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1998-0205-F; 2005-1392-F

FOIA Number:
2005-1392-F

FOIA MARKER

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Counsels Office, White House
Series: Liberman, Lee S., Files
Subseries: Judicial Selection Files

OA/ID Number: 45322
Folder ID Number: 45322-016

Folder Title:
Judicial Selection - Circuit Courts [1]

Stack:	Row:	Section:	Shelf:	Position:
G	12	14	1	2

*70 kind of
circuits*

Cases	District %	State %	Population (000)	Pop. %	Judges	Judges %	Need/ Cases	Need/ Pop.	Vacancies Included
Third Circuit - New Positions: 2									
DE	117	4.2%	673	3.3%	2*	16.7%	-12.5%	-13.4%	1 Vacancy
NJ	691	24.9%	7,736	37.7%	3	25.0%	-0.1%	12.7%	
PA-E	983	35.4%							
PA-M	375	13.5%							
PA-W	490	17.7%	12,040	58.6%	7	58.3%	8.2%	0.3%	
VI	120	4.3%	96	0.5%	0	0.0%	4.3%	0.5%	
	2,776		20,545		12				
Fourth Circuit - New Positions: 4									
MD	647	22.2%	4,694	20.6%	2	18.2%	4.0%	2.5%	
NC-E	340	11.7%							
NC-M	145	5.0%							
NC-W	184	6.3%	6,571	28.9%	2	18.2%	4.8%	10.7%	
SC	276	9.5%	3,512	15.4%	3	27.3%	-17.8%	-11.8%	
VA-E	832	28.6%							
VA-W	224	7.7%	6,098	26.8%	2	18.2%	18.1%	8.6%	
WV-N	110	3.8%							
WV-S	155	5.3%	1,857	8.2%	2	18.2%	-9.1%	-10.0%	
	2,913		22,732		11				
Fifth Circuit - New Positions: 1									
LA-E	819	18.8%							
LA-M	125	2.9%							
LA-W	433	9.9%	4,382	18.3%	4	25.0%	6.6%	-6.7%	
MS-N	154	3.5%							
MS-S	248	5.7%	2,621	10.9%	3	18.8%	-9.5%	-7.8%	
TX-N	659	15.1%							
TX-E	302	6.9%							
TX-S	941	21.6%							
TX-W	681	15.6%	16,991	70.8%	9*	56.3%	3.0%	14.6%	3 Vacancies
	4,362		23,994		16				

Cases	District %	State %	Population (000)	Pop. %	Judges	Judges %	Need/ Cases	Need/ Pop.	Vacancies Included
Sixth Circuit - New Positions: 1									
KY-E	307	7.9%							
KY-W	274	7.1%	3,727	12.9%	3*	20.0%	-5.0%	-7.1%	1 Vacancy
MI-E	1,003	25.9%							
MI-W	267	6.9%	9,273	32.1%	4	26.7%	6.2%	5.5%	
OH-N	917	23.7%							
OH-S	462	11.9%	10,907	37.8%	4	26.7%	9.0%	11.1%	
TN-E	235	6.1%							
TN-M	206	5.3%							
TN-W	196	5.1%	4,940	17.1%	4*	26.7%	-10.2%	-9.5%	1 Vacancy
	3,867		28,847		15				

Eighth Circuit - New Positions: 1

AR-E	394	15.9%							
AR-W	112	4.5%	2,406	13.6%	1	10.0%	10.4%	3.6%	
IA-N	101	4.1%							
IA-S	184	7.4%	2,840	16.0%	1	10.0%	1.5%	6.0%	
MN	403	16.3%	4,353	24.5%	1	10.0%	6.3%	14.5%	
MO-E	441	17.8%							
MO-W	447	18.1%	5,159	29.1%	3	30.0%	5.9%	-0.9%	
NE	197	8.0%	1,611	9.1%	2	20.0%	-12.0%	-10.9%	
ND	61	2.5%	660	3.7%	1	10.0%	-7.5%	-6.3%	
SD	135	5.5%	715	4.0%	1	10.0%	-4.5%	-6.0%	
	2,475		17,744		10				

Tenth Circuit - New Positions: 2

CO	334	17.7%	3,317	26.0%	2	20.0%	-2.3%	6.0%	
KS	315	16.7%	2,513	19.7%	2	20.0%	-3.3%	-0.3%	
NM	250	13.3%	1,528	12.0%	1	10.0%	3.3%	2.0%	
OK-W	188	10.0%							
OK-E	120	6.4%							
OK-N	445	23.6%	3,224	25.3%	2	20.0%	20.0%	5.3%	
UT	143	7.6%	1,707	13.4%	2	20.0%	-12.4%	-6.6%	
WY	89	4.7%	475	3.7%	1	10.0%	-5.3%	-6.3%	
	1,884		12,764		10				

Circuit Courts: Possible Allocations

<u>State</u>	<u>Cases</u>	<u>Pop.</u>	<u>Judges (%)</u>	<u>Future %</u>	<u># Judges</u>
CA3 (2 new)					
DE	4.2%	3.3%	16.7%	14%	2 (+1)
→ NJ	24.9	37.7	25.0	21.4 (if +0)	3
				28 (if +1)	
→ PA	66.6	58.6	58.3	57 (if +1)	7
				64 (if +2)	
VI	4.3	0.5	0.0		0

					12 /14
CA4 (4 new)					
→ MD	22.2	20.6	18.2	13.3 (if +0)	2
				20 (if +1)	
→ NC	23.0	28.9	18.2	20 (if +1)	2
				26 (if +2)	
SC	9.5	15.4	27.3		3
→ VA	36.3	26.8	18.2	26.6 (if +2)	2
				33.3 (if +3)	
WVA	9.1	8.2	18.2	13.3	2

					11 /15
CA5 (1 new)					
→ LA	31.6	18.3	25.0	23.5 (if +0)	4
				29.4 (if +1)	
MS	9.2	10.9	18.8	18.7	3
→ TX	59.2	70.8	56.3	56.3 (if +0)	9 (+3)
				58.8 (if +1)	

