

# Federal Judiciary Tracker

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

November 14, 2019



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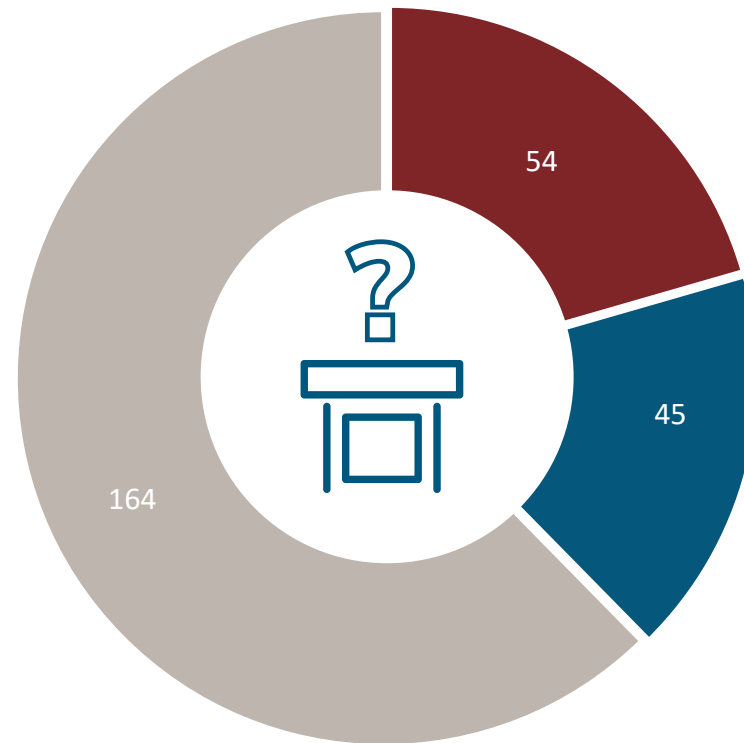


# Trump has had 164 federal judges confirmed while 54 seats remain vacant without a nominee

## Status of key positions requiring Senate confirmation

- No nominee
- Awaiting confirmation
- Confirmed

Source: National Journal as of November 7, 2019



President Trump inherited **108** federal judge vacancies

As of November 14, 2019:

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

Total:

