

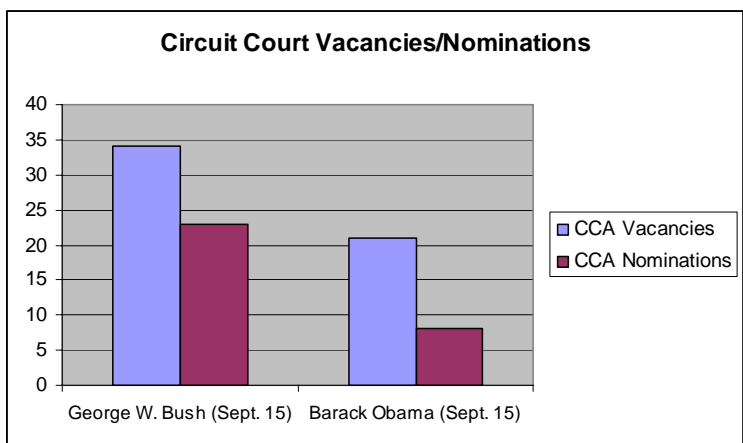


Pace of President Obama’s Judicial Nominations

Currently, President Obama is in danger of nominating federal circuit court judges at a slower pace than former President George W. Bush had at a similar point in Bush’s first year in office. As a result of Republican obstruction during the Clinton years, President Bush had more than 30 vacancies awaiting him on the courts of appeal; he moved swiftly to nominate large blocks of nominees to the circuit courts, making judges a high priority issue for his administration. Though President Obama has fewer vacancies to fill, there are still more than 20 open seats on the appeals courts.

Pace of Nominations By the Numbers: Circuit Courts

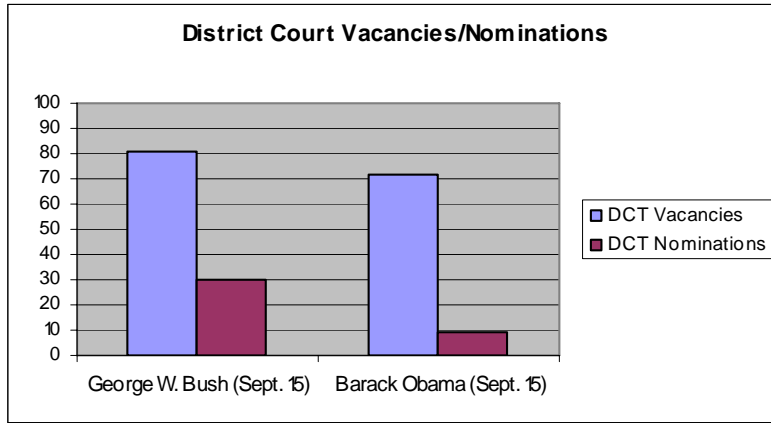
As of September 15th, 2009, President Obama has nominated judges for 8 of 21 vacant circuit courts of appeal seats. As of September 15th, 2001, President Bush had nominated judges for 23 of 34 vacant circuit court seats. The discrepancy in nomination rates between President Bush and President Obama is 23 to 8, or a difference of 68% to 38%.



	George W. Bush	Barack Obama
CCA Vacancies	34	21
CCA Nominations	23	8

Pace of Nominations By the Numbers: District Courts

As of September 15th, 2009, President Obama has nominated judges for 9 of 72 vacant district court seats. As of September 15th, 2001, President Bush had nominated judges for 30 of 81 vacant district court seats. The discrepancy in nomination rates between President Bush and President Obama is 30 to 9, or a difference of 37% to 13%.



	George W. Bush	Barack Obama
DCT Vacancies	81	72
DCT Nominations	30	9

Vacancies to Fill

Nominating judges to the federal bench is one of a president’s most important duties and longest-lasting legacies. Filling vacancies on the federal appellate courts helps alleviate the burden that judges currently carry due to heavy caseloads and a spate of retirements. In addition to the vacancies that President Obama must currently fill, new vacancies are anticipated as judges retire or take senior status. Finally, Senator Patrick Leahy, chair of the Senate Judiciary Committee, introduced legislation on September 8th which, if passed, would create dozens of new federal judgeships across the country.

President Obama and the Senate must take swift and bold action to nominate and confirm more judges committed to upholding our nation’s core constitutional values.