L. Steven Gras	2018	Trump		
David Stras	2018	Trump		
Jonathan Kobes	2018	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 9<sup>th</sup> Circuit: Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon and Washington (1/2)

**28\* judges (16D, 12R), 1 vacancy**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Sidney Thomas	1996	Clinton		
Susan Graber	1998	Clinton		
M. Margaret McKeown	1998	Clinton		
Kim McLane Wardlaw	1998	Clinton		
William Fletcher	1998	Clinton		
Ronald Gould	1999	Clinton		
Richard Paez	2000	Clinton		
Marsha Berzon	2000	Clinton		
Johnnie Rawlinson	2000	Clinton		

Current judge	Date	President	Nominee (if applicable)	Date nominated
Jay Bybee**	2003	G.W. Bush	Lawrence J.C. VanDyke	October 15, 2019
Consuelo Maria Callahan	2003	G.W. Bush		
Carlos Bea**	2003	G.W. Bush	Patrick Joseph Bumatay	October 15, 2019
Milan Smith, Jr.	2006	G.W. Bush		
Sandra Segal Ikuta	2006	G.W. Bush		
Mary Murguia	2011	Obama		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 9<sup>th</sup> Circuit: Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon and Washington (2/2)

**28\* judges (16D, 12R), 1 vacancy**

Current judge	Date	President	Nominee (if applicable)	Date nominated	Current judge	Date	President	Nominee (if applicable)	Date nominated
Morgan Christen	2012	Obama			Eric Miller	2019	Trump		
Jacqueline Nguyen	2012	Obama			Bridget Bade	2019	Trump		
Paul Watford	2012	Obama			Daniel Paul Collins	2019	Trump		
Andrew Hurwitz	2012	Obama			Kenneth Kiyul Lee	2019	Trump		
John Owens	2014	Obama			Daniel Aaron Bress	2019	Trump		
Michelle Friedland	2014	Obama			Vacant (Diarmuid O'Scannlain)	1986	Reagan	Danielle J. Hunsaker	September 19, 2019
Mark Bennett	2018	Trump							
Ryan Nelson	2018	Trump							

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



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# 10<sup>th</sup> Circuit: Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming

**12 judges\* (7D, 5R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Timothy Tymkovich	2003	G.W. Bush		
Mary Beck Briscoe	1995	Clinton		
Carlos Lucero	1995	Clinton		
Harris Hartz	2001	G.W. Bush		
Jerome Holmes	2006	G.W. Bush		
Scott Matheson, Jr.	2010	Obama		
Robert Bacharach	2013	Obama		
Gregory Phillips	2013	Obama		
Carolyn McHugh	2014	Obama		
Nancy Moritz	2014	Obama		
Allison Eid	2017	Trump		
Joel Carson III	2018	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



# 11<sup>th</sup> Circuit: Alabama, Florida and Georgia

**12 judges\* (6D, 6R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Edward Earl Carnes	1992	G.H.W. Bush		
Gerald Tjoflat**	1981	Ford	Robert J. Luck	October 15, 2019
Stanley Marcus**	1997	Clinton	Barbara Lagoa	October 15, 2019
Charles Wilson	1999	Clinton		
William Pryor, Jr.	2004	G.W. Bush		
Beverly Martin	2010	Obama		
Adalberto Jordan	2012	Obama		
Robin Rosenbaum	2014	Obama		
Jill Pryor	2014	Obama		
Kevin Newsom	2017	Trump		
Elizabeth Branch	2018	Trump		
Britt Grant	2018	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center

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# DC Circuit: District of Columbia

**11 judges\* (7D, 4R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Merrick Garland	1997	Clinton		
Karen LeCraft Henderson	1990	G.H.W. Bush		
Judith Rogers	1994	Clinton		
David Tatel	1994	Clinton		
Thomas Griffith	2005	G.W. Bush		
Sri Srinivasan	2013	Obama		
Patricia Millett	2013	Obama		
Cornelia Pillard	2013	Obama		
Robert Wilkins	2014	Obama		
Gregory Katsas	2017	Trump		
Neomi Jehangir Rao	2019	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center

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# Federal Circuit: Merging of the US Court of Customs and Patent Appeals and the US Court of Claims

**12 judges\* (8D, 4R), no vacancies**

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief – Sharon Prost	2001	G.W. Bush		
Pauline Newman	1984	Reagan		
Alan David Lourie	1990	G.H.W. Bush		
Timothy Dyk	2000	Clinton		
Kimberly Ann Moore	2006	G.W. Bush		
Kathleen O'Malley	2010	Obama		
Jimmie Reyna	2011	Obama		
Evan Wallach	2011	Obama		
Richard Taranto	2013	Obama		
Raymond Chen	2013	Obama		
Todd Hughes	2013	Obama		
Kara Farnandez Stoll	2015	Obama		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center



# Supreme Court

## 9 judges (4D, 4R), no vacancies

Current judge	Date	President	Nominee (if applicable)	Date nominated
Chief Justice – John Roberts	2006	G.W. Bush		
Clarence Thomas	1991	H.W. Bush		
Ruth Bader Ginsburg	1993	Clinton		
Stephen Breyer	1994	Clinton		
Samuel Alito	2006	G.W. Bush		
Sonia Sotomayor	2009	Obama		
Elena Kagan	2010	Obama		
Neil Gorsuch	2017	Trump		
Brett Kavanaugh	2018	Trump		

\*Does not include federal judges with senior status who in some cases have authority to vote in en banc decisions

\*\*Announced they will take senior status this year

Sources: US Courts; Federal Judicial Center

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The mission of the Federal Bar Association is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary and the public they serve.

1220 North Fillmore St., Suite 444, Arlington, VA 22201

T: (571) 481-9100 F: (571) 481-9090 [fba@fedbar.org](mailto:fba@fedbar.org) [www.fedbar.org](http://www.fedbar.org)



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