

Note: All case filing figures refer to the period from January 1, 2005 to December 31, 2005. All bill references are to the current 109th Congress, unless otherwise noted.

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(updated July 1, 2006)

NINTH CIRCUIT REORGANIZATION PROPOSALS

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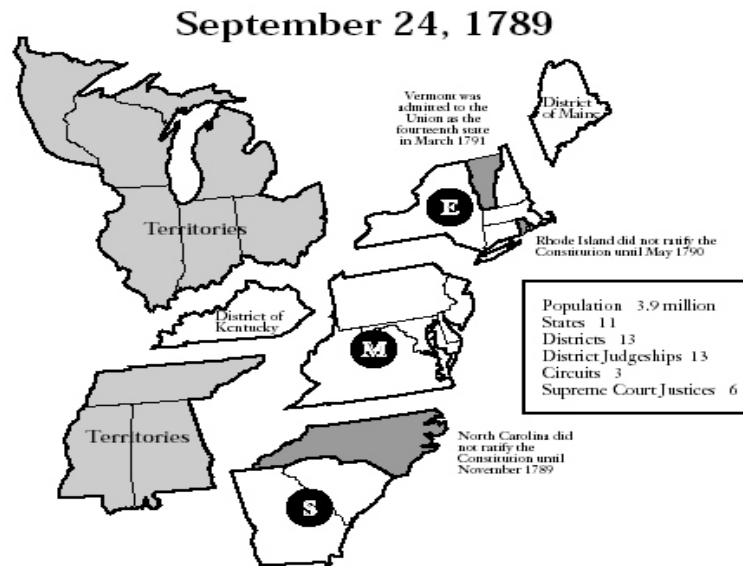
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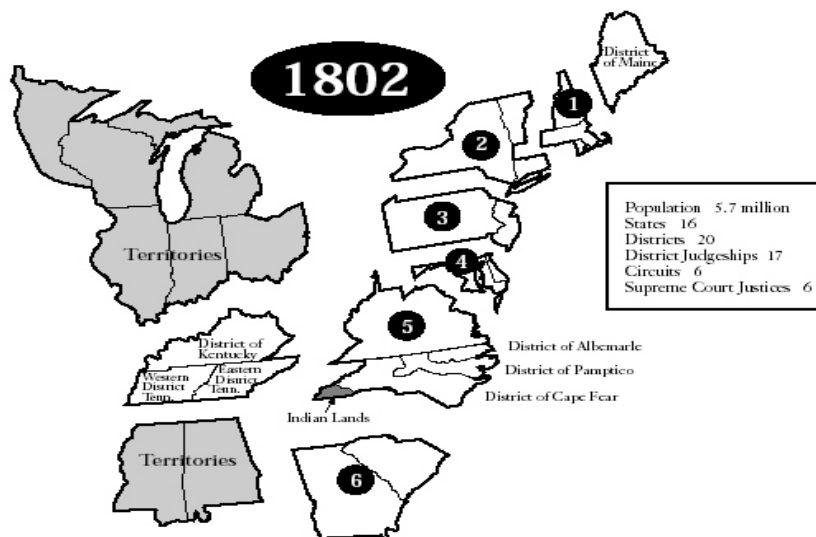
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Exhibit 1

The Evolution of the Circuits



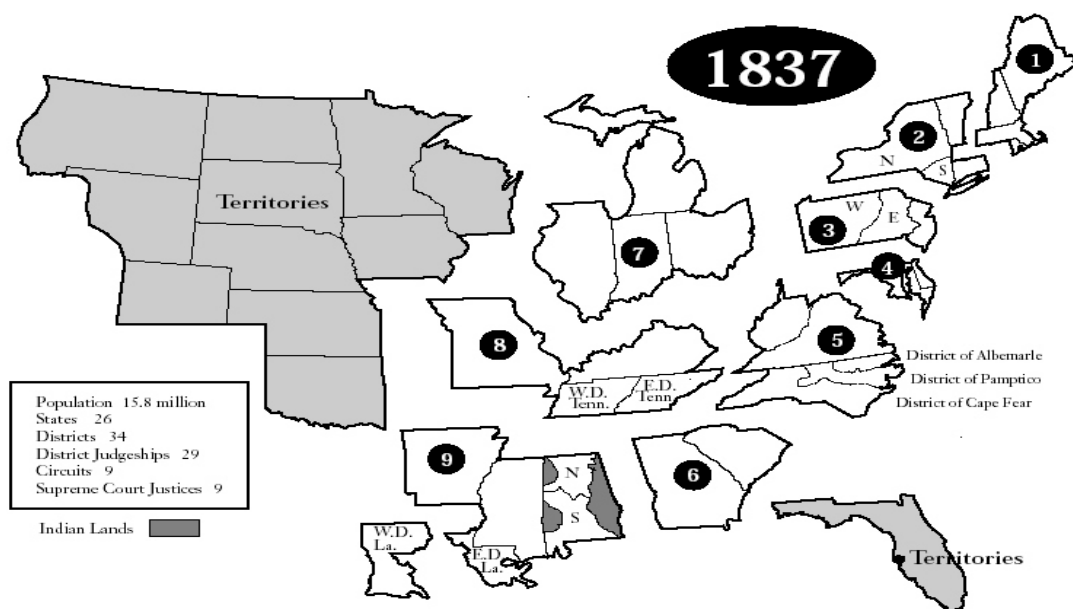
The Judiciary Act of 1789 created three circuits: the Eastern, Middle, and Southern.