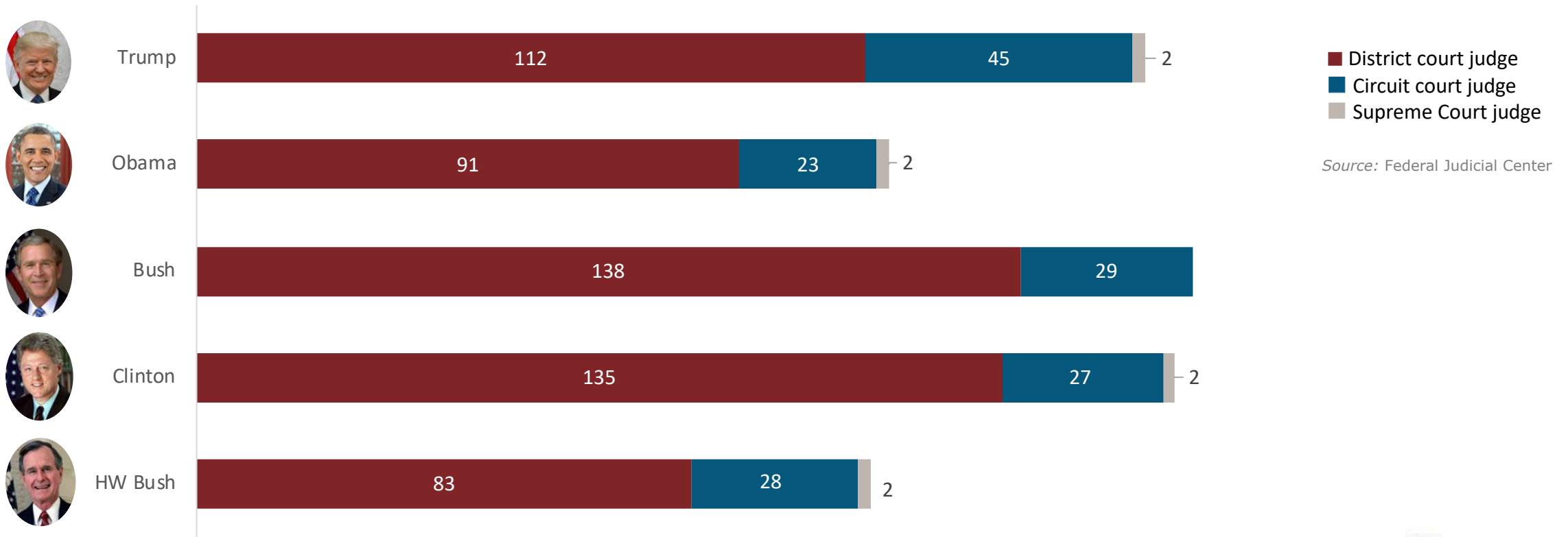
**257 potential Trump nominations**



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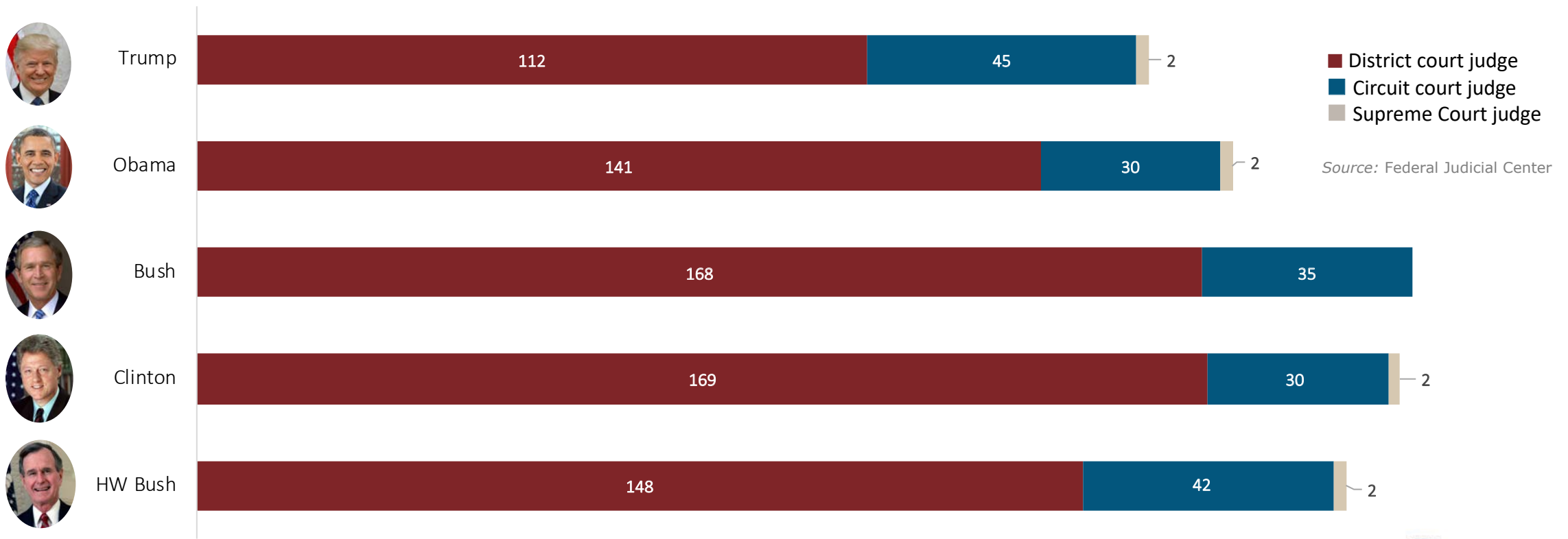
# Trump has had more circuit judges confirmed than the average of recent presidents at this point