					16 /17
CA6 (1 new)					
KY	15.0	12.9	20.0	12.5 (if -1)	3 (+1)
				25 (if -0)	
→ MI	32.8	32.1	26.7	25 (if +0)	4
				33 (if +1)	
→ OH	35.7	37.8	26.7	25 (if +0)	4
				33 (if +1)	
→ TN	16.5	17.1	26.7	18.7 (if -1)	4 (+1)
				25 (if -0)	

					15 /16

<u>State</u>	<u>Cases</u>	<u>Pop.</u>	<u>Judges (%)</u>	<u>Future %</u>	<u># Judges</u>
CA8 (1 new)					
AR	20.4	13.6	10.0	9.1 (if +0)	1
				18.2 (if +1)	
IA	11.5	16.0	10.0	9.1 (if +0)	1
				18.2 (if +1)	
MN	16.3	24.5	10.0	9.1 (w/o Lay)	1
				18.2 (w/Lay)	
MO	35.9	29.1	30.0	27.3 (if +0)	3
				36.4 (if +1)	
NE	8.0	9.1	20.0	18.2 (w/Lay)	2
				9.1 (w/o Lay)	
ND	2.5	3.7	10.0	9.1	1
SD	5.5	4.0	10.0	9.1	1

					10 /11
CA10 (2 new)					
CO	17.7	26.0	20.0	16.7 (if +0)	2
				25 (if +1)	
KS	16.7	19.7	20.0	16.7 (if +0)	2
				25 (if +1)	
NM	13.3	12.0	10.0	8.3 (if +0)	1
				16.7 (if +1)	
OK	40.0	25.3	20.0	16.7 (if +0)	2
				25 (if +1)	
				33 (if +2)	
UT	7.6	13.4	20.0	16.7	2
WY	4.7	3.7	10.0	8.3	1

					10 /12

Cir.
Alloc.

(OH)

CA10-

Holloway - OK

~~Barnett - OK~~

McKoy - OT

Logan - KC

Segner - OK

Anderson - OT

Tucker - KC

Bullock - NM

Moore - CO

Brookly - WY

Ebel - CO

- 20K

- 2UT

- 2KJ

- 2LO

- 1 WY

- 1 NM

CA 6

~~Merritt - TD~~

~~Kear - ME~~

~~Kennedy - ME~~

~~Mark - KC~~

Jones - OIT

Kropinsky - OIT

~~Melton - TD~~

~~Jos - ME~~

~~Fuller - TD~~

Nelson - OIT

Ryan - ME

Boggs - KC

Norris - OIT

~~Shelton - ME~~

~~KY - TD~~

CA 4

~~Erin - N.C.~~

~~Russell - S.C.~~

~~W. Lee - VA.~~

~~Hall - W. Va.~~

~~Phillips - NC~~

~~Morgan - NC~~

~~Springs - W. Va.~~

~~Chipman - SC~~

~~Whitman - VA~~

~~Williams - SC~~

~~Niemeyer - MO~~

100%
w. va. 25%
34%

2 Va. - 34%
1 Md. - 23%
1 Md. - 10%

2 NC

3 SC

2 Va.

2 W. Va.

2 ME

CA 8

~~L. - MN~~

~~Lotan - MN~~

~~McNally - MO~~

~~Arnold - AR~~

~~Gibson - MO~~

~~Fogg - IA~~

~~Brown - MO~~

~~Waller - SD~~

~~Hopkins - ND~~

~~Bear - NE~~

(2 MN)

3 MO

1 AR

1 IA

1 SD

1 ND

(1 NE)



Ohio
Republican
Party

Robert T. Bennett
Chairman

Martha C. Moore
Vice-Chairman

January 11, 1991

✓ ① Judicial
selection -
allocates -
circuits

② CAC

Richard Thornburgh
Attorney General
Dept. of Justice
10th & Constitution, NW, Rm 5111
Washington D.C. 20530

Dear Dick:

As a follow up to the recent letter I sent you regarding our recommendations for Federal Judicial vacancies in Ohio, I have enclosed information pertaining to the new judgeship for the Sixth Circuit Court of Appeals. I hope to see Ohio receive this newly created judgeship which I believe would benefit Ohio and the federal judicial system.

The strongest argument for assigning the new judgeship authorized for the Sixth Circuit Court of Appeals by the Civil Justice Reform Act of 1990 is the restoration of the historical balance in the allocation of judgeships in this circuit. Beginning as early as the 1940's when there were six judgeships for the Sixth Circuit, a parity in the number of judgeships assigned to Ohio and Michigan, the two largest states of the circuit, was established. When there were six judges on the Court, two judgeships were assigned to Ohio, two judgeships were assigned to Michigan, and one judgeship each was assigned to Kentucky and to Tennessee. This symmetry between Ohio and Michigan was maintained until 1979 when the tenth and eleventh judgeships were created. The two new judgeships were assigned to Michigan and Kentucky, resulting in four judgeships for Michigan, three for Ohio, and two each for Kentucky and Tennessee.

In 1984 another judgeship bill was passed which gave the Court an additional four judgeships, for a total of fifteen active judgeships. One judgeship was assigned to each of the four states of the circuit. Thus when the court reached fifteen active judgeships, the allocation was as follows:

Ohio	4
Michigan	5
Kentucky	3
Tennessee	3

The assignment of the new sixteenth judgeship to Ohio would restore the historic balance among the four states of the circuit. It would assign five judges to both Ohio and Michigan, the two largest states of the circuit in terms of population and caseload, and three judgeships each to Kentucky and Tennessee, the two smaller states of the circuit.

A second argument for assigning the sixteenth judgeship to Ohio is the importance of maintaining parity in the relationship of the number of circuit judges from each state compared to the number of district judges from that state. Since the workload of the Court of Appeals is directly related to the number of district judges from each of the states, the ratio of the number of circuit judges to district judges is a valid yardstick to use in determining where to allocate judicial resources. Ohio currently has the highest ratio of circuit judges to district judges, with one circuit judge for every five district judges in Ohio. By contrast, there is one circuit judge for every four district judges in Michigan and Tennessee, and one circuit judgeship for every three district judges in Kentucky. Allocating the new judgeship to Ohio would reduce the Ohio ratio to one circuit judgeship for every four district judgeships, thereby equalizing the ratios for Ohio, Michigan, and Tennessee.