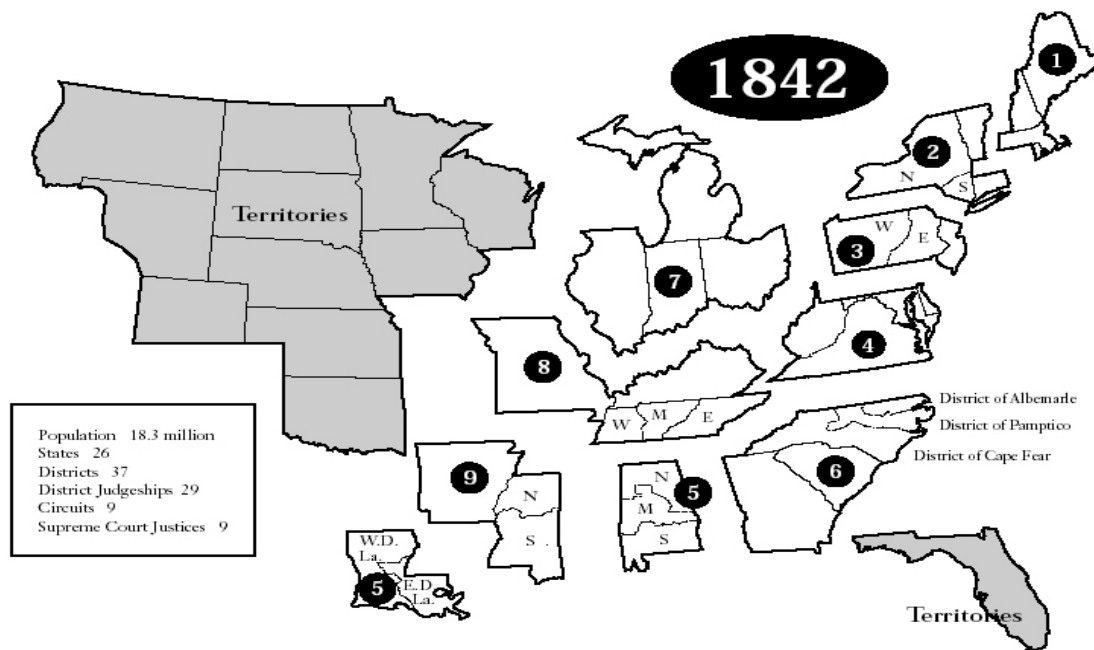
In 1802, three new circuits were created, bringing the total number to six. The Eastern Circuit was divided into two circuits by separating New York, Vermont, and Connecticut from Massachusetts, New Hampshire, and Rhode Island. The Middle Circuit, which encompassed the Mid-Atlantic region from Pennsylvania to Virginia, was split into three circuits.

SOURCE: RUSSELL R. WHEELER & CYNTHIA HARRISON, *FED. JUDICIAL CTR., CREATING THE FEDERAL JUDICIAL SYSTEM* (2d ed. 1994).

Exhibit 1 (cont'd)

