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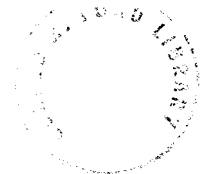
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THE WHITE HOUSE
WASHINGTON

January 9, 1976

MEMORANDUM FOR: PHILIP BUCHEN
THROUGH: DOUGLAS P. BENNETT *DPB*
FROM: J. ROBINSON WEST
SUBJECT: Judicial Status Report

For your information.



THE WHITE HOUSE

WASHINGTON

January 6, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH: RICHARD B. CHENEY
FROM: DOUGLAS P. BENNETT
SUBJECT: Judicial Status Report

This memorandum reports upon the current status of vacancies and potential vacancies within the ranks of Federal Judges, U.S. Attorneys, and U.S. Marshals. The information presented is based upon Justice Department data and other pertinent materials at our disposal.

It should be noted that Attorney and Marshal vacancies are technical in character. To wit, a seat is rarely, if ever, physically vacant since (1) upon expiration of a term the incumbent continues to serve until a new appointment or reappointment is made; or (2) upon the death or resignation of an incumbent, the court usually appoints an individual to serve until a Presidential appointment is made. Consequently, the existence of a vacancy does not suggest that the job is unattended as is the case with vacancies on a bench.

FEDERAL JUDGES

Within the U. S. and its Territories there are 526 Federal Judges all of which, with the exception of those seats in the Territories and the District of Columbia, are Life Appointments earning a Level II equivalent (\$42,000 per annum). Currently, 23 positions are vacant. There are two (2) candidates who have been nominated and await confirmation by the Senate. There are no positions currently being processed at the White House; however, 12 are currently being processed at the Justice Department. Therefore, at the present time nine (9) positions are vacant with no candidates under review.

I. Total Seats in U. S. and Territories	526
II. Total Seats Currently Vacant (Tab A)	23
A. Candidates Nominated but Not Yet Confirmed (Tab B)	2
B. Positions in Process at the White House (Tab C)	0
III. Positions in Process at Justice (Note: Several candidates may be undergoing clearance for the same position) (Tab D)	
A. Formal ABA/FBI Stage	3
B. Informal ABA Stage	9
C. Total Positions under Review	12
IV. Positions for Which No Candidates Are under Review (Tab E)	9
V. Potential Vacancies (Tab E)	

U. S. ATTORNEYS

Within the U. S. and its Territories there are 94 U. S. Attorneys of which 6 are currently vacant. Of these 6, two (2) have been nominated but have not yet been confirmed by the Senate, none are in clearance at the White House, and the Justice Department is reviewing one (1) candidate. Therefore, at the present time there are three (3) positions that have no candidates under review.

I. Total Seats in U. S. and Territories	94
II. Total Seats Currently Vacant (Tab F)	6
A. Candidates Nominated but Not Yet Confirmed (Tab G)	2
B. Candidates in Clearance at the White House (Tab H)	0



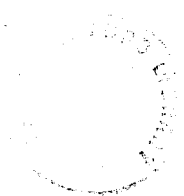
III. Candidates in Process at the Justice Department (Note: Several candidates may be undergoing clearance for the same position) (Tab I)	1
IV. Positions for Which No Candidates Are under Review (Tab J)	3
A. Positions to Remain Vacant for An Indefinite Period (Tab J)	2
B. Potential Vacancies (Tab J)	

U. S. MARSHALS

Within the U. S. and its Territories there are 94 U. S. Marshals of which 10 are currently vacant. Of these 10, two (2) candidates have been nominated but not yet confirmed, none are in clearance at the White House, and two (2) positions are being reviewed at the Justice Department. Therefore, at the present time there are six (6) positions without any candidates under review.

