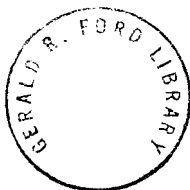


The original documents are located in Box C7, folder “Presidential Handwriting, 12/4/1974 (2)” of the Presidential Handwriting File at the Gerald R. Ford Presidential Library.

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OFFICE OF THE PRESIDENT
WASHINGTON, D.C.



From the President:

To:

Bill Walker

Date:

Time

a.m.

p.m.

*Sen. Marlow Cook
indicated to me his
interest in a Federal
Judicial appoint.*

*Extremely well qualified.
C C A would be excellent.
Anything in prospect.*

12/4/74
DEC 2 1974

3
THE PRESIDENT HAS SEEN...

THE WHITE HOUSE
WASHINGTON

November 27, 1974

MCM

MEMORANDUM FOR THE PRESIDENT

THROUGH: DONALD RUMSFELD

FROM: WILLIAM N. WALKER *Walker*

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, the seat is rarely, if ever, physically vacant since (1) upon expiration of a term the incumbent continues to serve until a new or re-appointment 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 523 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 (\$42,500 per annum). Currently 27 are vacant, and of these 27, eight (8) candidates have been announced but not yet confirmed by the Senate, and 5 others are in clearance at the White House. Consequently, there are 14 actual vacancies (2.6%). The following chart statistically reviews the entire Federal Judge situation:



I.	Total Seats in U.S. and Territories	523 (100%)	
II.	Total Seats Currently Vacant (Tab A)	27 (5.1%)	
	A. Total Seats Potentially Vacant (Tab A)	3 (0.5%)	
III.	Candidates Announced But Not Yet Confirmed (Tab B)	8 (1.5%)	
IV.	Candidates in Clearance at The White House (Tab C)	5 (0.9%)	
V.	THEREFORE: Actual Vacancies	14 (2.6%)	
VI.	Candidates in Clearance at Justice (Tab D)	11 (2.1%)	
	A. Formal ABA/FBI Stage		8
	B. Informal ABA Stage		3
VII.	Seats (including potential vacancies) for which no Candidates are under Review (Tab E)	6 (1.1%)	

U.S. ATTORNEYS

Within the U.S. and its Territories there are 94 U.S. Attorneys of which 13 are currently vacant. Of the 13, six (6) have been announced but have not yet been confirmed by the Senate, and 2 others are in clearance at the White House. Consequently, there are 5 actual vacancies (5.3%); and the following chart statistically reviews the entire U.S. Attorney situation.

I.	Total Seats in U.S. and Territories	94 (100%)	
II.	Total Seats Currently Vacant (Tab F)	13 (13.8%)	
	A. Total Seats Potentially Vacant (Tab F)	3 (3.1%)	
III.	Candidates Announced But Not Yet Confirmed (Tab G)	6 (6.3%)	
IV.	Candidates in Clearance at The White House (Tab H)	2 (2.1%)	
V.	Seats To Remain Vacant For an Indefinite Period (Tab I)	0 (0.0%)	
VI.	THEREFORE: Actual Vacancies	5 (5.3%)	



VII.	Candidates Under Review At Justice (Tab J)	5 (5.3%)
VIII.	Seats (including potential vacancies) for which No Candidates are Under Review (Tab K)	3 (3.1%)

U. S. MARSHALS

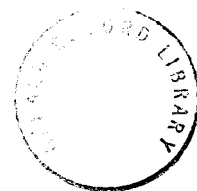
Within the U.S. and its Territories there are 94 U.S. Marshals of which 15 are currently vacant. Of the 15, six (6) have been announced but have not yet been confirmed by the Senate. Two (2) others are in clearance at the White House, and one (1) seat will remain vacant for several months time. Consequently, there are 6 actual vacancies (6.3%); and the following chart statistically reviews the entire U.S. Marshal situation.