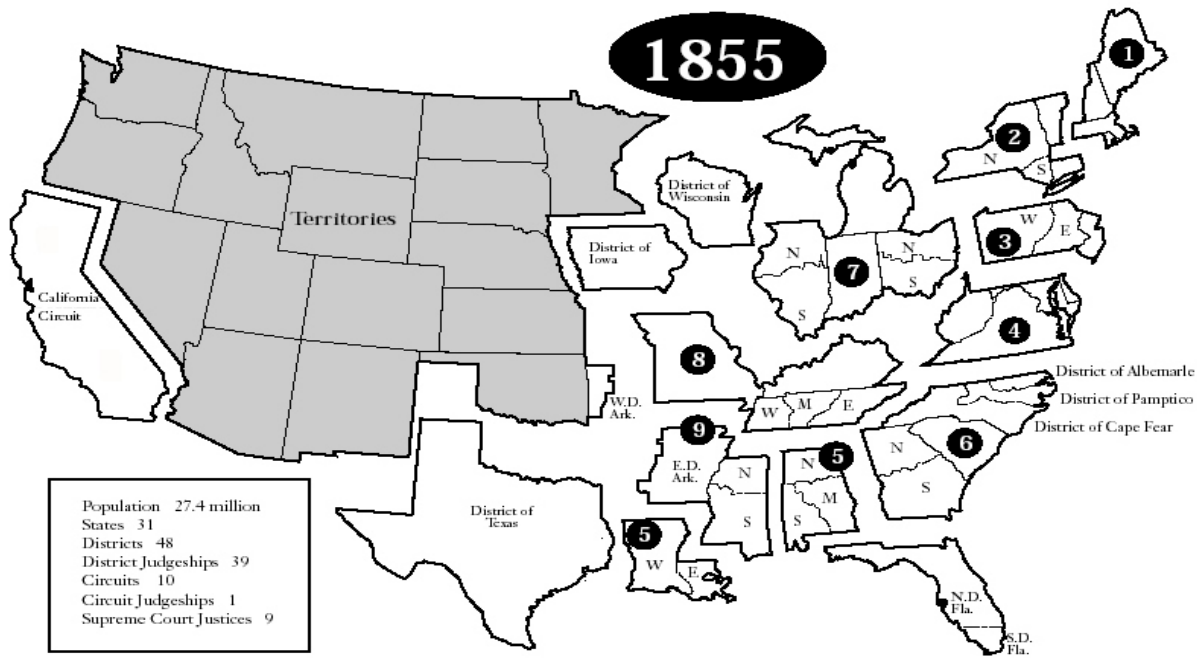


Between 1802 and 1837, three new circuits were created, bringing the total number to nine.

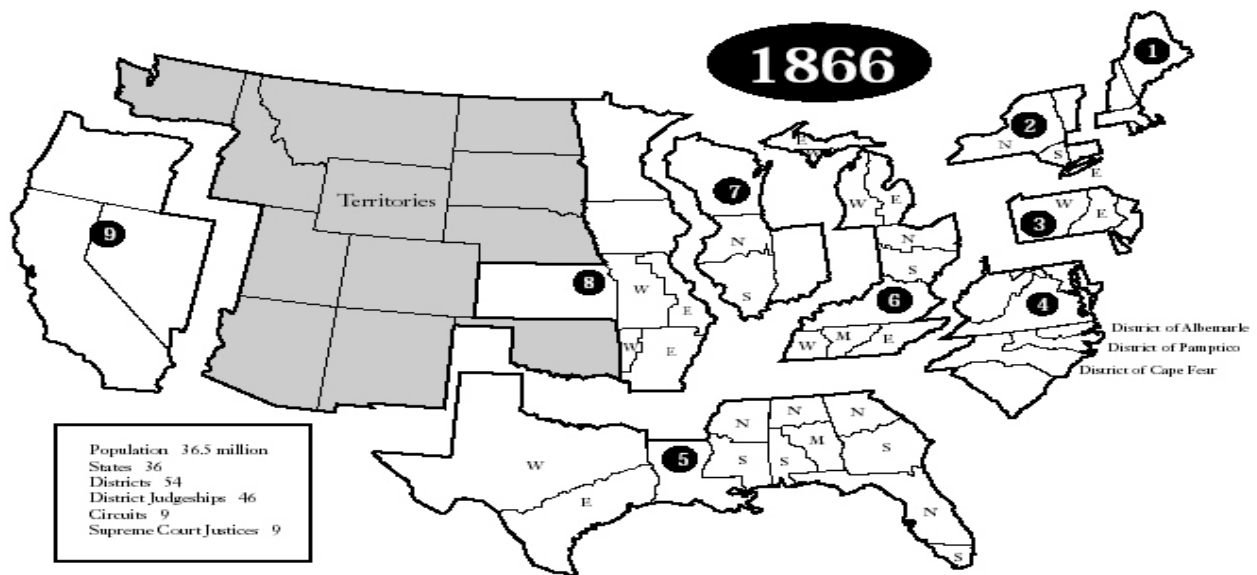


In 1842, Congress split the four states of the Ninth Circuit into two circuits and created the noncontiguous Fifth Circuit comprised of Louisiana and Alabama.

SOURCE: RUSSELL R. WHEELER & CYNTHIA HARRISON, *FED. JUDICIAL CTR., CREATING THE FEDERAL JUDICIAL SYSTEM* (2d ed. 1994).