I hope you will find these arguments valid and persuasive. Please keep in touch on this and I look forward to working with you on this subject.

With warm personal regards,

Cordially,



Robert T. Bennett
Chairman

RTB/rak

COURT OF APPEALS NOMINATIONS PENDING

- 3rd Circuit - Jay Waldman
- 3rd Circuit - Franklin VanAntwerpen
- 4th Circuit - Terry Boyle
- 4th Circuit - Lillian Bevier
- 8th Circuit - Morris Arnold
- 10th Circuit - Frank Keating
- 10th Circuit - Paul Kelly

*Indicate
Selected -
amount
(x)*

COURT OF APPEALS NOMINATIONS EXPECTED IN JANUARY 1992

- DC Circuit - John Roberts *A*
- 3rd Circuit - Stephen McEwen (possibly February instead)
- 4th Circuit - Karen Williams *A/WA*
- ? 5th Circuit - Sidney Fitzwater *A/2A*
- 6th Circuit - John Smietanka *2/NA*
- 11th Circuit - Ed Carnes *A* ~~*ABE*~~

COURT OF APPEALS NOMINATIONS POSSIBLE FEBRUARY/MARCH 1992

- 1st Circuit - Michael Boudin *Feb. 7*
- (1st Circuit - New Hampshire)
- + 2nd Circuit - Dennis Jacobs *Feb 8*
- (5th Circuit - Mississippi (Mike Wallace))
- ? - 6th Circuit - Justin Wilson
- 11th Circuit - Fred Moreno *Jan. 14*
- 11th Circuit - Susan Black *Feb 10*
- Federal Circuit - Tony Schall *Jan 30*

*judicial select
circum allocation*

2

<u>State</u>	<u>Cases</u>	<u>Pop.</u>	<u>Judges (%)</u>	<u>Future %</u>	<u># Judges</u>
CA8 (1 new)					
AR	20.4	13.6	10.0	9.1 (if +0)	1
				18.2 (if +1)	
IA	11.5	16.0	10.0	9.1 (if +0)	1
				18.2 (if +1)	
MN	16.3	24.5	10.0	9.1 (w/o Lay)	1
				18.2 (w/Lay)	
MO	35.9	29.1	30.0	27.3 (if +0)	3
				36.4 (if +1)	
NE	8.0	9.1	20.0	18.2 (w/Lay)	2
				9.1 (w/o Lay)	
ND	2.5	3.7	10.0	9.1	1
SD	5.5	4.0	10.0	9.1	1

					10 /11
CA10 (2 new)					
CO	17.7	26.0	20.0	16.7 (if +0)	2
				25 (if +1)	
KS	16.7	19.7	20.0	16.7 (if +0)	2
				25 (if +1)	
NM	13.3	12.0	10.0	8.3 (if +0)	1
				16.7 (if +1)	
OK	40.0	25.3	20.0	16.7 (if +0)	2
				25 (if +1)	
				33 (if +2)	
UT	7.6	13.4	20.0	16.7	2
WY	4.7	3.7	10.0	8.3	1

					10 /12

*judicial seats
all over circuit as*

Circuit Courts: Possible Allocations

<u>State</u>	<u>Cases</u>	<u>Pop.</u>	<u>Judges (%)</u>	<u>Future %</u>	<u># Judges</u>
CA3 (2 new)					
DE	4.2%	3.3%	16.7%	14%	2 (+1)
NJ	24.9	37.7	25.0	21.4 (if +0)	3
				28 (if +1)	
PA	66.6	58.6	58.3	57 (if +1)	7
				64 (if +2)	
VI	4.3	0.5	0.0		0

					12 /14
CA4 (4 new)					
MD	22.2	20.6	18.2	13.3 (if +0)	2
				20 (if +1)	
NC	23.0	28.9	18.2	20 (if +1)	2
				26 (if +2)	
SC	9.5	15.4	27.3	20 (if +0)	3
				26.6 (if +1)	
VA	36.3	26.8	18.2	26.6 (if +2)	2
				33.3 (if +3)	
WVA	9.1	8.2	18.2	13.3	2

					11 /15
CA5 (1 new)					
LA	31.6	18.3	25.0	23.5 (if +0)	4
				29.4 (if +1)	
MS	9.2	10.9	18.8	18.7	3
TX	59.2	70.8	56.3	56.3 (if +0)	9 (+3)
				58.8 (if +1)	

					16 /17
CA6 (1 new)					
KY	15.0	12.9	20	12.5 (if -1)	3 (+1)
				18 (if -0)	
MI	32.8	32.1	33	31 (if +0)	5
				37.5 (if +1)	
OH	35.7	37.8	26.7	25 (if +0)	4
				31 (if +1)	
TN	16.5	17.1	20	12.5 (if -1)	3 (+1)
				18 (if -0)	

					15 /16

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Memo with fax cover sheet	Draft Memorandum to the File Re: Conversation with Senate Judiciary Chief of Staff Regarding Nominations (3 pp.)	02/13/92	P-2, P-5	

Collection:

Record Group: Bush Presidential Records
Office: Counsel to the President, Office of
Series: Liberman, Lee S.
Subseries: Judicial Selection Files
WHORM Cat.:
File Location: Judicial Selection: Circuit Courts [1]

~~Open on Expiration~~
~~(Document Follows)~~
~~By _____~~

Open on Expiration of PRA
 (Document Follows)
 By NE (NLGB) on 2/12/2007

Date Closed: 9/10/1994	OA/ID Number: 45322-016
FOIA/SYS Case #: 1998-0205-F	
Re-review Case #:	
P-2/P-5 Review Case #:	
MR Case #:	Appeal Case #:
MR Disposition:	Appeal Disposition:
Disposition Date:	Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

(b)(1) National security classified information [(b)(1) of the FOIA]
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
 (b)(9) Release would disclose geological or geophysical information

FACSIMILE TRANSMISSION SHEET

OFFICE OF THE DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

TO: LEE LIBERMAN

White House Counsel's Office

Fax #: () 456-7929 Voice #: () -

FROM: JOHN P. MACKEY

Office of the Deputy Attorney General Room # 5125

U.S. Department of Justice, Main Justice Building

Washington, D.C. 20530

Fax #: (202) 514 - 4699 Voice #: (202) 514 - 2446

THIS TRANSMISSION CONTAINS 3 SHEETS INCLUDING THIS SHEET

SPECIAL NOTES:

Lee: Attached, for your information, is a summary of my conversation with Cynthia Hogan of the Senate Judiciary Committee this morning.

