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# Biographical Directory of Article III Federal Judges: About the Directory

### Description

The directory includes the biographies of judges presidentially appointed to serve during good behavior since 1789 on the U.S. district courts, U.S. courts of appeals, Supreme Court of the United States, and U.S. Court of International Trade, as well as the former U.S. circuit courts, Court of Claims, U.S. Customs Court, and U.S. Court of Customs and Patent Appeals. [] [1] [#footnote1] Also included are judges who received presidential recess appointments to the above named courts but were not confirmed by the Senate to serve during good behavior.

While all judges included in the Biographical Directory served on at least one court encompassed by the description above, some performed additional federal judicial service, listed in the biographies under the heading "Other Federal Judicial Service." This category includes a wide variety of offices, such as judge of a territorial court; judge of a special court such as the Foreign Intelligence Surveillance Court; U.S. bankruptcy judge; U.S. magistrate judge; judge of a military court; and many others. These additional positions vary widely with respect to the method of appointment, the scope of jurisdiction and judicial duties, and the length of the term of office. The only factor common to all is the positon's creation or authorization by the U.S. Congress.

The biographical directory also contains limited personal data to identify the judges. A brief resume of education and professional career provides background for the judge's judicial career. The resumes are derived from sources that are available to the public, although no other source provides the complete record of the judges' nomination, Senate confirmation, and service on the federal courts.

Each biographical entry includes the judge's full name; birth and death dates; and places of birth and death, when available. Within the entry, the record for each federal court on which a judge served begins with the date of nomination and the nominating president. Recess appointments are also noted. The record indicates the preceding judge or the statute authorizing a new judicial appointment. The dates of the Senate confirmation and the commission follow. The commission signed by the president provides the judge with the authority to take the oath of office and begin service on the court. It is the only start date that is available for all judges since 1789, and is used in

the database to mark the beginning of service. (Many judges, especially in the nineteenth century, took the oath of office days or even weeks after the commission was issued.) Service as chief judge is noted for all who have held that office since 1948 when the position was established by statute.

The date of senior status refers to the option, which under various labels has been available since 1919 to judges meeting congressionally prescribed criteria, whereby a judge accepts a reduced caseload and a president may nominate a successor. In 1937, Congress extended this option to Supreme Court justices, who, upon meeting the criteria of age and tenure, could retire from regular active service but still exercise judicial duties in any of the judicial circuits as authorized by the Chief Justice. Termination of service refers to the date at which a judge ended service on that Court, or in the case of justices, within the federal judiciary. A reason for termination is always included. Resignation refers to those judges who left the federal bench and received no further compensation. Retirement refers to the status that has been available in some form since 1869 whereby judges end all judicial service, but through merit of having served a specified number of years and reached a certain age are entitled to a fixed salary for the remainder of their life. The termination field also notes appointment or reassignment to another court, recess appointments that were not confirmed, the abolition of the court, and impeachment and removal from office, as well as death. Dates of termination due to appointment to another court reflect the date on which the judge took the oath of office for the new court, and thus may post-date the commission for the latter position.

Researchers interested in more detailed service information, particularly about the Senate confirmation process, should contact the Federal Judicial History Office at:

The Federal Judicial Center One Columbus Circle, NE, Washington, DC 20002-8003

Phone: (202) 502-4180

E-mail: history@fjc.gov [mailto:history@fjc.gov]

[1] [#footnote1ref] In response to legal challenges, the Supreme Court of the United States ruled in 1929 and 1933, respectively, that the U.S. Court of Customs Appeals (predecessor to the U.S. Court of Customs and Patent Appeals) and the Court of Claims were established under Article I of the U.S. Constitution. In the 1950s, however, Congress passed statutes declaring those courts, as well as the U.S. Customs Court (the status of which had not been the subject of a legal challenge) to have been established under Article III. [#anchor]

# **Using the Biographical Directory**

The judges' biographical entries may be located in three ways: 1. An entry field allows users to type in the name of the judge (Last Name, First Name, or any part of the name), and click "Search" to reach the link to the judge's entry; 2. An alphabetical index provides access to the entries for individual judges, based on the first letter of their last names; 3. An advanced search form allows users to retrieve a list of all judges who meet particular criteria defined by the user. The search results in a list of judges with links to the individual entries. The list of results displays the number of judges who fit the selected criteria. (Judges' biographical entries are also accessible through the Courts section of the site, where links provide lists of the judges who served on each court.)