I. Total Seats in U. S. and Territories	94
II. Total Seats Currently Vacant (Tab K)	10
A. Candidates Nominated but Not Yet Confirmed (Tab L)	2
B. Candidates in Clearance at the White House (Tab M)	0
III. Candidates in Process at the Justice Department (Note: Several candidates may be undergoing clearance for the same position) (Tab N)	2
IV. Positions for which No Candidates Are under Review (Tab O)	6
A. Potential Vacancies (Tab O)	0
B. Positions to Remain Vacant for An Indefinite Period (Tab O)	1

Attachments: Tabs A-O



JUDGES / TAB A

TOTAL SEATS CURRENTLY VACANT (23)

CALIFORNIA, C. - E. A. Crary retired 6/30/75
CALIFORNIA, C. - Curtis retired 12/31/75
CALIFORNIA, N. - vice Wollenberg
CALIFORNIA, N. - vice Zirpoli
CANAL ZONE, N. - Guthrie Crow exp. 8/14/69
FLORIDA, S. - Mertens retired 9/14/75
FLORIDA, M. - Tjoflat, Gerald elevated 12/12/75
ILLINOIS, N. - Richard Austin retired 10/10/75
ILLINOIS, N. - A. Marovitz retired effective 8/10/75

INDIANA, N. - vice Beamer, deceased

LOUISIANA, W. - Putnam disability retiring.
LOUISIANA, E. - vice Christanberry died.
LOUISIANA, E. - vice Comiskey
MICHIGAN, E. - Fred Caess retiring 12/13/75
NEW YORK, S. - vice Bauman

NEW YORK, S. - vice Gurfein

NEW YORK, S. - vice Tyler

NEW YORK, E. - vice Travia
NEW YORK, N. - retiring Edmond Port 2/7/76
OHIO, N. - Ben Green 1/5/75

TEXAS, S. - vice Allan Hannay - 8/6/75

VIRGINIA, W. - Dalton retiring A & Q

CIRCUIT COURTS:

7th CIRCUIT vice John Paul Stevens

NOTE: A & Q - upon appointment and qualification of a successor.
Exp. - expires/expired.



JUDGES/TAB B

CANDIDATES NOMINATED BUT NOT YET CONFIRMED (2)

ILLINOIS, N. - George Leighton

INDIANA, N. - Phil M. McNagny, Jr. (WQ)



JUDGES/TAB C

CANDIDATES IN PROCESS AT THE WHITE HOUSE (0)

NOTE: ABA Categories

Q - Qualified

MQ - Marginally Qualified

EWQ - Exceptionally Well Qualified

NQ - Not Qualified



JUDGES/TAB D

CANDIDATES IN CLEARANCE AT JUSTICE (12)

A. FORMAL ABA/FBI STAGE (3)

CALIFORNIA, C. - Mariana R. Pfaelzer

LOUISIANA, E. - Gerald Gallinghouse, Morey Sear,
Revius Ortique

VIRGINIA, W. - William Poff (Q)
Glenn Williams (Q)

B. INFORMAL ABA STAGE (9)

CALIFORNIA, N. - Ralph Drummond

FLORIDA, S. - Sidney Aronovitz
Steven Booher

LOUISIANA, E. - Schwartz, Hepburn Many

MICHIGAN, E. - Ralph Guy

NEW YORK, S. - Gerald Goettel

NEW YORK, E. - George C. Pratt

NEW YORK, S. - Charles Haight

OHIO, N. - Frederick Coleman, Alvin Krenzler, John Manos

TEXAS, S. - Ross Sterling, Jr.

VIRGINIA, W. - William Poff
Glenn Williams

NOTE: ABA Categories

Q - Qualified

MQ - Marginally Qualified

EWQ - Exceptionally Well-Qualified

NQ - Not Qualified



JUDGES/TAB E

SEATS FOR WHICH NO CANDIDATES ARE IN CLEARANCE (9)

CALIFORNIA, C. -

CALIFORNIA, N. -

CANAL ZONE -

FLORIDA, M. -

ILLINOIS, N. -

LOUISIANA, W. -

NEW YORK, S. -

NEW YORK, N. -

7th CIRCUIT -

POTENTIAL VACANCIES (0)



ATTORNEYS/TAB F

TOTAL SEATS CURRENTLY VACANT (6)

FLORIDA, N. (William H. Stafford resigned)

GUAM (Duane K. Craske exp. 6/15/75)

IDAHO (S. Smith resigned)

MAINE (Mills exp. 9/11/73)

MICHIGAN, W. (Milinowski resigned 6/74)

NEW YORK, S. (Paul Curran resigned 10/31/75)

NOTE: Exp. - expired/expires



ATTORNEYS/TAB G

CANDIDATES NOMINATED BUT NOT YET CONFIRMED (2)

FLORIDA, N. - Nickolas Geeker

IDAHO - Marion Callister



CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (0)



ATTORNEYS/TAB I

CANDIDATES UNDER REVIEW AT JUSTICE (1)

NEW YORK, S. - Robert Fiske



ATTORNEYS/TAB J

1) SEATS FOR WHICH NO CANDIDATES ARE UNDER REVIEW (3)

GUAM

MAINE

MICHIGAN, W.