I recommend we send up 10 District Court files this week or Monday, as a result of that conversation.

cc: Lee Rawls
Assistant Attorney General
Office of Legislative Affairs

Barbara Drake
Office of the Attorney General

We are transmitting to you on a Panafax UF-250. If any page(s) are missing, please call sender at the above voice number for re-transmission

Debbie

John Kenneth

J. D. Davis

1984/55

very bright
writing
federal

DRAFT

February 13, 1992

Memorandum to the File:

Re: Conversation with Cynthia Hogan new Senate Judiciary Chief of Staff (replacement for Jeff Peck) regarding Judicial confirmation process

I indicated in my conversation with Cynthia this morning that we are open to providing some District Court FBI reports per her request, however; we are also greatly interested in moving circuit court nominees as well.

She indicated that the February 19th, hearing was to handle two district court judges which have been hanging around for sometime, plus a South Carolina and Delaware nominee, which should be self evident to anyone, as to why these two are on that day's agenda. She also indicated that Karen Williams from the Fourth Circuit may also be included on the February 19th hearing agenda. They are still reviewing her file.

I indicated that we had circuit court nominees we also wished to see expeditious movement on, and she indicated that she was well aware of the Administration's priority on circuits and our list. I made it clear that we wanted all of our nominees to move, but these few might need a little extra assistance.

24-
15
I then asked Cynthia regarding a hearing schedule, and she indicated that they would try the normal schedule of two hearings a month, but were contemplating three in March to catch up on the backlog. I asked about the possibility of five judges at each hearing and she indicated that this was a possibility. I also indicated that my hope would be that at least two circuits would be included at every hearing. She indicated a willingness to accommodate us on the circuit courts, but could not commit at this early stage on any fixed schedule or pairing plan on any specific nominees.

Cynthia was well aware of the administration's priority push on circuits as is evident to them by the 12 FBI files they received this year, 10 of which were Court of Appeals nominees. She indicated that the Committee was under pressure on district courts, and I indicated we were under pressure on both the district courts and the circuits.

She was fully aware of our named priority list, and indicated that the committee would also treat them as priority. However; she added that we would not likely get all we wanted because of political problems with a few. She then indicated that there would likely be some early movement on the third circuit nominees and gave the impression, at least to me, that some overall movement on the circuits in general will be forthcoming.

DRAFT

It is my recommendation that we send up 10 district court files either tomorrow or Monday to show our good faith and hold the committee's feet to the fire on the circuit court's nominees as we proceed in the weeks ahead.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Memo with attachment	From John P. Mackey to Lee Liberman Re: Circuit Court Nominees (3 pp.)	02/10/92	P-2, P-5	

Collection:

Record Group: Bush Presidential Records
Office: Counsel to the President, Office of
Series: Liberman, Lee S.
Subseries: Judicial Selection Files
WHORM Cat.:
File Location: Judicial Selection: Circuit Courts [1]

Open on Expiration of PRA
(Document Follows)
By NED (NLGB) on 12/12/2007

Date Closed: 9/10/1994	OA/ID Number: 45322-016
FOIA/SYS Case #: 1998-0205-F	
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P-2/P-5 Review Case #:	
MR Case #:	Appeal Case #:
MR Disposition:	Appeal Disposition:
Disposition Date:	Disposition Date:

RESTRICTION CODES

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P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

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(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information



U.S. Department of Justice
Office of the Deputy Attorney General

February 10, 1992

TO : ✓ Lee Liberman
White House Counsel's Office

Barbara Drake
Office of the Attorney General

FROM: John P. Mackey *JP*
Associate Deputy Attorney General

SUBJ: Circuit Court Priorities
Hearing Plan

Now that the FBI reports are once again being provided the Senate Judiciary Committee (SJC), I have put together a draft hearing plan proposal on the Circuit Court nominees that are our highest priority for this session of the 102nd Congress (copy attached).

I am open to any suggestions. However, we should be well aware, that our ability to influence the SJC hearing schedule is indeed limited since it is strictly within the Committee's discretion. But to the extent we have a game plan, which we agree on and push, the chances are better for our nominees' success under a well through out approach.

I would welcome any comments.
Thank you.

Attachment

Judith S. -
DRAFT *Comments*
1992

CIRCUIT COURT NOMINEES

Suggested Grouping Plan for Hearings and Senate Action:

I. Nominations now before the Senate Judiciary Committee

A. Fourth Circuit Hearing Day

Karen Williams	-	South Carolina
Lillian BeVier	-	Virginia
Terry Boyle	-	North Carolina

Theory three Fourth Circuit nominees going together, will give us potential of six U.S. Senators to fight West Virginia over a 4th Circuit seat for that state. Unity in numbers to avoid 1 of 3 nominees getting picked off by West Virginia Senate delegation.

Other Circuits

B. John Roberts	-	D.C. Circuit
Ed Carnes	-	11th Circuit

C. John Smietanka	-	6th Circuit
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Roberts and Smietanka will be viewed as Departmental nominees, and should not go together to avoid more linkage problems than we are likely to encounter anyway. Also Carnes if he draws some heat will detract focus from John Roberts in that pairing, and might help advance John Roberts without any controversy.

II. Nominations After February/March 1992

A. Michael Boudin	-	1st Circuit	-	(Mass.)
Dennis Jacobs	-	2nd Circuit	-	(N.Y.)

Theory - Link 1st and 2nd Circuit, both cover New England area, where Kennedy, Leahy, etc. will be more than interested, and both Jacobs and Boudin will likely have strong Democratic backing already. Might be able to move both in tandem.

B. Susan Black	-	11th Circuit	-	(Fla.)
Tony Schall	-	Federal Circuit		
C. Mike Wallace	-	5th Circuit	-	(Miss.)
Sidney Fitzwater	-	5th Circuit	-	(Tex.)
* Louisiana Candidate	-	5th Circuit	-	(La.)

