

BLACK AND HISPANIC FEDERAL JUDGES: 1900 TO PRESENT

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AUTHOR:

Bailey, Dorothy J.
Government Division

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ISSUE DEFINITION

In recent years, attention has increasingly focused upon the minority composition of the Federal judiciary, in apparent response to concerns that judges appointed to the Federal bench should more compositely reflect the U.S. population they serve. Two of the larger U.S. subpopulations served by the Federal judiciary are blacks and Hispanics. Accordingly, this mini brief lists chronologically and cumulatively the appointments of blacks and Hispanics to the Federal bench, which includes the U.S. Supreme Court, Circuit Courts of Appeals, and District courts.

BACKGROUND

Since 1789 when the first appointment to the Federal bench was made by President George Washington, there have been 55 blacks appointed to Federal court judgeships, including 47 males and eight females, and 28 Hispanics, including 27 males and one female, out of an approximate total number of 2,300 appointments. It appears reasonably certain that the first Hispanic Federal judge was appointed in 1900 by President William McKinley to the District Court of Puerto Rico and that the first black was appointed in 1937 by President Franklin Roosevelt to the District Court of the Virgin Islands. Only one black has been appointed to the U.S. Supreme Court; Thurgood Marshall, who presently serves on that court. To date, no Hispanic has been appointed to the Supreme Court. Some judges have served on more than one Federal court; usually, they were appointed to District courts and then elevated to Appeals courts.

Data on black and Hispanic Federal judges are presented separately and include information on year of appointment, court appointing President, sex of appointee, and State or jurisdiction of court.

TABLE 1. Black Federal Judges

<u>Names</u>	<u>Court</u>	<u>Year</u>	<u>Appt'd by</u>	<u>Juris- diction</u>
William H. Hastie 1/	District Ct. Ct. of Appeals	1937 1949	Roosevelt	VI
James Benton Parson	District Ct.	1961	Kennedy	IL
Wade H. McCree, Jr.	District Ct. Ct. of Appeals	1961 1966	Kennedy Johnson	MI
Thurgood Marshall	Ct. of Appeals Supreme Court	1961 1967	Kennedy Johnson	DC
Spottswood W. Robinson	District Ct. Ct. of Appeals	1963 1966	Kennedy Johnson	DC
A. Leon Higginbotham, Jr.	District Ct. Ct. of Appeals	1963 1977	Kennedy Carter	PA
William Benson Bryant	District Ct.	1965	Johnson	DC
Constance Baker Motley*	District Ct.	1966	Johnson	DC
Aubrey Eugene Robinson	District Ct.	1966	Johnson	DC
Joseph C. Waddy	District Ct.	1967	Johnson	DC
Damon Jerome Keith	District Ct. Ct. of Appeals	1967 1977	Johnson Carter	MI
David W. Williams	District Ct.	1969	Nixon	CA
Almeric Christian 2/	District Ct.	1969	Nixon	VI

NOTE: Footnotes at end of table.

<u>Names</u>	<u>Court</u>	<u>Year</u>	<u>Appt'd by</u>	<u>Juris- diction</u>
Barrington Daniels Parker	District Ct.	1969	Nixon	DC
Warren Lawrence Pierce	District Ct. Ct. of Appeals	1971 1981	Nixon Reagan	NY
Clifford Scott Green	District Ct.	1971	Nixon	PA
Robert Lee Carter	District Ct.	1972	Nixon	NY
Robert Duncan	District Ct.	1974	Nixon	OH
Henry Bramwell	District Ct.	1974	Ford	NY
Cecil Poole	District Ct. Ct. of Appeals	1976 1979	Ford Carter	CA
George Leighton	District Ct.	1976	Ford	IL
Julian Cooke	District Ct.	1978	Carter	MI
Robert Collins	District Ct.	1978	Carter	LA
Jack Tanner	District Ct.	1978	Carter	WA
Theodore McMillian	Ct. of Appeals	1978	Carter	MO
Mary Johnson Lowe*	District Ct.	1978	Carter	NY
Paul Simmons	District Ct.	1978	Carter	PA
John Penn	District Ct.	1979	Carter	DC
David Nelson	District Ct.	1979	Carter	MA
Gabrielle McDonald*	District Ct.	1979	Carter	TX

NOTE: Footnotes at end of table.