# Citing the Biographical Directory

Published references to information found on the site should use the citation: *History of the Federal Judiciary*. <a href="http://www.fjc.gov">http://www.fjc.gov</a> [http://www.fjc.gov]. Web site of the Federal Judicial Center, Washington, DC.

#### How the Biographical Directory was Compiled.

The Biographical Directory of Federal Judges presents information from a wide variety of governmental sources documenting the service of federal judges. The service record was compiled primarily from the records of the various departments and agencies that have had administrative responsibility for the federal courts since 1789. Between 1789 and 1888, the Department of State issued commissions for all presidential appointees, and the records of the State Department, Record Group 59 at the National Archives and Records Administration, were the principal source of commission and recess appointment dates for the first century of federal judges. Since its establishment in 1870, the Department of Justice has maintained records of judicial service. The Historical Appointment Ledgers, 1888-1970, held in the Office of Policy Development at the Department of Justice, were especially important in reconstructing service records from between 1888 and 1940. Other Justice Department records, such as the appointment files in Record Group 60 at the National Archives and Records Administration, contained important service dates. With the establishment of the Administrative Office of the U.S. Courts in 1939, the judiciary gained its own agency to maintain personnel records for sitting judges. The Article III judges division of the Administrative Office granted access to the Official and Inactive Personnel Folders and Individual Personnel Action Forms for 1939 to the present. Compiling the full service record of federal judges required frequent research in the records of the individual courts and in non-governmental sources, such as newspapers and private correspondence. These sources were often essential for reconstructing the careers of nineteenth-century judges.

The Senate Executive Journals were the source of information on nominations and the Senate confirmation process. For the year 1921, when the Senate did not publish an executive journal, the information about the confirmation process was recorded in the Nomination Messages and Related Papers, Records of the U.S. Senate, 1816-1988, which are part of Record Group 46, at the Center for Legislative Archives in the National Archives and Records Administration.

Personal data about the judges is largely derived from a variety of published sources, newspapers, and other publicly-available sources. Researchers interested in the specific documentation of data should contact the Federal Judicial History Office at the Federal Judicial Center.

## **Acknowledgments**

In 1989, the Judicial Conference's Committee on the Bicentennial of the Constitution requested that the Federal Judicial Center take responsibility for future compilations of biographical directories of federal judges. The Bicentennial Committee had directed the compilation and publication of Judges of the United States, which appeared in its second edition in 1982. The Federal Judicial Center agreed to accept the responsibility in accord with the recent amendment of its mandate to include programs related to the history of the federal judiciary. The Bicentennial Committee subsequently transferred to the Federal Judicial Center the files used for the compilation of Judges of the United States. Professor Kermit L. Hall also offered the Federal Judicial Center his extensive biographical files, which had served as the basis for the nineteenth-century judges' entries in Judges of the United States. These biographical forms, many of the recent ones completed by judges, offered valuable information and important research leads for the compilation of the complete service record available in the Biographical Directory of Federal Judges.

The staff of the Federal Judicial History Office of the Federal Judicial Center compiled the database with the assistance of numerous historians, librarians, archivists, and staff from other government agencies. Particularly important contributions were made by Greg Harness, Librarian of the U.S. Senate; Sheila Joy, program manager, Office of Policy Development, U.S. Department of Justice; Dennis A. Steier, assistant chief, Compensation and Benefits Branch of the Article III Division, Administrative Office of the U.S. Courts; and Janis Wiggins, of the National Archives and Records Administration. Others who offered advice and assistance include John Celardo, Sheldon Goldman, Mary Ann Hawkins, Barbara Rust, and Sarah Wilson.

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