## 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

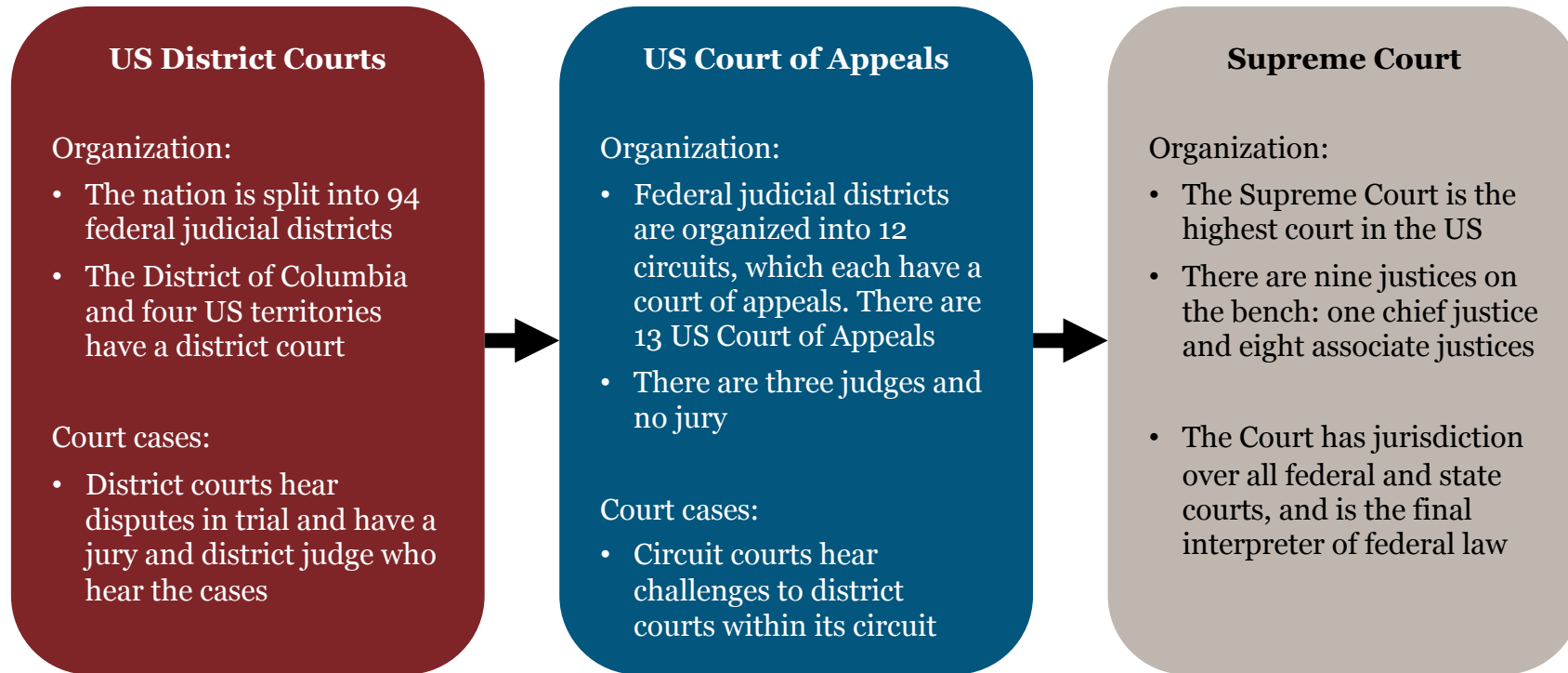


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# An overview of the Article III courts