I.	Total Seats in U.S. and Territories	94 (100%)
II.	Total Seats Currently Vacant (Tab L)	15 (15.9%)
	A. Total Seats Potentially Vacant (Tab L)	1 (1.0%)
III.	Candidates Announced But Not Yet Confirmed (Tab M)	6 (6.3%)
IV.	Candidates in Clearance at The White House (Tab N)	2 (2.1%)
V.	Seats To Remain Vacant For An Indefinite Period (Tab O)	1 (1.0%)
VI.	THEREFORE: Actual Vacancies	6 (6.3%)
VII.	Candidates Under Review At Justice (Tab P)	4 (4.2%)
VIII.	Seats (including potential vacancies) For Which No Candidates Are Under Review (Tab Q)	3 (3.1%)

Attachments: Tabs A - Q



T
A
B
A



JUDGES/TAB A

TOTAL SEATS CURRENTLY VACANT (27):

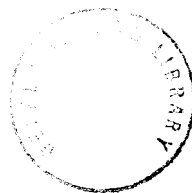
SECOND CIRCUIT (CONN/vice Smith)
SECOND CIRCUIT (N. Y. /vice Friendly)
SEVENTH CIRCUIT (ILL. /vice Kerner)
EIGHTH CIRCUIT (ARK. /vice Mehaffy)
NINTH CIRCUIT (NEV. -CAL. /vice Merrill)
ALASKA (vice Plummer)
FLORIDA, N. (vice Middlebrooks)
HAWAII (vice Pence)
INDIANA, N. (vice Beamer, deceased)
ILLINOIS, N. (vice Tone)
KANSAS (vice Templar)
MICHIGAN, E. (vice Roth)
MINNESOTA (vice Neville)
NEW JERSEY (vice Collahan)
NEW JERSEY (vice Cohen)
NEW YORK, S. (vice Bauman)
NEW YORK, S. (vice Gurfein)
NEW YORK, E. (vice Bartels)
NEW YORK, W. (vice Henderson)
OKLAHOMA, N., E., & W. (vice Bohanon)
PENNSYLVANIA, E. (vice Davis)
PUERTO RICO (vice Cancio)
TEXAS, W. (vice Guinn, deceased)
VIRGINIA, E. (vice Hoffman)
WEST VIRGINIA, N. & S. (vice Christie)
D. C. COURT OF APPEALS (vice Pair)
D. C. SUPERIOR COURT (vice Beard)

A. POTENTIAL VACANCIES (3):

ILLINOIS, N. (W. Bower may move to Seventh Circuit)
NEW YORK, E. (A. Travia to resign 11/30/74)
TEXAS, S. (B. Connally to retire 12/28/74)



T
A
B
B



JUDGES/TAB B

CANDIDATES ANNOUNCED BUT NOT YET CONFIRMED (8):

SECOND CIRCUIT (CONN.) - Thomas J. Meskill (NQ)

ILLINOIS, N. - Joel M. Flaum

MICHIGAN, E. - James P. Churchill (Q)

MINNESOTA - Donald Alsop (WQ)

NEW JERSEY - John F. Gerry (WQ)

PENNSYLVANIA, E. - Edward N. Cahn (Q)

PUERTO RICO - Juan R. Torruella del Valle (Q)

OKLAHOMA, N. , E. & W. - H. Dale Cook (Q)

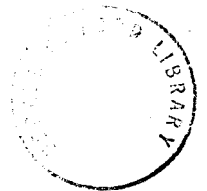
NOTE: ABA Categories

Q-Qualified

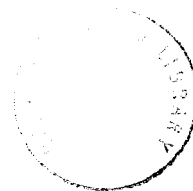
WQ-Well Qualified

EWQ-Exceptionally Well Qualified

NQ-Not Qualified



T
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C



JUDGES/TAB C

CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (5):

SECOND CIRCUIT (N. Y.) - Ellsowrth A. Van Graafeiland (Q)
Decision memorandum forward 11/26/74.

ALASKA - James M. Fitzgerald (WQ)
Decision memorandum forward 11/21/74.

NEW YORK, E. - Henry Bramwell (Q)
Decision memorandum forward 11/26/74.

NEW YORK, W. - John Elfvin (Q)
Approved by decision memorandum 11/16/74; ready
for announcement.

