

Table 1.81.2007

Characteristics of Presidential appointees to U.S. Courts of Appeals judgeships

By Presidential administration, 1963-2007<sup>a</sup>

	President Johnson's appointees 1963-68 <sup>b</sup> (N=40)	President Nixon's appointees 1969-74 (N=45)	President Ford's appointees 1974-76 (N=12)	President Carter's appointees 1977-80 (N=56)	President Reagan's appointees 1981-88 (N=78)	President George H.W. Bush's appointees 1989-92 (N=37)	President Clinton's appointees 1993-2000 (N=61)	President George W. Bush's appointees 2001-2007 (N=49)
<b>Sex</b>								
Male	97.5%	100%	100%	80.4%	94.9%	81.1%	67.2%	77.6%
Female	2.5	0	0	19.6	5.1	18.9	32.8	22.4
<b>Race_ethnicity</b>								
White	95.0	97.8	100	78.6	97.4	89.2	73.8	81.6
Black	5.0	0	0	16.1	1.3	5.4	13.1	12.2
Hispanic	0	0	0	3.6	1.3	5.4	11.5	6.1
Asian	0	2.2	0	1.8	0	0	1.6	0
<b>Education_undergraduate</b>								
Public-supported	32.5	40.0	50.0	30.4	24.4	29.7	44.3	36.7
Private (not Ivy League)	40.0	35.6	41.7	51.8	51.3	59.5	34.4	46.9
Ivy League	17.5	20.0	8.3	17.9	24.4	10.8	21.3	16.3
None indicated	10.0	4.4	0	0	0	0	0	0
<b>Education_law school</b>								
Public-supported	40.0	37.8	50.0	39.3	41.0	32.4	39.3	40.8
Private (not Ivy League)	32.5	26.7	25.0	19.6	35.9	37.8	31.1	34.7
Ivy League	27.5	35.6	25.0	41.1	23.1	29.7	29.5	24.5
<b>Occupation at nomination or appointment</b>								
Politics or government	10.0	4.4	8.3	5.4	6.4	10.8	6.6	22.4
Judiciary	57.5	53.3	75.0	46.4	55.1	59.5	52.5	46.9
Law firm, large	5.0	4.4	8.3	10.7	14.1	16.2	18.0	12.3
Law firm, medium	17.5	22.2	8.3	16.1	9.0	10.8	13.1	6.1
Law firm, small	7.5	6.7	0	5.4	1.3	0	1.6	4.0
Professor	2.5	2.2	0	14.3	12.8	2.7	8.2	4.1
Other	0	6.7	0	1.8	1.3	0	0	4.1
<b>Occupational experience</b>								
Judicial	65.0	57.8	75.0	53.6	60.3	62.2	59.0	57.1
Prosecutorial	47.5	46.7	25.0	30.4	28.2	29.7	37.7	34.7
Other	20.0	17.8	25.0	39.3	34.6	32.4	29.5	28.6
<b>Political party</b>								
Democrat	95.0	6.7	8.3	82.1	0	2.7	85.2	6.1
Republican	5.0	93.3	91.7	7.1	96.2	89.2	6.6	91.8
Independent or none	0	0	0	10.7	2.6	8.1	8.2	2.0
Other	0	0	0	0	1.3	0	0	0
<b>American Bar Association rating</b>								
Exceptionally well/well qualified	75.0	73.3	58.3	75.0	59.0	64.9	78.7	67.3
Qualified	20.0	26.7	33.3	25.0	41.0	35.1	21.3	32.7
Not qualified	2.5	0	8.3	0	0	0	0	0

Note: These data were compiled from a variety of sources. Primarily used were questionnaires completed by judicial nominees for the U.S. Senate Judiciary Committee, transcripts of the confirmation hearings conducted by the Committee, and personal interviews. In addition, an investigation was made of various biographical directories including *The American Bench* (Sacramento: R.B. Forster), *Martindale-Hubbell Law Directory* (Summit, NJ: Martindale-Hubbell, Inc.), national and regional editions of *Who's Who*, *The Judicial Staff Directory*, and local newspaper articles. For information on political party affiliation, the Registrar of Voters or election board for the appointee's county of primary residence was consulted.

Law firms are categorized according to the number of partners/associates: 25 or more associates for a large firm, 5 to 24 associates for a medium firm, and 4 or less for a small firm. Percent subtotals for occupational experience sum to more than 100 because some appointees have had both judicial and prosecutorial experience.

The American Bar Association's (ABA) ratings are assigned to candidates after investigation and evaluation by the ABA's Standing Committee on Federal Judiciary, which considers prospective Federal judicial nominees only upon referral by the U.S. Attorney General or at the request of the U.S. Senate. The ABA's Committee evaluation is directed primarily to professional qualifications—competence, integrity, and judicial temperament. Factors including intellectual capacity, judgment, writing and analytical ability, industry, knowledge of the law, and professional experience are assessed. Prior to President George H.W. Bush's administration, the ABA's Standing Committee on

Federal Judiciary utilized four ratings: exceptionally well qualified, well qualified, qualified, and not qualified. Starting with that administration, the ABA Standing Committee on Federal Judiciary dropped its "exceptionally well qualified" rating and "well qualified" became the highest rating. Nominees who previously would have been rated "exceptionally well qualified" and nominees who would have been rated "well qualified" now receive the same rating. The "exceptionally well qualified" and "well qualified" categories have been combined for all administrations' appointees, and therefore figures prior to President George H.W. Bush's administration may differ from previous editions of SOURCEBOOK. Some data have been revised by the Source and may differ from previous editions of SOURCEBOOK.

<sup>a</sup>Percents may not add to 100 because of rounding.

<sup>b</sup>No ABA rating was requested for one Johnson appointee.

Source: Sheldon Goldman, "Reagan's Judicial Legacy: Completing the Puzzle and Summing Up," *Judicature* 72 (April-May 1989), pp. 324, 325, Table 4; and Sheldon Goldman et al., "Picking Judges in a Time of Turmoil: W. Bush's Judiciary During the 109th Congress," *Judicature* 90 (May-June 2007), p. 282. Table adapted by SOURCEBOOK staff. Reprinted by permission.