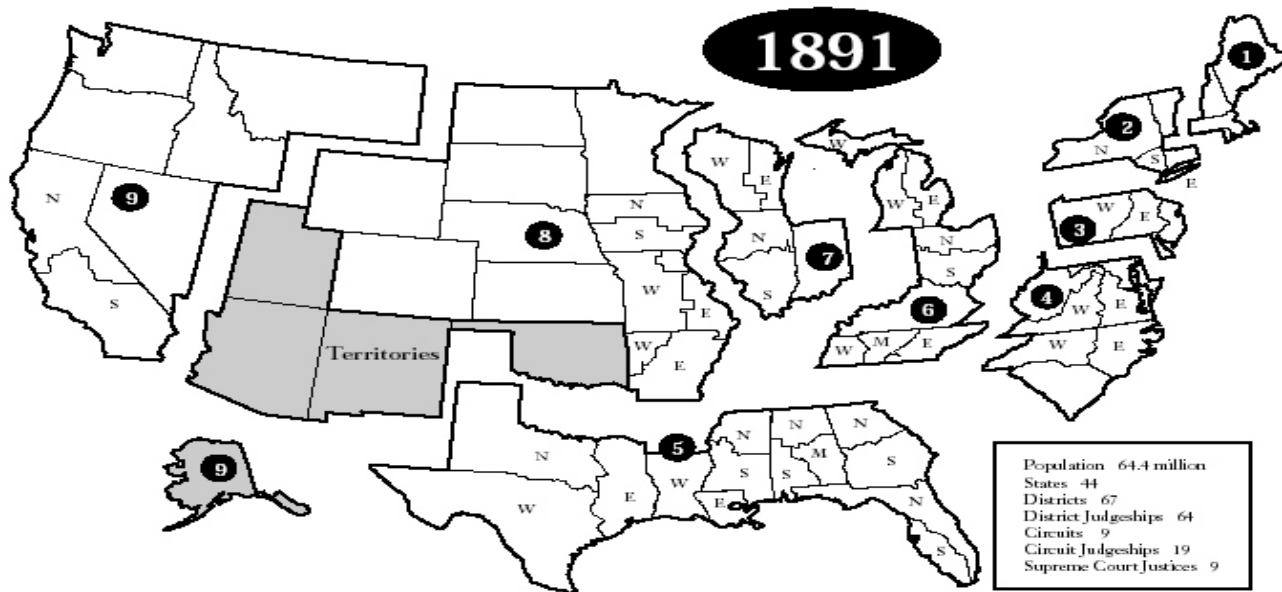


In 1855, Congress created a separate judicial circuit, “constituted in and for the state of California, to be known as the circuit court of the United States for the districts of California,” with the same jurisdiction as the numbered circuits. Rather than increasing the number of Supreme Court Justices, Congress authorized a circuit judgeship for the circuit.