<u>Names</u>	<u>Court</u>	<u>Year</u>	<u>Appt'd by</u>	<u>Juris- diction</u>
Amalya Kearse*	Ct. of Appeals	1979	Carter	NY
Joseph Hatchett	Ct. of Appeals	1979	Carter	FL
Nathaniel Jones	Ct. of Appeals	1979	Carter	OH
Jerome J. Farris	Ct. of Appeals	1979	Carter	WA
Matthew Perry	District Ct.	1979	Carter	SC
Benjamin Gibson	District Ct.	1979	Carter	MI
Joseph Howard	District Ct.	1979	Carter	MD
Anna Diggs* Taylor	District Ct.	1979	Carter	MI
Alcee Hastings	District Ct.	1979	Carter	FL
Ann Thompson*	District Ct.	1979	Carter	NJ
James Giles	District Ct.	1979	Carter	PA
Horace Ward	District Ct.	1979	Carter	GA
Terry Hatter	District Ct.	1979	Carter	CA
Odell Horton	District Ct.	1980	Carter	TN
Norma Johnson*	District Ct.	1980	Carter	DC
Harry Edwards	Ct. of Appeals	1980	Carter	DC
George White	District Ct.	1980	Carter	OH
Clyde Cahill	District Ct.	1980	Carter	MO
Thelton Henderson	District Ct.	1980	Carter	CA
U.W. Clemon	District Ct.	1980	Carter	AL

NOTE: Footnotes at end of table.

<u>Names</u>	<u>Court</u>	<u>Year</u>	<u>Appt'd by</u>	<u>Juris- diction</u>
Earl Gilliam	District Ct.	1980	Carter	CA
Mayron Thompson	District Ct.	1980	Carter	AL
George Howard	District Ct.	1980	Carter	AR
Richard Erwin	District Ct.	1980	Carter	NC
Consuelo* Marshall	District Ct.	1980	Carter	CA

* Female

1/ Federal Judge who served a limited term (4 years)

2/ Federal Judge who served a limited term (8 years)

TABLE 2. Hispanic Federal Judges 1/

<u>Names</u>	<u>Court</u>	<u>Year</u>	<u>Appt'd by</u>	<u>Juris- diction</u>
Rafael Nieto-y Abeille	District Ct.	1900	McKinley	PR
David Chavez, Jr.	District Ct.	1947	Truman	PR
Harold Medina	District Ct.	1947	Truman	NY
Reynaldo Garza	District Ct. Ct. of Appeals	1961 1979	Kennedy Carter	TX
Manuel L. Real	District Ct.	1966	Johnson	CA
Juan B. Fernandez-Badillo	District Ct.	1967	Johnson	PR
Jose Toledo	District Ct.	1970	Nixon	PR
Hernan Pesquera	District Ct.	1972	Nixon	PR
Juan Torreulla	District Ct.	1974	Ford	PR
Santiago Campos	District Ct.	1978	Carter	NM
Jose Gonzalez	District Ct.	1978	Carter	FL
James De Anda	District Ct.	1979	Carter	TX
Valdemar Cordova	District Ct.	1979	Carter	TX
Juan Burciaga	District Ct.	1979	Carter	NM
Arthur Alarcon	Ct. of Appeals	1979	Carter	CA
Juan Perez- Gimenez	District Ct.	1979	Carter	PR
Jose Cabranes	District Ct.	1979	Carter	CT

NOTE: Footnotes at end of table.

<u>Names</u>	<u>Court</u>	<u>Year</u>	<u>Appt'd by</u>	<u>Juris- diction</u>
Gilberto Gierbolini- Ortiz	District Ct.	1980	Carter	PR
Raul Ramirez	District Ct.	1980	Carter	CA
Robert Aguilar	District Ct.	1980	Carter	CA
Vela Filamon	District Ct.	1980	Carter	TX
Carmen de Cerezo*	District Ct.	1980	Carter	PR
Alfred Marquez	District Ct.	1980	Carter	AZ
Hipolito Garcia	District Ct.	1980	Carter	TX
Raymond Acosta	District Ct.	1982	Reagan	PR
Jaime Pieras	District Ct.	1982	Reagan	PR
Ricardo Hinojosa	District Ct.	1983	Reagan	TX
Hector Laffitte	District Ct.	1983	Reagan	PR

* Female

1/ P.L. 89-571, Sept. 12, 1966, changed the tenure of the District judges in Puerto Rico from 8-year terms to life tenure.

ADDITIONAL REFERENCE SOURCES

The following sources were used in compiling the names of black and Hispanic Federal judges. In order to identify persons of Hispanic origin for the period of 1900-1970, the listings of judges in Judges of the United States was scanned for Spanish surnames. This process is imperfect at best and does not permit identification of judges whose mothers, but not fathers, were Hispanic. Accordingly, this process may have failed to identify all Hispanic heritage judges.

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Also consulted were: The White House, Presidential Personnel Office; Senate Judiciary Committee; United States Department of Justice; Administrative Office of the U.S. Courts; American Judicature Society; National Bar Association; Hispanic Bar Association; League of United Latin American Citizens; Mexican American Legal Defense Educational Fund; Puerto Rico Federal Affairs Administration; National Organization for Women, Inc.