



JUDICIAL APPOINTMENTS MEMO

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DATA AS OF APRIL 7 OF EACH PRESIDENT'S SECOND YEAR

**ADVANCING AMERICAN
FREEDOM FOUNDATION**

Background: [Article III](#) of the Constitution created the Supreme Court and gives Congress authority to create "inferior" courts with judges who serve "during good Behaviour."¹ Nominations to Article III courts are referred to the Senate Judiciary Committee and, if approved, listed on the [Senate Calendar](#). The Majority Leader decides which nominations to bring up for action.

Circuit Profiles: The information for each circuit below is from the [Administrative Office of the U.S. Courts](#). "Dem" and "GOP" refer to judges in active service appointed by Democratic or Republican presidents. "No vacancies" refers to current vacancies.

This Date in Confirmation History: The Senate confirmed Justices Neil Gorsuch (55-45) and Ketanji Brown Jackson (53-47) on this date in, respectively, 2017 and 2022.

Unanimous Confirmation:

- 1789-2016: 94%
- 2016-20 Trump 1: 22%
- 2021-24 Biden: 4%
- 2025-26 Trump 2: 0%

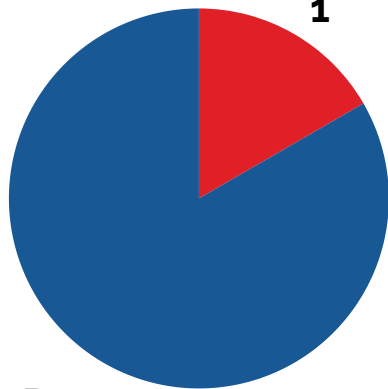
President	% Vacant	% Hearing	% Confirmed	% Cloture Vote	Avg NO
Trump 2	4.1	88.9	75.6	100	43.9
Biden	9.1	58.5	62.2	100	38.9
Trump 1	16.5	71.8	34.1	96.55	22.55
Obama	12.1	94	38	10.5	4.7
Bush 2	11.3	45.9	41.8	0	.02
Clinton	14.2	62.8	59	0	0
Bush 1	9.2	65.9	61.4	0	0
Reagan	5.1	98.3	84.7	0	0
Average	10.2	73.3	57.1	38.4	13.8

¹ [Article I](#) gives Congress authority to create "Tribunals inferior to the Supreme Court" which also require presidential nomination and Senate confirmation. The current Article I tribunals are the U.S. Court of Federal Claims (16 positions), U.S. Tax Court (19 positions), U.S. Court of Appeals for the Armed Forces (five positions), and U.S. Court of Appeals for Veterans Claims (seven positions). Judges on these tribunals serve for 15-year terms. Data in this *Judicial Appointments Memo* are for judges on Article III courts.



First Circuit

- Home base: Boston
- 2.3 million people per judge
- New appeals down 8.1% 2020-25
- Pending appeals up 16.7% 2020-25

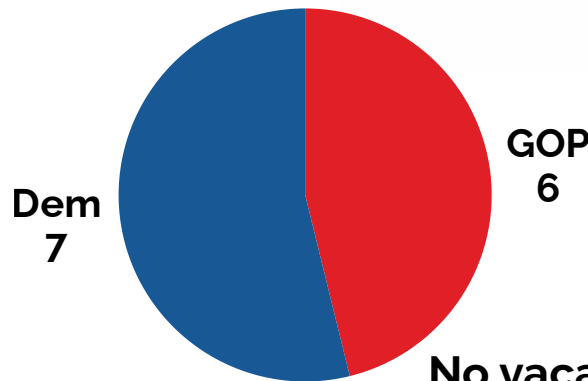


Dem
5

No vacancies

Second Circuit

- Home base: New York City
- 1.9 million people per judge
- New appeals down 22.5% 2020-25
- Pending appeals down 20.4% 2020-25