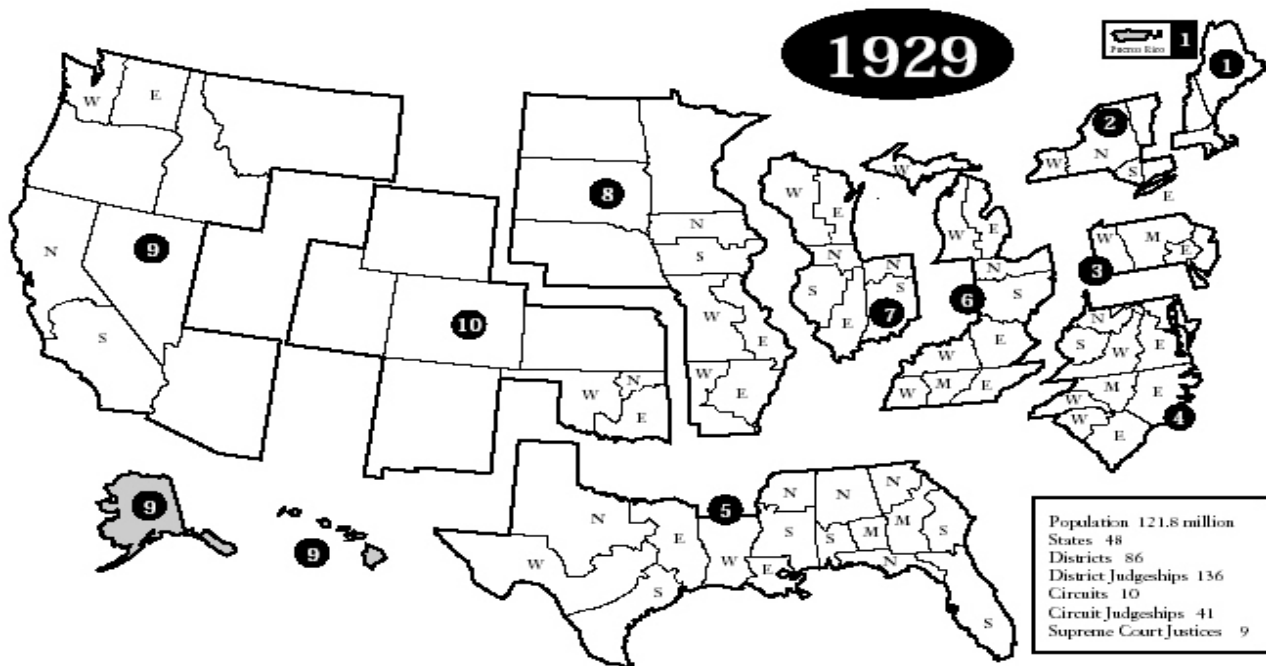


As the United States expanded westward, the nine circuits’ boundaries were realigned to reflect territorial gains and population shifts.

SOURCE: RUSSELL R. WHEELER & CYNTHIA HARRISON, FED. JUDICIAL CTR., CREATING THE FEDERAL JUDICIAL SYSTEM (2d ed. 1994).



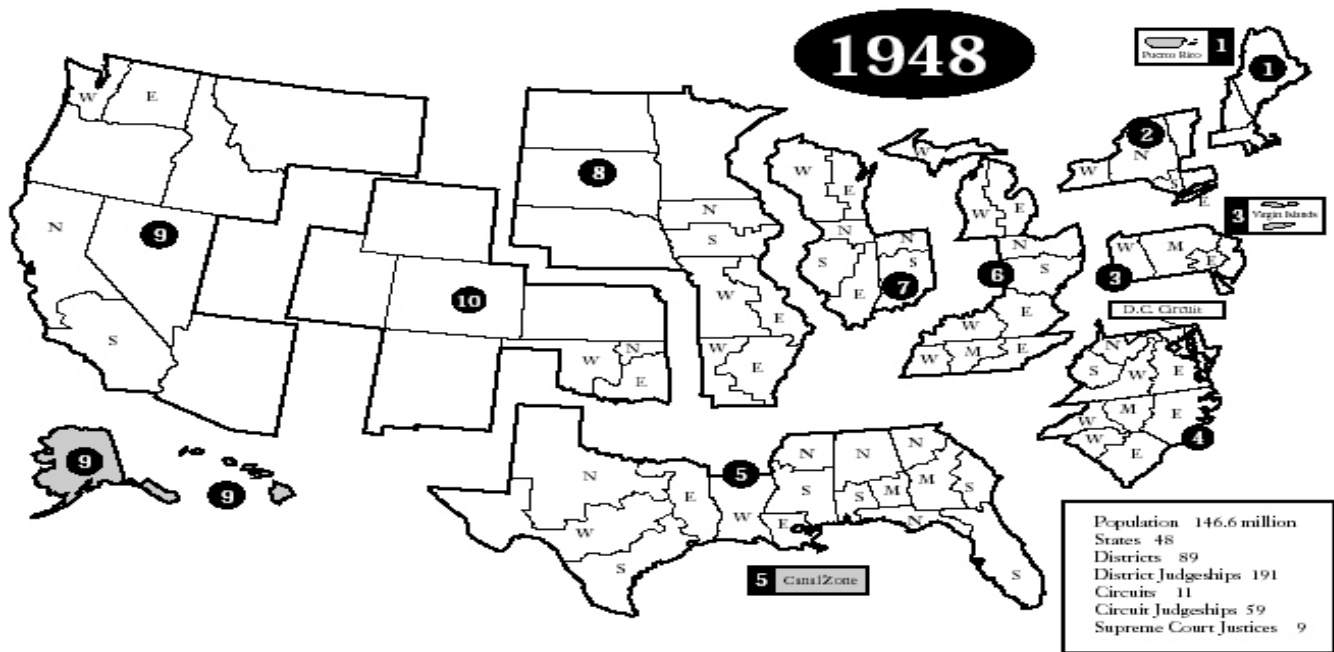
In 1891, the Evarts Act created the nine circuit courts of appeals.



