

**The original documents are located in Box C34, folder “Presidential Handwriting, 2/9/1976” of the Presidential Handwriting File at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

THE WHITE HOUSE

WASHINGTON

February 9, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

DOUGLAS P. BENNETT

FROM:

JAMES E. CONNOR *JES*

SUBJECT:

Judicial Status Report

The President reviewed your memorandum of February 4 on the above subject and made the following notation:

"We must move on those in Justice and elsewhere."

Please follow-up with appropriate action.

cc: Dick Cheney

THE WHITE HOUSE  
WASHINGTON

We must move  
on those in Justice  
& elsewhere.



THE PRESIDENT HAS SEEN . . .

THE WHITE HOUSE

WASHINGTON

February 4, 1976

MEMORANDUM FOR THE PRESIDENT

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

DPB



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, 29 positions are vacant. There is one (1) candidate who has been nominated and awaits confirmation by the Senate. There are no positions currently being processed at The White House; however, 17 are currently being processed at the Justice Department. Therefore, at the present time eleven (11) positions are vacant with no candidates under review.

I. Total Seats in U. S. and Territories	526
II. Total Seats Currently Vacant (Tab A)	29
A. Candidates Nominated but Not Yet Confirmed (Tab B)	1
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	6
B. Informal ABA Stage	11
C. Total Positions under Review	17
IV. Positions for Which No Candidates Are under Review (Tab E)	11
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, three (3) have been nominated but have not yet been confirmed by the Senate, and none are in clearance at The White House or at the Justice Department. 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)	3
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)	0
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 11 are currently vacant. Of these 11, two (2) candidates have been nominated but not yet confirmed, one (1) is 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)	11
A. Candidates Nominated but Not Yet Confirmed (Tab L)	2
B. Candidates in Clearance at The White House (Tab M)	1
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



T  
A  
B  
A

JUDGES / TAB A

TOTAL SEATS CURRENTLY VACANT (29)

ARKANSAS, E. & W. - Orrin Harris ret. 2/3/76  
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  
INDIANA, N. - vice Beamer, deceased  
KENTUCKY, W. - James Gordon  
LOUISIANA, W. - Edwin Hunter ret. 2/19/76  
  
LOUISIANA, W. - Putnam disability ret. 12/19/75  
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 1/5/76  
  
PENNSYLVANIA, W. - Louis Rosenberg ret. 1/5/76  
  
TEXAS, S. - vice Allan Hannay - 8/6/75  
  
VIRGINIA, W. - Dalton retiring A & Q  
  
WASHINGTON, E. & W. - William Goodwin dec. 12/31/75

CIRCUIT COURTS:

5th CIRCUIT - Griffin Bell  
7th CIRCUIT vice John Paul Stevens  
9th CIRCUIT - Idaho seat

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





T  
A  
B  
B

JUDGES/TAB B

CANDIDATES NOMINATED BUT NOT YET CONFIRMED (1)

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



T  
A  
B  
C

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



T  
A  
B  
D

JUDGES/TAB D

CANDIDATES IN CLEARANCE AT JUSTICE (17)

A. FORMAL ABA/FBI STAGE (6)

LOUISIANA, E. - Schwartz

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

NEW YORK, S. - Gerald Goettel

NEW YORK, S. - Charles Haight

OHIO, N. - John Manos

VIRGINIA, W. - William Poff (Q)

Glenn Williams (Q)

B. INFORMAL ABA STAGE (11)

ARKANSAS, E. & W. - Henry Britt

CALIFORNIA, C. - Robert Takasugi

CALIFORNIA, N. - Ralph Drummond

CALIFORNIA, C. - Locklard Waters

FLORIDA, S. - Sidney Aronovitz

Steven Bocher

KENTUCKY, W. - Richard Revell

LOUISIANA, W. - Donald Walter

MICHIGAN, E. - Ralph Guy

NEW YORK, E. - George C. Pratt

NEW YORK, S. - Vincent Brokerick

TEXAS, S. - Ross Sterling, Jr.

NOTE: ABA Categories

Q - Qualified

MQ - Marginally Qualified

EWQ - Exceptionally Well-Qualified

NQ - Not Qualified



T  
A  
B  
E

JUDGES/TAB E

SEATS FOR WHICH NO CANDIDATES ARE IN CLEARANCE (11)

CALIFORNIA, N. -

CANAL ZONE -

FLORIDA, M. -

ILLINOIS, N. -

LOUISIANA, W. -

NEW YORK, N. -

PENNSYLVANIA, W. -

WASHINGTON, E. & W. -

5th CIRCUIT -

7th CIRCUIT -

9th CIRCUIT -





T  
A  
B  
F

ATTORNEYS/TAB F

TOTAL SEATS CURRENTLY VACANT (6)

FLORIDA, N. (William H. Stafford resigned)

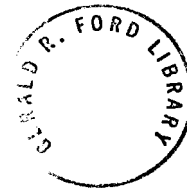
GUAM (Duane K. Craske exp. 6/15/75)

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

T  
A  
B  
G

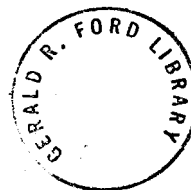
ATTORNEYS/TAB G

CANDIDATES NOMINATED BUT NOT YET CONFIRMED (3)

FLORIDA, N. - Nickolas Geeker

IDAHO - Marion Callister

NEW YORK, S. - Fiske



T  
A  
B  
H

ATTORNEYS/TAB H

CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (0)



T  
A  
B  
I

ATTORNEYS/TAB I

CANDIDATES UNDER REVIEW AT JUSTICE (0)





T  
A  
B  
  
J

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.



T  
A  
B  
K

MARSHALS/TAB K

TOTAL SEATS CURRENTLY VACANT (11)

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)

WYOMING (Wilcox ret. 1/31/76)

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

Exp. - expired/expires



T  
A  
B  
L

MARSHALS/TAB L

CANDIDATES ANNOUNCED BUT NOT YET CONFIRMED (2)

MAINE - Charles Pooler

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



RE = Reappointment

T  
A  
B  
M

MARSHALS/TAB M

CANDIDATES IN CLEARANCE AT THE WHITE HOUSE (1)

NORTH DAKOTA - Alvn Bumann





T  
A  
B  
N

MARSHALS/TAB N

CANDIDATES UNDER REVIEW AT JUSTICE (2)

GEORGIA, M. - Jeffery Williams

NEW YORK, E. - William Groate III



T  
A  
B  
O

MARSHALS/TAB O

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

CANAL ZONE

DELAWARE

NEW YORK, S.

SOUTH DAKOTA

TEXAS, W.

WYOMING

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.