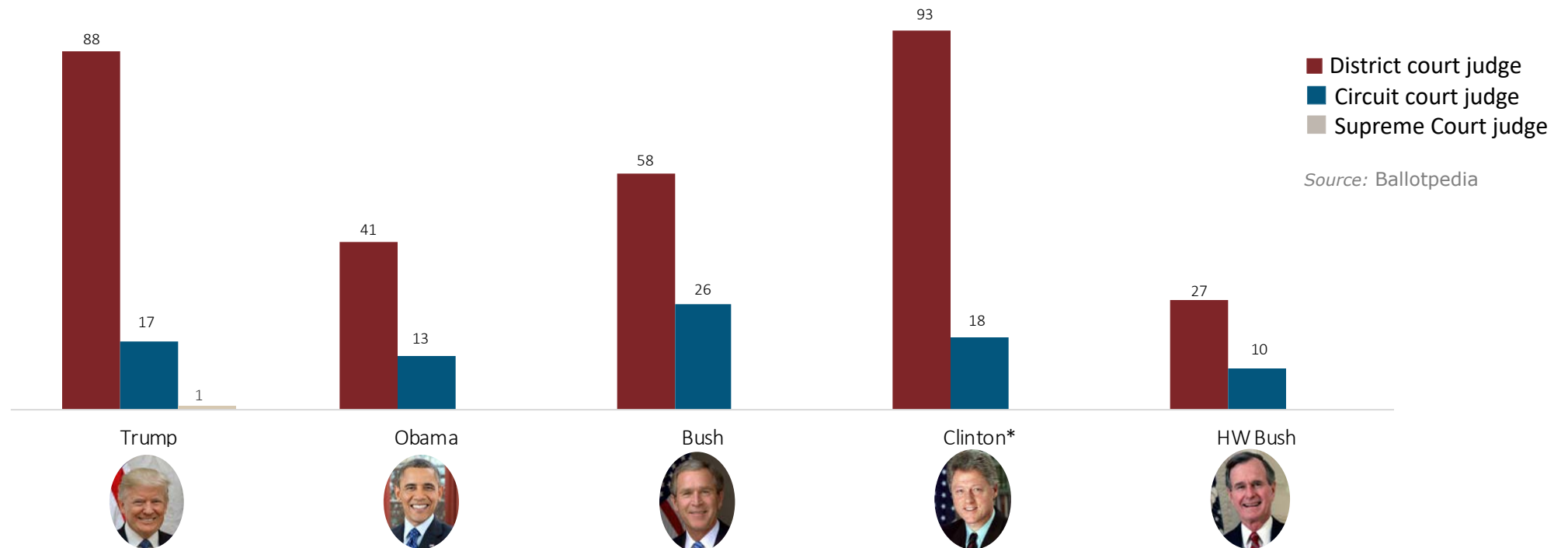
The three courts listed here are Article III courts, meaning that they are federal courts established under Article III of the US Constitution and have lifetime appointments