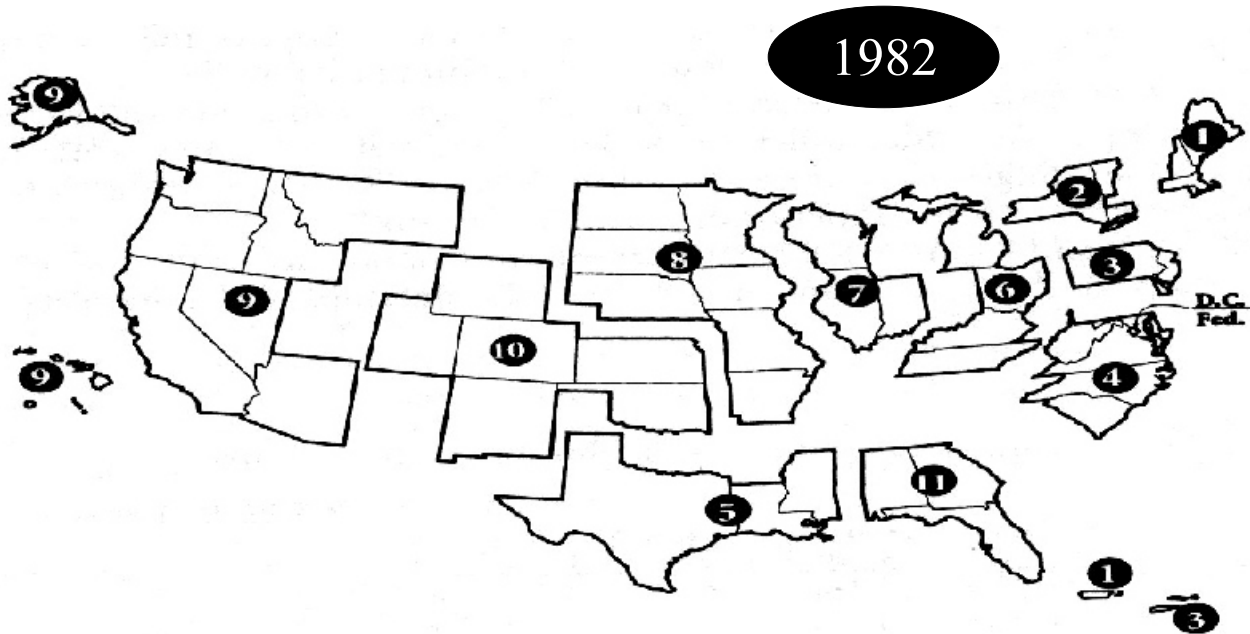
In 1929, the Tenth Circuit was created by splitting the Eighth Circuit in two.

SOURCE: RUSSELL R. WHEELER & CYNTHIA HARRISON, FED. JUDICIAL CTR., CREATING THE FEDERAL JUDICIAL SYSTEM (2d ed. 1994).

Exhibit 1 (cont'd)



In 1948, the District of Columbia Circuit was formally recognized.



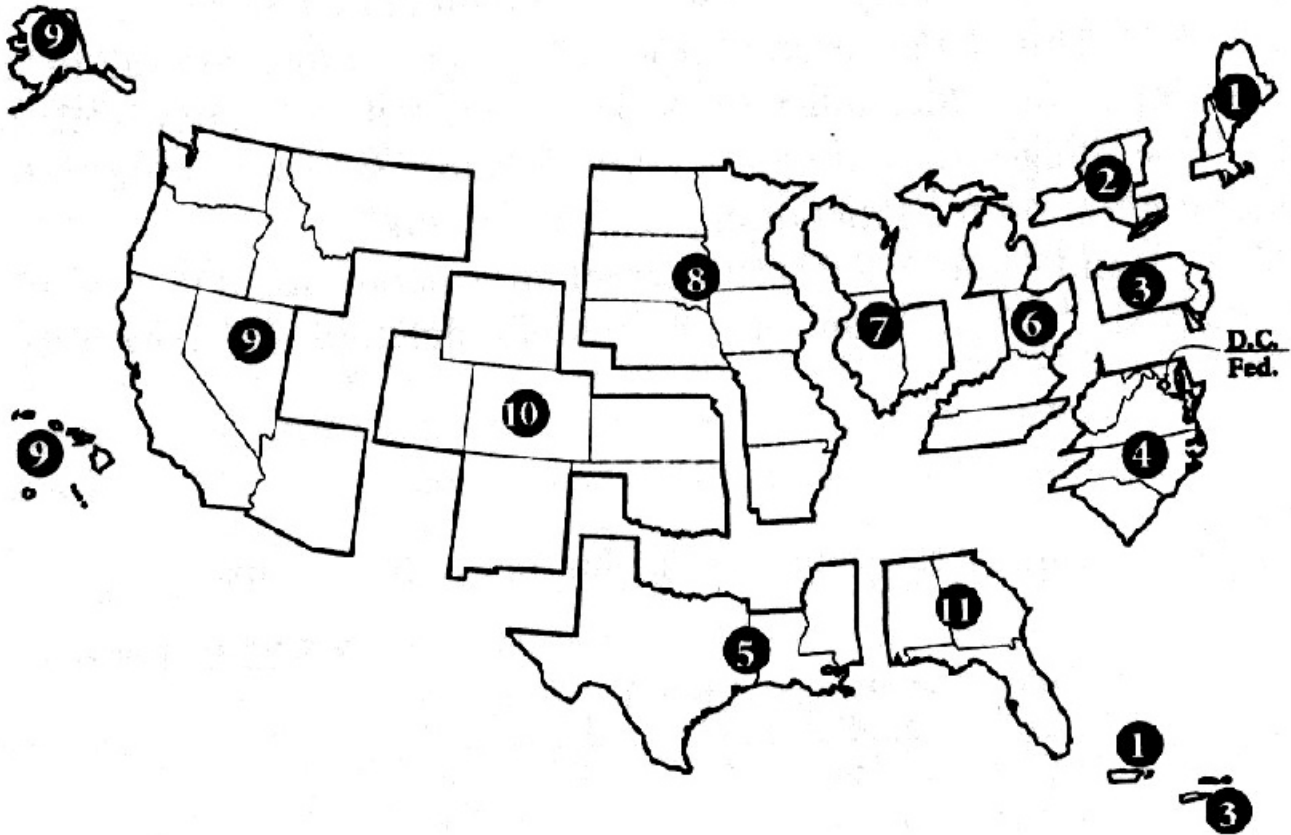
In 1981, the Eleventh Circuit was created by splitting the Fifth Circuit in two. A year later, the Federal Circuit was created.