2) POTENTIAL VACANCIES (0)

3) SEATS WHICH WILL REMAIN VACANT FOR AN INDEFINITE PERIOD (2):

MAINE

MICHIGAN, W.



MARSHALS/TAB K

TOTAL SEATS CURRENTLY VACANT (10)

CANAL ZONE (McLelland exp. 5/9/69) *
DELAWARE (Michels retired)
GEORGIA, M. - (Martin deceased 6/20/75)

MAINE (J. D. Winter resigned 4/25/75)
NEW YORK, S. - Thomas Farendiro 11/7/75
NEW YORK, E. (Butler resigned 8/30/75)

NORTH CAROLINA, M. (P. E. Almond exp. 6/30/75)
NORTH DAKOTA
SOUTH DAKOTA (George Tenneson resigned 10/14/75)

TEXAS, W. (Roberts resigned 3/74)

NOTE: *Canal Zone and Virgin Islands are eight-year terms; all other terms are four years in length.

Exp. - expired/expires



MARSHALS/TAB L

CANDIDATES ANNOUNCED BUT NOT YET CONFIRMED (2)

MAINE - Charles Pooler

NORTH CAROLINA, M. - P. Ellis Almond (RE)

RE = Reappointment



MARSHALS/TAB M

CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (0)



MARSHALS/TAB N

CANDIDATES UNDER REVIEW AT JUSTICE (2)

GEORGIA, M. - Jeffery Williams

N. DAKOTA - Alvn Bumann



MARSHALS/TAB O

1) SEATS FOR WHICH NO CANDIDATES ARE UNDER REVIEW (6)

CANAL ZONE

DELAWARE

NEW YORK, E.

NEW YORK, S.

SOUTH DAKOTA

TEXAS, W.

2) POTENTIAL VACANCIES (0)

3) SEATS TO REMAIN VACANT FOR AN INDEFINITE PERIOD (1)

CANAL ZONE* - The term of the incumbent, McLelland, expired in May 1969. He will continue to serve for an indefinite period although no reappointment will be sought at this time.

NOTE: (*) Canal Zone and Virgin Islands are eight-year terms; all other terms are four years in length.





Thursday 3/11/76

4:15 Ken said you asked about Taft's judicial nomination. It will be going to the Hill first thing next week, and he has so advised him.

Said also that Judge Tyler had expressed concern with regard to the Parole Commission Act... a couple of problems that might arise. No immediacy to those problems, and Ken will take care of them.

*Instal
P.*

ACTION MEMORANDUM

Date: April 9, 1976

Time:

FOR ACTION:

cc (for information):

Phil Buchen

FROM THE STAFF SECRETARY

DUE: Date: Soon as Possible Time:

SUBJECT:

Doug Bennett memo 4/8/76 re
 Appointment of a Special District
 Judge for the District of the Canal Zone

ACTION REQUESTED:

<input type="checkbox"/> For Necessary Action	<input checked="" type="checkbox"/> For Your Recommendations
<input type="checkbox"/> Prepare Agenda and Brief	<input type="checkbox"/> Draft Reply
<input checked="" type="checkbox"/> For Your Comments	<input type="checkbox"/> Draft Remarks

REMARKS:

Understand from Doug Bennett's office that Justice Dept. said this is something that has been done by previous Presidents. Felt you should review before we send it forward.

No objection -- Ken Lazarus 4/9/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor
 For the President



Wednesday 7/21/76

11:15 I checked with Personnel -- Robin West is handling judgeships. Checked with Karen in that office and she will check and call us back.

2981

3:50 Had not heard so called West's office back. She indicated it had been sent to Ken Lazarus; Dawn hasn't seen it so they will send us a copy -- so you can talk with Senator Fannin.

5:40 I checked — Karen said the messenger had just picked it up — she had called messenger twice!

7:00 AM
recd.



Friday 7/23/76

Judgeships

9:45 I checked with Robin West's office to find out when the President expects to send Bilby's name up for the judgeship. 2981

10:10 Karen called back to say that Bennett's office said it would probably go up early next week.

You will want to call Ray Scherer (RCA Corporation) 558-4244