D. C. COURT OF APPEALS - C. Frank Reifsnyder (HQ)
Decision on hold.

NOTE: ABA Categories

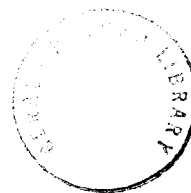
Q-Qualified
WQ-Well Qualified
EWQ-Exceptionally Well Qualified
NQ-Not Qualified

D. C. Bar Categories

Q-Qualified
HQ-Highly Qualified
NQ-Not Qualified



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D



JUDGES/TAB D

CANDIDATES IN CLEARANCE AT JUSTICE (11):

A. FORMAL ABA/FBI STAGE (8)

SEVENTH CIRCUIT (ILL.) - William J. Bower
EIGHTH CIRCUIT (ARK.) - J. Henley Smith
NINTH CIRCUIT (CAL. /NEV.) - Anthony Kennedy
FLORIDA, N. - William Stafford (Q)
ILLINOIS, N. # - Alfred Y. Kirkland
NEW JERSEY - Stanley Brotman
TEXAS, W. - William S. Sessions (Q)
VIRGINIA, E. - J. Cavitte Clarke

B. INFORMAL ABA STAGE (3)

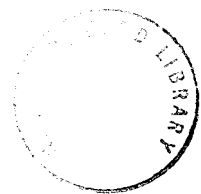
HAWAII - Dick Yin Wong
TEXAS, S. # - Robert O'Connor (Q-WQ)
D.C. SUPERIOR COURT - William O'Connor

NOTE: #-Potential Vacancy

ABA Categories

Q-Qualified
WQ-Well Qualified
EWQ-Exceptionally Well Qualified
NQ-Not Qualified





T
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E

JUDGES/TAB E

SEATS FOR WHICH NO CANDIDATES ARE IN CLEARANCE (6):

INDIANA, N.

KANSAS -

NEW YORK, S. -

NEW YORK, S. -

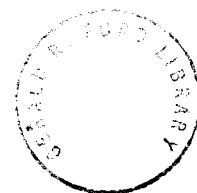
NEW YORK, E. # -

WEST VIRGINIA, N. & S. -

NOTE: # Potential Vacancy



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F



ATTORNEYS/TAB F

TOTAL SEATS CURRENTLY VACANT (13):

CALIFORNIA, E. (Keyes exp. 4/24/74)
CALIFORNIA, S. (Steward exp. 10/6/73)
CONNECTICUT (Jones retired 6/22/74)
DISTRICT OF COLUMBIA (Titus resigned 12/31/73)
FLORIDA, M. (Briggs exp. 12/19/73)
GEORGIA, M. (Schloth resigned 6/74)
INDIANA, S. (Miller exp. 12/1/73)
KENTUCKY, W. (G. Long exp. 10/19/74)
MAINE (Mills exp. 9/11/73)
MICHIGAN, W. (Milanowski 6/27/73)
TEXAS, S. (Farris exp. 6/20/73)
VIRGINIA, E. (Gettings resigned 9/13/74)
WISCONSIN, W. (Olson resigned 6/22/74)

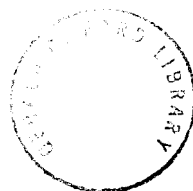
A. POTENTIAL VACANCIES (3):

DELAWARE (R. Keil to resign upon appointment
of successor)
MICHIGAN, E. (R. Guy exp. 12/21/74)
OHIO, N. (F. Coleman exp. 12/21/74)

NOTE: exp. - expired/expires



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G



ATTORNEYS/TAB G

CANDIDATES ANNOUNCED BUT NOT YET CONFIRMED (6):

CALIFORNIA, E. - D. Dwayne Keyes (RE)

CONNECTICUT - Peter C. Dorsey

DISTRICT OF COLUMBIA - Earl Silbert

FLORIDA, M. - John Briggs (RE)

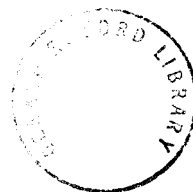
INDIANA, S. - Stanley Miller (RE)

WISCONSIN, W. - David C. Mebane

NOTE: RE-Reappointment



T
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B
H



ATTORNEYS/TAB H

CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (2):

GEORGIA, M. - Ronald T. Knight

Pre-staffing memorandum forward 10/24/74 and 11/27/74.

TEXAS, S. - Edward B. McDonough

Decision memorandum forward 11/26/74.