SOURCE: RUSSELL R. WHEELER & CYNTHIA HARRISON, FED. JUDICIAL CTR., CREATING THE FEDERAL JUDICIAL SYSTEM (2d ed. 1994).

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The Twelve Regional Circuits Today:

The largest by far is the Ninth with about a fifth of the total population and close to 40% of the total land mass of the United States.



Changes since the Evarts Act of 1891:

- 1929 - Tenth Circuit carved out of Eighth Circuit
- 1948 - D.C. Circuit formally recognized
- 1981 - Eleventh Circuit carved out of Fifth Circuit
- 1982 - Federal Circuit created

Exhibit 3

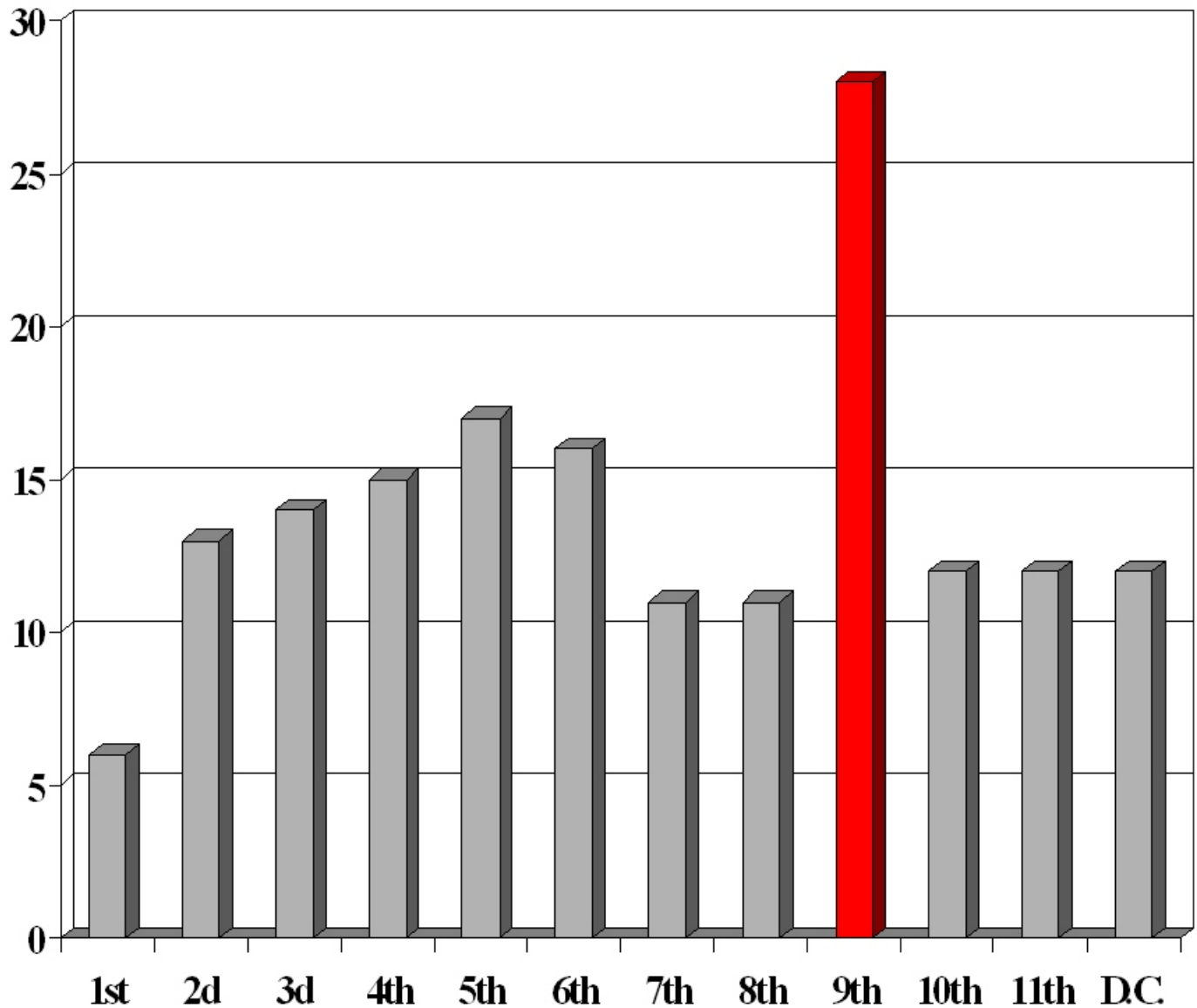
All Ninth Circuit Judges by Seniority

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Goodwin	Nixon	California	Pasadena	Senior
3. Wallace	Nixon	California	San Diego	Senior
4. Sneed	Nixon	California	San Francisco	Senior
5. Hug	Carter	Nevada	Reno	Senior
6. Skopil	Carter	Oregon	Portland	Senior
7. Fletcher, B.	Carter	Washington	Seattle	Senior
8. Schroeder (Chief)	Carter	Arizona	Phoenix	ACTIVE
9. Farris	Carter	Washington	Seattle	Senior
10. Pregerson	Carter	California	Woodland Hills	ACTIVE
11. Alarcon	Carter	California	Los Angeles	Senior
12. Ferguson	Carter	California	Santa Ana	Senior
13. Nelson, D.	Carter	California	Pasadena	Senior
14. Canby	Carter	Arizona	Phoenix	Senior
15. Boochever	Carter	California	Pasadena	Senior
16. Reinhardt	Carter	California	Los Angeles	ACTIVE
17. Beezer	Reagan	Washington	Seattle	Senior
18. Hall	Reagan	California	Pasadena	Senior
19. Brunetti	Reagan	Nevada	Reno	Senior
20. Kozinski	Reagan	California	Pasadena	ACTIVE
21. Noonan	Reagan	California	San Francisco	Senior