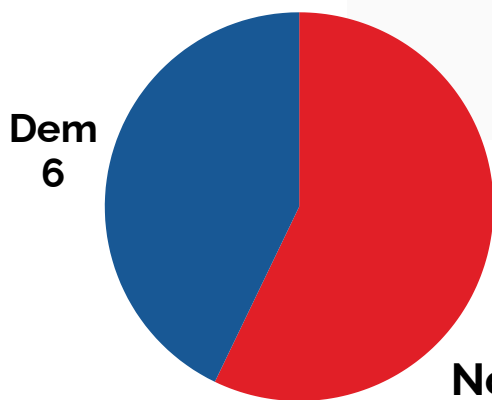
Dem
7

GOP
6

No vacancies

Third Circuit

- Home base: Philadelphia
- 1.7 million people per judge
- New appeals down 1.9% 2020-25
- Pending appeals down 1.9% 2020-25



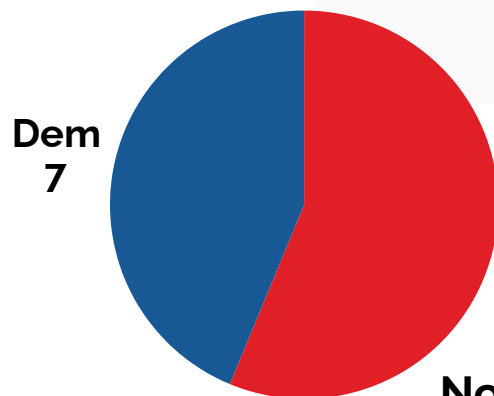
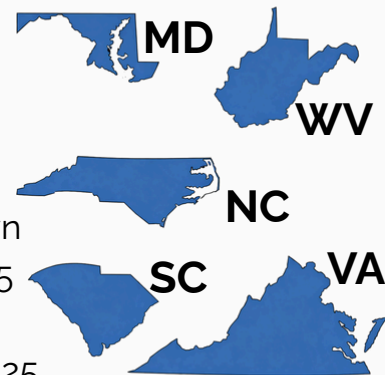
Dem
6

GOP
8

No vacancies

Fourth Circuit

- Home base: Richmond
- 2.1 million people per judge
- New appeals down 21.1% from 2020-25
- Pending appeals down 20.4% 2020-25



Dem
7

GOP
9

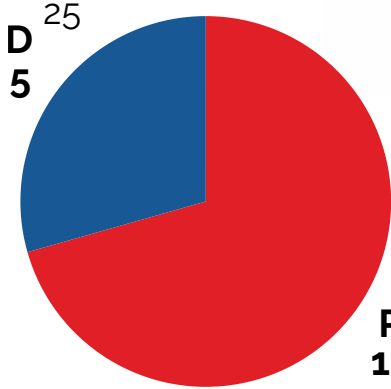
No vacancies



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Fifth Circuit

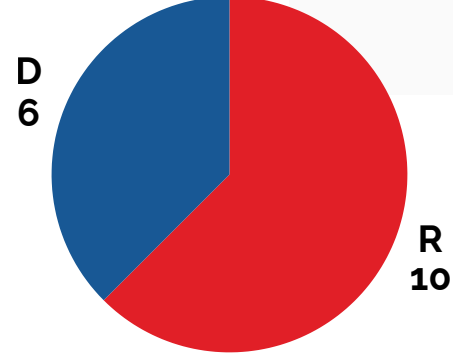
- Home base: New Orleans
- 2.2 million people per judge
- New appeals down 8.7% 2020-25
- Pending appeals down 33.2% 2020-25



No vacancies

Sixth Circuit

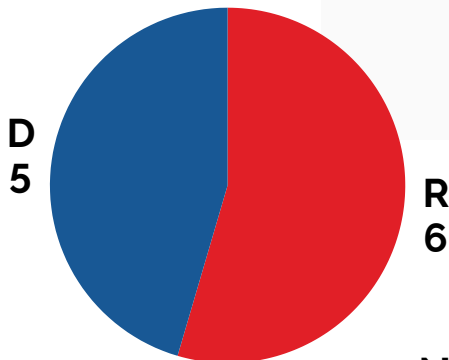
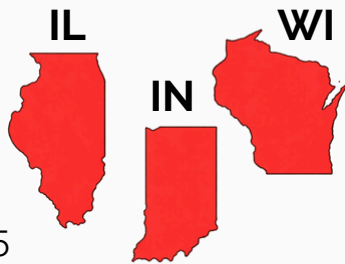
- Home base: Cincinnati
- 2.1 million people per judge
- New appeals down 16.1% 2020-25
- Pending appeals down 5.2% 2020-25