Susan Black, a Democratic woman, will have strong bi-partisan support and might help carry Tony Schall somewhat since he lacks any real Senate Sponsors.

Mike Wallace will be most controversial of all the circuit nominees, and will most likely take the longest to process. So paired with possible Louisiana candidate, supported by key Democratic Senators Johnson & Breaux plus also paired along with Texas candidate Fitzwater, might help move both he and Texas candidate through before Senate adjourns sine die, by building strong bi-partisan support for the entire package.

Note: Senators Johnson & Breaux want very much for new 5th Circuit seat to go to Louisiana, and were very helpful in Clarence Thomas nomination with their strong and critically timed bi-partisan support for Judge Thomas's tough confirmation battle. This proposal will only work, of course, if Senator Gramm can be convinced that a new 5th seat going to Louisiana will be the only way Fitzwater can be confirmed. No easy task I might add.



U.S. Department of Justice
Office of the Attorney General

11/26/90

TO: Lee Liberman

FROM: Murray Dickman

FYI

Index
Subject
Account
COB

CIRCUIT JUDGES AS OF NOVEMBER 19, 1990

Conner

COURT: DISTRICT OF COLUMBIA CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
DC	Wald, Patricia M. (Chief)	1928-09-16	Carter	DC	1979-07-26
DC	Mikva, Abner J.	1916-01-21	Carter	IL	1979-09-25
DC	Edwards, Harry T.	1940-11-03	Carter	DC	1980-02-20
DC	Ginsburg, Ruth Bader	1933-03-15	Carter	NY	1980-06-18
DC	Silberman, Laurence H.	1935-10-12	Reagan	DC	1985-10-28
DC	Buckley, James L.	1923-03-09	Reagan	CN	1985-12-17
DC	Williams, Stephen F.	1936-09-23	Reagan	CO	1986-06-16
DC	Ginsburg, Douglas H.	1946-05-46	Reagan	DC	1986-10-14
DC	Sentelle, David B.	1943-02-12	Reagan	NC	1987-09-11
DC	Thomas, Clarence	1948-06-23	Bush	VA	1990-03-06
DC	Henderson, Karen L.	1944-07-11	Bush	SC	1990-07-05
DC	Randolph, Raymond A.	1943-11-01	Bush	MD	1990-07-16

VACANCIES:

NONE *fl-s*

4-7-1

STATES UNDER COURT'S JURISDICTION:

National Court

AUTHORIZED NUMBER OF JUDGES: 12

MAKE-UP OF COURT BY STATE:
 Colorado 1; Connecticut 1; District of Columbia 4; Illinois 1; Maryland 1;
 New York 1; North Carolina 1; South Carolina 1; Virginia 1

COURT: FEDERAL CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
Fed	Rich, Giles Sutherland	1904-05-30	Eisenhower	NY	1956-07-19
Fed	Markey, Howard T.	1920-11-10	Nixon	IL	1972-06-22
Fed	Nies, Helen W.	1925-08-07	Carter	DC	1980-06-18
Fed	Newman, Pauline	1927-20-27	Reagan	PA	1984-02-28
Fed	Archer, Glenn L. Jr.	1929-03-21	Reagan	VA	1985-12-17
Fed	Mayer, Haldane Robert	1941-02-21	Reagan	VA	1987-06-15
Fed	Michel, Paul R.	1941-02-03	Reagan	VA	1988-03-04
Fed	Plager, S. Jay	1931-05-16	Reagan	IN	1989-11-09
Fed	Lourie, Alan	1935-01-13	Bush	PA	1990-04-06
Fed	Clevenger, Raymond C. III	1937-08-27	Bush	DC	1990-04-30
Fed	Rader, Randall	1949-04-21	Bush	VA	1990-08-07

VACANCIES:

Fed	Smith, Edward S. (retired 5/31/89)	1919-03-27	Carter	MD	1978-07-28
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STATES UNDER COURT'S JURISDICTION:
National Court

AUTHORIZED NUMBER OF JUDGES: 12

MAKE-UP OF COURT BY STATE:
District of Columbia 2; Illinois 1; Indiana 1; New York 1; Pennsylvania 2;
Virginia 4

COURT: FIRST CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
1st	Campbell, Levin H.	1927-01-02	Nixon	MA	1972-06-30
1st	Breyer, Stephen G.	1938-08-15	Carter	MA	1980-12-10
1st	Toruella Del Valle, Juan R.	1933-07-07	Reagan	PR	1984-10-04
1st	Selya, Bruce M.	1934-05-27	Reagan	RI	1986-10-14
1st	Cyr, Conrad K.	1931-12-09	Bush	ME	1989-10-15

VACANCIES:

1st	Souter, David H. (Elevated to Supreme Court 1990-10-03)	1939-09-17	Bush	NH	1990-04-30
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STATES UNDER COURT'S JURISDICTION:
Maine, Massachusetts, New Hampshire, Rhode Island, and Puerto Rico

AUTHORIZED NUMBER OF JUDGES: 6

MAKE-UP OF COURT BY STATE:
Maine 1; Massachusetts 2; New Hampshire (1 vac); Rhode Island 1; Puerto Rico 1

1-3-2

COURT: SECOND CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
2d	Feinberg, Wilfred	1920-06-22	Johnson	NY	1966-03-04
2d	Oakes, James Lowell (Chief)	1924-02-21	Nixon	VT	1971-05-27
2d	* Meskill, Thomas J.	1928-01-30	Ford	CT	1975-04-23
2d	Newman, Jon O.	1932-05-02	Carter	CT	1979-06-21
2d	Kearse, Amalya Lyle	1937-06-11	Carter	NY	1979-06-21
2d	Cardamone, Richard J.	1925-10-10	Reagan	NY	1981-10-29
2d	* Winter, Ralph K, Jr.	1935-07-30	Reagan	CT	1981-12-10
2d	Pratt, George C.	1928-05-22	Reagan	NY	1982-06-21
2d	* Miner, Roger J.	1934-04-14	Reagan	NY	1985-07-22
2d	* Altimari, Frank X.	1928-09-04	Reagan	NY	1985-07-22
2d	+ Mahoney, J. Daniel	1931-09-07	Reagan	NY	1986-04-07
2d	Walker, John M. Jr.	1940-12-26	Reagan	NY	1989-11-27
2d	McLaughlin, Joseph M.	1933-09-20	Bush	NY	1990-10-17

