

Table 1.57

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

By Presidential administration, 1963-96^a

	President Johnson's appointees 1963-68 ^b (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 first term appointees 1981-84 (N=31)	President Reagan's second term appointees 1985-88 (N=47)	President Bush's appointees 1989-92 (N=37)	President Clinton's appointees 1993-96 (N=29)
Sex								
Male	97.5%	100%	100%	80.4%	96.8%	93.6%	81.1%	69.0%
Female	2.5	0	0	19.6	3.2	6.4	18.9	31.0
Ethnicity								
White	95.0	97.8	100	78.6	93.5	100	89.2	72.4
Black	5.0	0	0	16.1	3.2	0	5.4	13.8
Hispanic	0	0	0	3.6	3.2	0	5.4	10.3
Asian	0	2.2	0	1.8	0	0	0	3.4
Education, undergraduate								
Public-supported	32.5	40.0	50.0	30.4	29.0	21.3	29.7	51.7
Private (not Ivy League)	40.0	35.6	41.7	50.0	45.2	55.3	59.5	27.6
Ivy League	17.5	20.0	8.3	19.6	25.8	23.4	10.8	20.7
None indicated	10.0	4.4	0	0	0	0	0	0
Education, law school								
Public-supported	40.0	37.8	50.0	39.3	35.5	42.6	29.7	41.4
Private (not Ivy League)	32.5	26.7	25.0	19.6	48.4	29.8	40.5	31.0
Ivy League	27.5	35.6	25.0	41.1	16.1	27.7	29.7	27.6
Occupation at nomination or appointment								
Politics or government	10.0	4.4	8.3	5.4	3.2	8.5	10.8	3.4
Judiciary	57.5	53.3	75.0	46.4	61.3	51.1	59.5	58.6
Law firm, large	5.0	4.4	8.3	10.8	9.6	14.9	16.2	17.2
Law firm, moderate	17.5	22.2	8.3	16.1	9.6	10.6	10.8	10.3
Law firm, small	7.5	6.7	0	5.4	0	2.1	0	0
Professor of law	2.5	2.2	0	14.3	16.1	10.6	2.7	10.3
Other	0	6.7	0	1.8	0	2.1	0	0
Occupational experience								
Judicial	65.0	57.8	75.0	53.6	70.9	53.2	62.2	69.0
Prosecutorial	47.5	46.7	25.0	32.1	19.3	34.0	29.7	37.9
Other	20.0	17.8	25.0	37.5	25.8	40.4	32.4	20.7
Religion								
Protestant	60.0	75.6	58.3	60.7	67.7	46.8	59.4	NA
Catholic	25.0	15.6	33.3	23.2	22.6	36.2	24.3	NA
Jewish	15.0	8.9	8.3	16.1	9.7	17.0	16.2	NA
Political party								
Democrat	95.0	6.7	8.3	82.1	0	0	5.4	86.2
Republican	5.0	93.3	91.7	7.1	100	95.7	89.2	3.4
Independent or none	0	0	0	10.7	0	2.1	5.4	10.3
Other	0	0	0	0	0	2.1	0	0
American Bar Association rating								
Exceptionally well/well qualified	75.0	73.3	58.3	75.0	64.5	55.3	64.9	82.8
Qualified	20.0	26.7	33.3	25.0	35.5	44.7	35.1	17.2
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 hearing 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), *Who's Who in American Politics* (New York: Bowker), *Martindale-Hubbell Law Directory* (Summit, NJ: Martindale-Hubbell, Inc.), national and regional editions of *Who's Who*, *The Judicial Staff Directory* (1994 edition), and local newspaper articles.

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 moderate 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 the Bush administration, the ABA's Standing Committee on Federal Judiciary utilized four ratings: exceptionally well qualified, well qualified, qualified, and not qualified. Starting with the Bush administration, the ABA Standing Committee on Federal Judiciary dropped its "exceptionally well qualified" rating so that "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 are combined for all administrations' appointees, and therefore figures prior to President Bush's administration may differ from previous editions of SOURCEBOOK.

^aPercents may not add to 100 because of rounding.

^bNo 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. 323, 324, Table 3; and Sheldon Goldman and Elliot Slotnick, "Clinton's First Term Judiciary: Many Bridges to Cross," *Judicature* 80 (May-June 1997), p. 269. Table adapted by SOURCEBOOK staff. Reprinted by permission.