No vacancies

Seventh Circuit

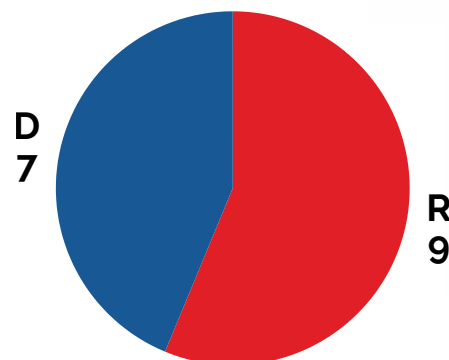
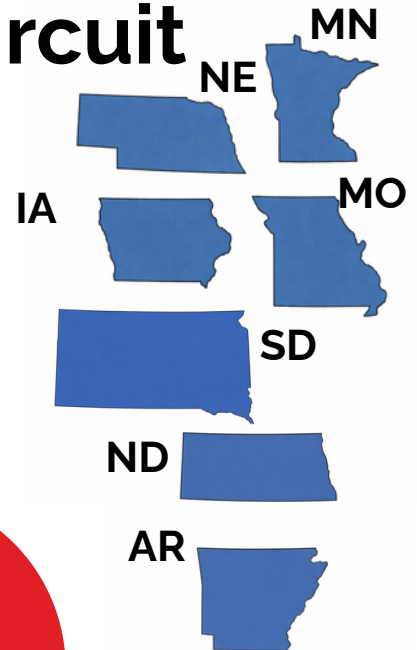
- Home base: Chicago
- 2.3 million people per judge
- New appeals down 6.7% 2020-25
- Pending appeals up 19.4% 2020-25



No vacancies

Eighth Circuit

- Home base: St. Louis
- 2 million people per judge
- New appeals down 7% 2020-25
- Pending appeals up 13% 2020-25



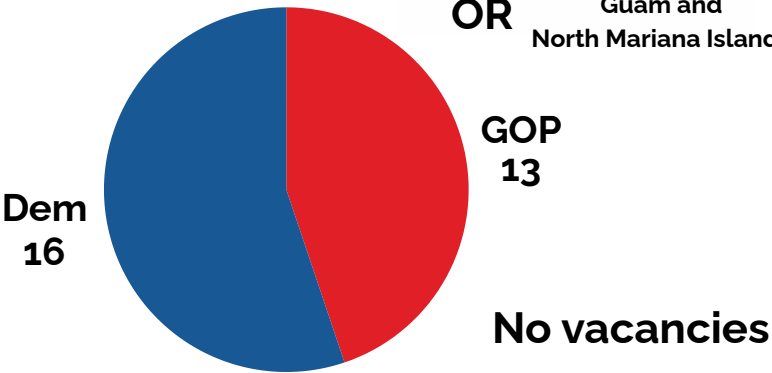
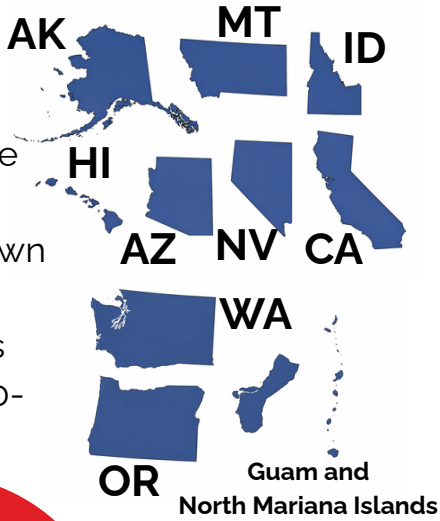
No vacancies