VACANCIES:

None

Feinberg (US)

3-394-5-1

STATES UNDER COURT'S JURISDICTION:
Connecticut, New York, Vermont

AUTHORIZED NUMBER OF JUDGES: 13

MAKE-UP OF COURT BY STATE:
Connecticut 3; New York 9; Vermont 1

COURT: THIRD CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
3d	Higginbotham, A. Leon, Jr.	1928-02-25	Carter	PA	1977-10-11
3d	Sloviter, Dolores Korman	1932-09-05	Carter	PA	1979-06-21
3d	Becker, Edward R.	1933-05-04	Reagan	PA	1981-12-03
3d	Stapleton, Walter K.	1934-06-02	Reagan	DE	1985-04-04
3d	Mansmann, Carol Los	1942-08-07	Reagan	PA	1985-04-04
3d	Cowen, Robert E.	1930-09-04	Reagan	NJ	1987-11-09
3d	Greenberg, Morton	1933-03-20	Reagan	NJ	1987-03-23
3d	Scirica, Anthony	1940-12-16	Reagan	PA	1987-08-06
3d	Hutchinson, Wm. D.	1932-06-20	Reagan	PA	1987-07-06
3d	Nygaard, Richard L.	1940-07-09	Reagan	PA	1988-10-17
3d	Alito, Samuel A.	1950-04-01	Bush	NJ	1990-04-30

VACANCIES:

Seitz, Collins Jacques 1914-06-20 Johnson DE 1966-06-09
 (Retired 5/31/89)

Three new positions

STATES UNDER COURT'S JURISDICTION:
 Delaware, New Jersey, Pennsylvania, and Virgin Islands

AUTHORIZED NUMBER OF JUDGES: 12 + 3 new positions = 15

MAKE-UP OF COURT BY STATE
 Delaware 1 + 1 vacancy; New Jersey 3; Pennsylvania 7; Virgin Islands 0

9-3-3

Edg. H. H. H.

COURT: FOURTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
4th	Russell, Donald Stuart	1906-02-22	Nixon	SC	1971-04-23
4th	Widener, H. Emory, Jr.	1923-04-30	Nixon	VA	1969-07-14
4th	Hall, Kenneth K.	1918-02-24	Ford	WVA	1971-12-06
4th	Murnaghan, Francis D., Jr.	1920-06-20	Carter	MD	1979-07-13
4th	Phillips, James Dickson	1922-09-23	Carter	NC	1978-08-11
4th	Sprouse, James M.	1923-12-03	Carter	WVA	1979-09-13
4th	Ervin, Samuel J., III (Chief)	1926-03-02	Carter	NC	1980-05-23
4th	Chapman, Robert F.	1926-05-24	Reagan	SC	1981-09-19
4th	Wilkinson, James Harvie III	1944-09-29	Reagan	VA	1984-08-13
4th	Wilkins, William W. Jr.	1942-03-29	Reagan	SC	1986-06-16
4th	Niemeyer, Paul V.	1941-04-05	Bush	MD	1990-08-07

VACANCIES:

³Four new positions

STATES UNDER COURT'S JURISDICTION:
Maryland, North Carolina, South Carolina, Virginia, West Virginia

AUTHORIZED NUMBER OF JUDGES: 11 + 4 new positions = 15

MAKE-UP OF COURT BY STATE:
Maryland 2; North Carolina 2; South Carolina 3; Virginia 2; West Virginia 2

41-8 24-3

COURT: FIFTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
5th	Clark, Charles	1925-09-12	Nixon	MS	1969-10-17
5th	Politz, Henry A.	1932-05-09	Carter	LA	1979-07-13
5th	Randall, Carolyn Dineen	1938-01-30	Carter	TX	1979-07-13
5th	Johnson, Samuel D., Jr.	1920-11-17	Carter	TX	1979-10-05
5th	Garwood, William L.	1931-10-29	Reagan	TX	1981-10-26
5th	Jolly, E. Grady	1937-10-03	Reagan	MS	1982-07-30
5th	Higginbotham, Patrick E.	1938-12-16	Reagan	TX	1982-07-30
5th	Davis, W. Eugene	1936-08-18	Reagan	LA	1983-11-06
5th	Jones, Edith H.	1949-04-07	Reagan	TX	1985-04-04
5th	Smith, Jerry E.	1946-11-07	Reagan	TX	1987-12-21
5th	Duhe, John M.	1933-04-07	Reagan	LA	1988-10-17
5th	Weiner, Jacques	1934-10-02	Bush	LA	1990-03-12
5th	Barksdale, Rhessa	1944-08-08	Bush	MS	1990-03-12

VACANCIES:

5th	Williams, Jerre S. (Retiring 7/2/90)	1916-08-21	Carter	TX	1980-06-18
5th	Reavley, Thomas M. (Retiring 8/1/90)	1921-06-21	Carter	TX	1979-07-13
5th	Gee, Thomas G. (Retiring 2/1/91)	1925-12-09	Nixon	TX	1973-08-06
5th	One new position				

STATES UNDER COURT'S JURISDICTION:
Louisiana, Mississippi, Texas

AUTHORIZED NUMBER OF JUDGES: 16 + 1 new position = 17

MAKE-UP OF COURT BY STATE:
Louisiana 4; Mississippi 3; Texas 6 + 3 vacancies

4-3-4

COURT: SIXTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
6th	Keith, Damon J.	1922-07-04	Carter	MI	1977-10-21
6th	Merritt, Gilbert S. (Chief)	1936-01-17	Carter	TN	1977-10-31
6th	Kennedy, Cornelia G.	1923-08-04	Carter	MI	1979-09-26
6th	Martin, Boyce F., Jr.	1935-10-23	Carter	KY	1979-09-26
6th	Jones, Nathaniel R.	1926-05-13	Carter	OH	1979-10-05
6th	Krupansky, Robert B.	1921-08-15	Reagan	OH	1982-03-10
6th	Milburn, H. Ted	1931-05-26	Reagan	TN	1984-10-04
6th	Guy, Ralph B.	1929-08-30	Reagan	MI	1985-10-17
6th	Nelson, David A.	1932-08-14	Reagan	OH	1985-10-17
6th	Ryan, James L.	1932-11-19	Reagan	MI	1985-10-17
6th	Boggs, Danny J.	1944-10-23	Reagan	KY	1986-03-25
6th	Norris, Alan E.	1935-08-15	Reagan	OH	1986-07-01
6th	Suhrheinrich, Richard	1936-08-15	Bush	MI	1990-07-10
<i>6th</i> <i>Butcher</i> <i>Silver</i>					
VACANCIES:					
6th	Lively, Frederick P. (retired 12/31/88)	1921-08-17	Nixon	KY	1972-10-05
6th	Wellford, Harry W. (retiring 1/15/91)	1924-08-06	Reagan	TN	1982-08-20
One new position					