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



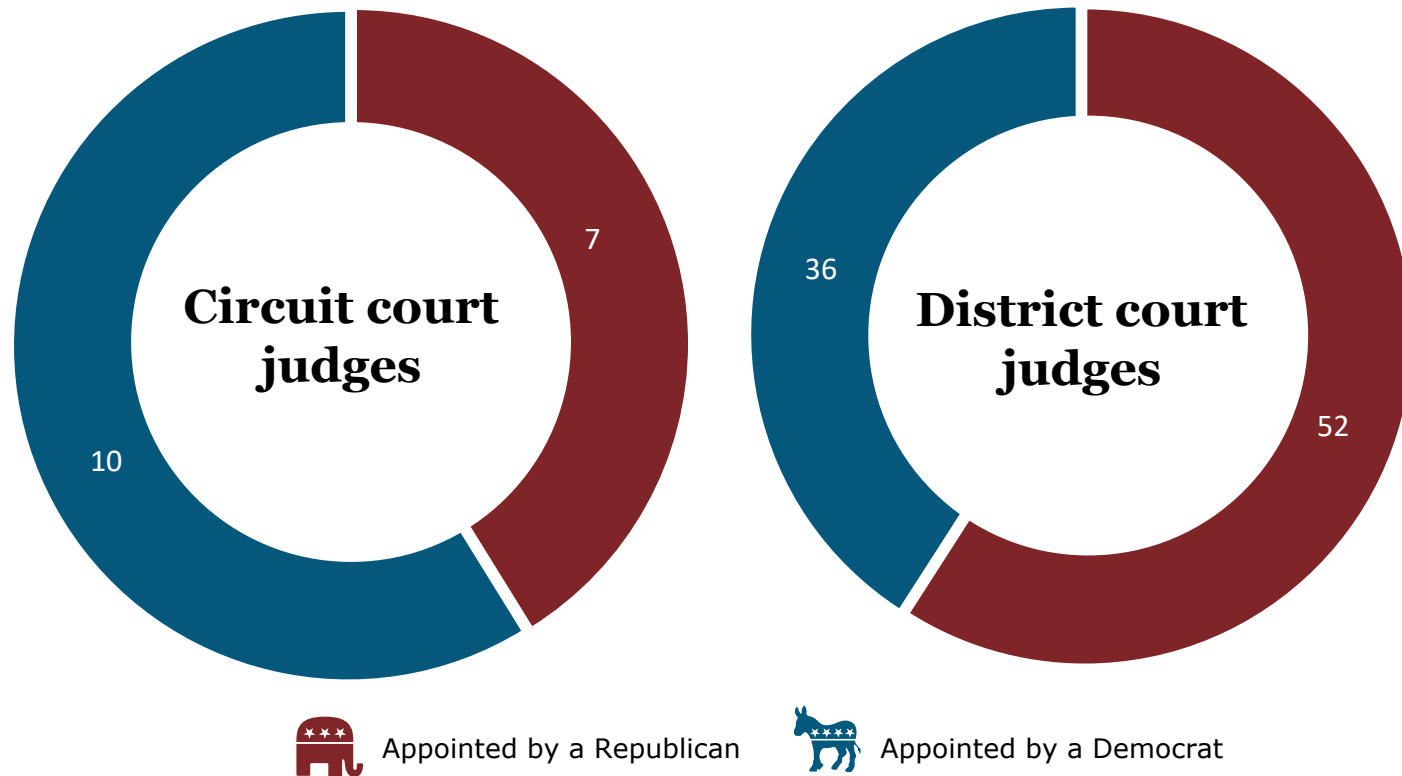
\*George HW Bush signed the Judicial Improvement Act of 1990 which created 85 new federal judicial positions. Due to congressional opposition and the 1991 Iraq War, Bush was not able to fill many of these positions, ultimately leaving a large number for Clinton to fill.



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



## 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

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

**12 judges\* (6D, 6R), 1 vacancy**

| 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       |                         |                   |
| William Joseph Nardini  | 2019 | Trump       |                         |                   |
| Vacant (Dennis Jacobs)  | 1992 | G.H.W. Bush | Steven Menashi          | September 9, 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



# 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 – Priscilla Owen | 2005 | G. W. Bush |                         |                | Stephen Higginson       | 2011 | Obama     |                         |                |
| Edith Jones            | 1985 | Reagan     |                         |                | Gregg Costa             | 2014 | Obama     |                         |                |
| Jerry Edwin Smith      | 1987 | Reagan     |                         |                | Don Willett             | 2018 | Trump     |                         |                |
| Carl Stewart           | 1994 | Clinton    |                         |                | James Ho                | 2018 | Trump     |                         |                |
| James Dennis           | 1995 | Clinton    |                         |                | 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



# 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

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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)

## 29\* judges (16D, 13R), no vacancies

| 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     |                         |                | Danielle J. Hunsaker | 2019 | Trump     |                         |                |
| 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     |                         |                |

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

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# 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 | No nominee              |                  |
| 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

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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       |                         |                |

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

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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

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# 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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