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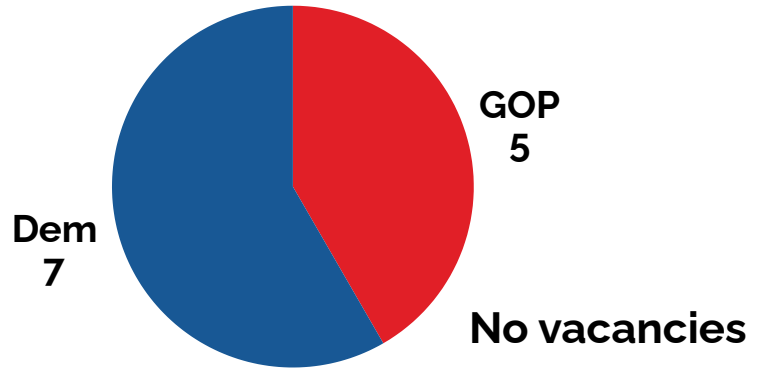
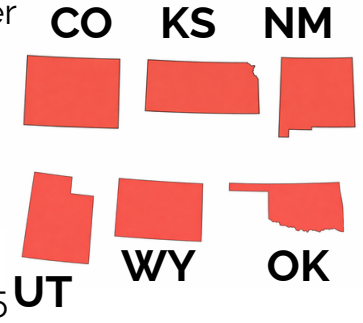
Ninth Circuit

- Home base: San Francisco
- 2.3 million people per judge
- New appeals down 6.5% 2020-25
- Pending appeals down 24.3% 2020-25



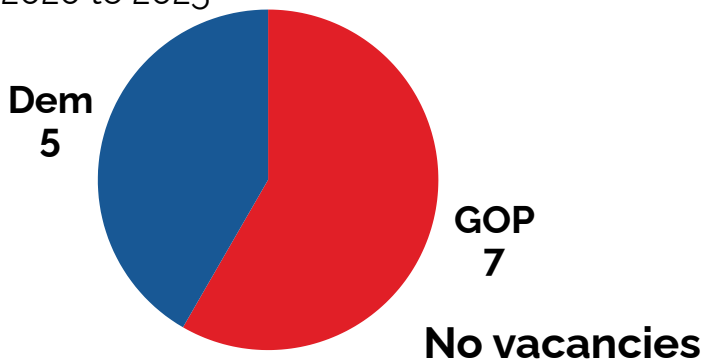
Tenth Circuit

- Home base: Denver
- 1.5 million people per judge
- New appeals up 4.2% 2020-25
- Pending appeals down 4.4% 2020-25



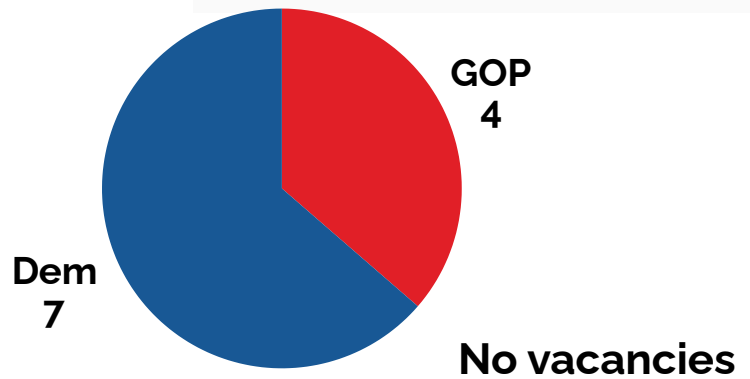
Eleventh Circuit

- Home base: Atlanta
- 3.1 million people per judge
- New appeals down 2% from 2020 to 2025
- Pending appeals down 1.6% from 2020 to 2025



D.C. Circuit

- Home base: District of Columbia
- 63,000 people per judge
- New appeals down 1.3% 2020-25
- Pending appeals up 19.1% 2020-25



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