 STATES UNDER COURT'S JURISDICTION:
 Kentucky, Michigan, Ohio, Tennessee

AUTHORIZED NUMBER OF JUDGES: 15 + 1 new position = 16

MAKE-UP OF COURT BY STATE:
 Kentucky 2 + 1 vacancy, Michigan 5, Ohio 4, Tennessee 3

4-5-2

COURT: SEVENTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
7th	Cummings, Walter Joseph Jr.	1916-09-29	Johnson	IL	1966-08-11
7th	Bauer, William J. (Chief)	1926-09-15	Ford	IL	1974-12-20
7th	Wood, Harlington, Jr.	1920-04-17	Ford	IL	1976-05-07
7th	Cudahy, Richard D.	1926-02-02	Carter	WI	1979-09-26
7th	Posner, Richard A.	1939-01-11	Reagan	IL	1981-12-01
7th	Coffey, John L.	1922-04-15	Reagan	WI	1982-03-19
7th	Flaum, Joel D.	1936-11-26	Reagan	IL	1983-05-05
7th	Ripple, Kenneth F.	1943-05-19	Reagan	IN	1985-05-10
7th	Easterbrook, Frank H.	1948-09-03	Reagan	IL	1985-04-04
7th	Manion, Daniel A.	1942-02-01	Reagan	IN	1986-07-24
7th	Kanne, Michael S.	1938-12-21	Reagan	IN	1987-05-20

VACANCIES: ~~None~~ *Wood*

STATES UNDER COURT'S JURISDICTION:
Illinois, Indiana, Wisconsin

AUTHORIZED NUMBER OF JUDGES: 11

MAKE-UP OF COURT BY STATE:
Illinois 6, Indiana 3, Wisconsin 2

2-8-1

COURT: EIGHTH CIRCUIT

Circuit	Name	Birth	Admin	State	Appointed
8th	Day, Donald P. (Chief)	1926-08-24	Johnson	NE	1966-07-22
8th	McMillian, Theodore	1919-01-28	Carter	MO	1978-09-23
8th	Arnold, Richard S.	1936-03-26	Carter	AR	1980-02-20
8th	Gibson, John R.	1925-12-20	Reagan	MO	1982-03-09
8th	Fagg, George G.	1934-04-30	Reagan	IO	1982-10-01
8th	Bowman, Pasco M. II	1933-12-20	Reagan	MO	1983-07-19
8th	Wollman, Roger L.	1934-05-29	Reagan	SD	1985-07-22
8th	Magill, Frank J.	1927-06-03	Reagan	ND	1986-03-04
8th	Beam, Clarence A.	1930-01-14	Reagan	NE	1987-11-09
8th	Loken, James	1940-05-21	Bush	MN	1990-10-17

VACANCIES:

2-8-1

One new position

STATES UNDER COURT'S JURISDICTION:
Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota

AUTHORIZED NUMBER OF JUDGES: 10 + 1 new position = 11

MAKE-UP OF COURT BY STATE:

AR 1, IO 1, MN 1, MO 3, NE 2, ND 1, SD 1

COURT: NINTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
9th	Browning, James R.	1918-10-01	Kennedy	MT	1961-09-18
9th	Goodwin, Alfred T. (Chief)	1923-06-29	Nixon	OR	1971-11-39
9th	Wallace, J. Clifford	1928-12-11	Carter	CA	1972-06-28
9th	Hug, Procter R., Jr.	1931-03-11	Carter	NV	1977-09-15
9th	Tang, Thomas	1922-01-11	Carter	AZ	1977-10-12
9th	Fletcher, Betty B.	1923-03-29	Carter	WA	1979-09-26
9th	Schroeder, Mary M.	1940-12-04	Carter	AZ	1979-09-26
9th	Farris, Jerome J.	1930-03-04	Carter	WA	1979-09-27
9th	Pregerson, Harry	1923-10-13	Carter	CA	1979-11-02
9th	Alarcon, Arthur L.	1925-08-14	Carter	CA	1979-11-02
9th	Poole, Cecil F.	1914-07-25	Carter	CA	1979-11-27
9th	Nelson, Dorothy W.	1928-09-30	Carter	CA	1979-12-20
9th	Canby, William Cameron, Jr.	1931-05-22	Carter	AZ	1980-05-23
9th	Norris, William A.	1927-08-30	Carter	CA	1980-06-18
9th	Reinhardt, Stephen R.	1931-03-27	Carter	CA	1980-09-11
9th	Wiggins, Charles E.	1927-12-03	Reagan	CA	1984-10-11
9th	Hall, Cynthia Holcomb	1929-01-19	Reagan	CA	1984-10-04
9th	Beezer, Robert R.	1928-07-21	Reagan	WA	1984-03-28
9th	Brunetti, Melvin T.	1933-11-10	Reagan	NV	1985-04-04
9th	Kozinski, Alex	1950-07-23	Reagan	CA	1985-11-07
9th	Noonan, John T. Jr.	1926-10-24	Reagan	CA	1985-12-17
9th	Thompson, David R.	1930-12-26	Reagan	CA	1985-12-17
9th	O'Scannlain, Diarmuid F.	1937-03-28	Reagan	OR	1986-09-26
9th	Leavey, Edward	1929-08-14	Reagan	OR	1987-09-23
9th	Trott, Stephen S.	1939-12-12	Reagan	VA	1988-03-25
9th	Fernandez, Ferdinand	1937-05-29	Bush	(Duty station in IDAHO)	
9th	Rymer, Pamela	1941-01-06	Bush	CA	1989-05-22
9th	Nelson, Thomas G	1936-11-14	Bush	CA	1989-05-22
				ID	1990-10-17