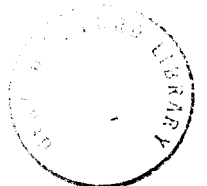
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ATTORNEYS/TAB I

SEATS WHICH WILL REMAIN VACANT FOR AN INDEFINITE
PERIOD (0):





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ATTORNEYS/TAB J

CANDIDATES UNDER REVIEW AT JUSTICE (5):

CALIFORNIA, S. - Harry Steward (RE)

KENTUCKY, W. - George Long (RE)

MICHIGAN, E. # - Ralph Guy (RE)

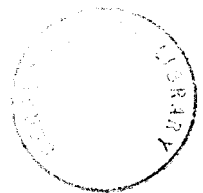
OHIO, N. # - Frederick M. Coleman (RE)

VIRGINIA, E. - William B. Cummings

NOTE: RE-Reappointment
Potential Vacancy



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K



ATTORNEYS/TAB K

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

DELAWARE # -

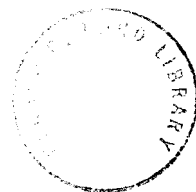
MAINE -

MICHIGAN, W. -

NOTE: # Potential Vacancy



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L



MARSHALS/TAB L

TOTAL SEATS CURRENTLY VACANT (15):

ARKANSAS (Davis exp. 12/20/73)
CALIFORNIA, N. (Tobin exp. 7/14/73)
CANAL ZONE (McLelland exp. 5/9/69) *
GUAM (San Agustin exp. 8/12/74)
ILLINOIS, E. (Hosch exp. 10/9/73)
KENTUCKY, E. (Ash exp. 11/5/73)
KENTUCKY, W. (Henderson exp. 4/23/74)
MISSOURI, E. (Link exp. 2/6/74)
NEBRASKA (Grimm exp. 11/25/73)
NEW YORK, E. (Butler exp. 10/13/74)
NEW YORK, W. (King exp. 8/12/74)
NORTH CAROLINA, E. (Norton exp. 7/14/73)
PUERTO RICO (Lopez exp. 8/12/74)
TEXAS, S. (Rousseau exp. 8/12/74)
WEST VIRGINIA, S. (Humphreys exp. 10/8/74)

A. POTENTIAL VACANCIES (1):

RHODE ISLAND (Wyatt exp. 12/29/74)

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

exp. -expired/expires



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M



MARSHALS/TAB M

CANDIDATES ANNOUNCED BUT NOT YET CONFIRMED (6):

CALIFORNIA, N. - Frank X. Klein

MISSOURI, E. - Kenneth M. Link, Sr. (RE)

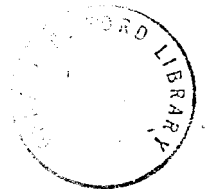
NEW YORK, W. - Edward S. King (RE)

NORTH CAROLINA, E. - James R. Durham, Sr.

PUERTO RICO - Jose A. Lopez (RE)

TEXAS, S. - Marshall F. Rousseau (RE)

NOTE: RE-Reappointment



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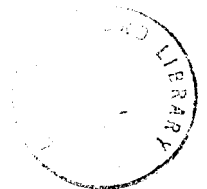
MARSHALS/TAB N

CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (2):

NEW YORK, E. - Benjamin F. Butler (RE)
Decision memorandum forward 11/22/74.

WEST VIRGINIA, S. - Irvin W. Humphreys
Decision memorandum forward 11/22/74.

NOTE: RE-Reappointment





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MARSHALS/TAB O

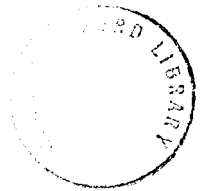
SEATS TO REMAIN VACANT FOR AN INDEFINITE PERIOD (1):

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.



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MARSHALS/TAB P

CANDIDATES UNDER REVIEW AT JUSTICE (4):

KENTUCKY, E. - T. E. Asher (RE)

KENTUCKY, W. - William Henderson (RE)

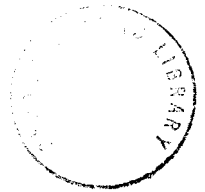
NEBRASKA - Ronald Romans

RHODE ISLAND # - Donald W. Wyatt (RE)

NOTE: RE-Reappointment
Potential Vacancy



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Q



MARSHALS/TAB Q

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

ARKANSAS, E. -

GUAM -

ILLINOIS, E. -




THE WHITE HOUSE

WASHINGTON

December 4, 1974

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: WILLIAM N. WALKER
FROM: JERRY H. JONES 
SUBJECT: Judicial Status Report

Your memorandum to the President of November 27 on the above subject has been reviewed and the following notation was made:

-- Sen. Marlow Cook indicated to me his interest in a Federal Judicial appointment. Extremely well qualified. CCA would be excellent. Anything in prospect.

Please follow-up with the appropriate action and forward your response to the Office of the Staff Secretary.

Thank you.

cc: Don Rumsfeld
Bill Timmons