COURT: NINTH CIRCUIT CONTINUED

Vacancies

None

STATES UNDER COURT'S JURISDICTION:
Arizona, California, Idaho, Montana, Nevada, Oregon, Washington, Alaska,
Hawaii and Guam

AUTHORIZED NUMBER OF JUDGES: 28

MAKE-UP OF COURT BY STATE:
AZ 3, CA 14, ID 1* + 1, MT 1**, NV 2, OR 3, WA 3, AK 0, HI 0, GU 0

*Judge Trott, a Californian, was residing in Virginia at time of nomination.
He created a residence in Idaho just prior to appointment by the President.

**Judge Browning moved to California while serving as Chief Judge. He has
maintained a duty station in California since 1981.

COURT: TENTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
10th	Holloway, William J., Jr. (Chief)	1923-06-23	Johnson	OK	1968-09-16
10th	McKay, Monroe G.	1928-05-30	Carter	UT	1977-12-01
10th	Logan, James K.	1929-08-21	Carter	KS	1977-12-16
10th	Seymour, Stephanie K.	1940-10-16	Carter	OK	1979-22-03
10th	Anderson, Stephen H.	1932-01-12	Reagan	UT	1985-10-16
10th	Baldock, Bobby R.	1936-01-24	Reagan	NM	1985-12-17
10th	Moore, John P.	1934-10-14	Reagan	CO	1985-05-10
10th	Tacha, Deannell R.	1946-01-26	Reagan	KS	1985-12-16
10th	Brorby, Wade	1934-05-23	Reagan	WY	1988-02-17
10th	Ebel, David M.	1940-06-03	Reagan	CO	1988-04-20

VACANCIES:

Two new positions

4-6-2

STATES UNDER COURT'S JURISDICTION:
Colorado, Kansas, New Mexico, Oklahoma, Utah, Wyoming

AUTHORIZED NUMBER OF JUDGES: 10 + 2 new positions = 12

MAKE-UP OF COURT BY STATE:
Colorado 2; Kansas 2; New Mexico 1; Oklahoma 2; Utah 2; Wyoming 1

2 Kansas
1 New Mexico

COURT: ELEVENTH CIRCUIT

<u>Circuit</u>	<u>Name</u>	<u>Birth</u>	<u>Admin</u>	<u>State</u>	<u>Appointed</u>
11th	Tjoflat, Gerald B. (Chief)	1929-12-06	Ford	FL	1975-11-21
11th	Fay, Peter T.	1929-01-18	Ford	FL	1976-09-21
11th	Kravitch, Phyllis A.	1920-08-23	Carter	GA	1979-03-23
11th	Johnson, Frank M., Jr.	1918-10-30	Carter	AL	1979-06-21
11th	Hatchett, Joseph Woodrow	1932-09-17	Carter	FL	1979-07-13
11th	Anderson, R. Lanier, III	1936-11-12	Carter	GA	1979-07-13
11th	Clark, Thomas A.	1920-12-20	Carter	FL	1979-11-01
11th	Edmondson, J. L.	1947-07-14	Reagan	GA	1986-05-07
11th	Cox, Emmett R.	1935-02-13	Reagan	AL	1988-04-18
11th	Birch, Stanley F. Jr.	1945-08-20	Bush	GA	1990-05-14
11th	Dubina, Joel F.	1947-10-26	Bush	AL	1990-10-01

VACANCIES:

11th	Roney, Paul H. (Retired 10/1/89)	1921-09-05	Nixon	FL	1970-10-16
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*John
Clark*

STATES UNDER COURT'S JURISDICTION:
Alabama, Florida, Georgia

AUTHORIZED NUMBER OF JUDGES: 12

MAKE-UP OF COURT BY STATE:
Alabama 3; Florida 4 + 1 vacancy; Georgia 4;

3-6-3

*jud. see circuit
cts,*

COURT OF APPEALS NOMINATIONS PENDING

3rd Circuit - Jay Waldman
3rd Circuit - Franklin VanAntwerpen
4th Circuit - Terry Boyle
4th Circuit - Lillian Bevier
8th Circuit - Morris Arnold
10th Circuit - Frank Keating
10th Circuit - Paul Kelly

COURT OF APPEALS NOMINATIONS EXPECTED IN JANUARY 1992

DC Circuit - John Roberts
3rd Circuit - Stephen McEwen
4th Circuit - Karen Williams
5th Circuit - Sidney Fitzwater
6th Circuit - John Smietanka
11th Circuit - Alabama

COURT OF APPEALS NOMINATIONS POSSIBLE FEBRUARY/MARCH 1992

1st Circuit - Massachusetts
1st Circuit - New Hampshire
2nd Circuit - New York
5th Circuit - Mississippi
6th Circuit - Tennessee
7th Circuit - Illinois
11th Circuit - Florida

Judic. Sel. -
Circuit Courts

THE WHITE HOUSE
WASHINGTON

Date 1/7/92

TO: Samuel K. Skinner
Chief of Staff to the President

FROM: LEE S. LIBERMAN
Associate Counsel
to the President

Apart from the Seventh, the circuits with no women or blacks on them are the First (it has one Hispanic, Juan Torruella, appointed by President Reagan), and the Fourth (President Bush has nominated Lillian BeVier for one of three vacancies there, and Karen Williams is in clearance for another vacancy). I'm really sorry for the delay in getting back to you -- I was out until today in Florida on my first more-than-one-day vacation since January 1989, and did not know about your note until today.

THE WHITE HOUSE
WASHINGTON

DATE: 1/2/92

TO: Lee Liberman

FROM: SAM SKINNER

Where is my
list of Circuits
where ~~the~~ the
have still not
broken the white
Male Barrier?
Sam

THE WHITE HOUSE
WASHINGTON

DATE:

1/2/92

TO:

Lee Liberman

FROM: SAM SKINNER

Where is my
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— Sam