22. Thompson	Reagan	California	San Diego	Senior
23. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
24. Leavy	Reagan	Oregon	Portland	Senior
25. Trott	Reagan	Idaho	Boise	Senior
26. Fernandez	G.H.W. Bush	California	Pasadena	Senior
27. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
28. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
29. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
30. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
31. Tashima	Clinton	California	Pasadena	Senior
32. Thomas	Clinton	Montana	Billings	ACTIVE
33. Silverman	Clinton	Arizona	Phoenix	ACTIVE
34. Graber	Clinton	Oregon	Portland	ACTIVE
35. McKeown	Clinton	California	San Diego	ACTIVE
36. Wardlaw	Clinton	California	Pasadena	ACTIVE
37. Fletcher, W.	Clinton	California	San Francisco	ACTIVE
38. Fisher	Clinton	California	Pasadena	ACTIVE
39. Gould	Clinton	Washington	Seattle	ACTIVE
40. Paez	Clinton	California	Pasadena	ACTIVE
41. Berzon	Clinton	California	San Francisco	ACTIVE
42. Tallman	Clinton	Washington	Seattle	ACTIVE
43. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
44. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
45. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
46. Callahan	G.W. Bush	California	Sacramento	ACTIVE
47. Bea	G.W. Bush	California	San Francisco	ACTIVE
48. M. Smith	G.W. Bush	California	Los Angeles	ACTIVE
49. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE
50. [Myers]	G.W. Bush	Idaho	Boise	Nominee
51. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	26
	Nominees	+ 2
	Authorized Judgeships	28
	Senior Judges	+ 23
	TOTAL, including nominees and vacancies	51

Exhibit 4

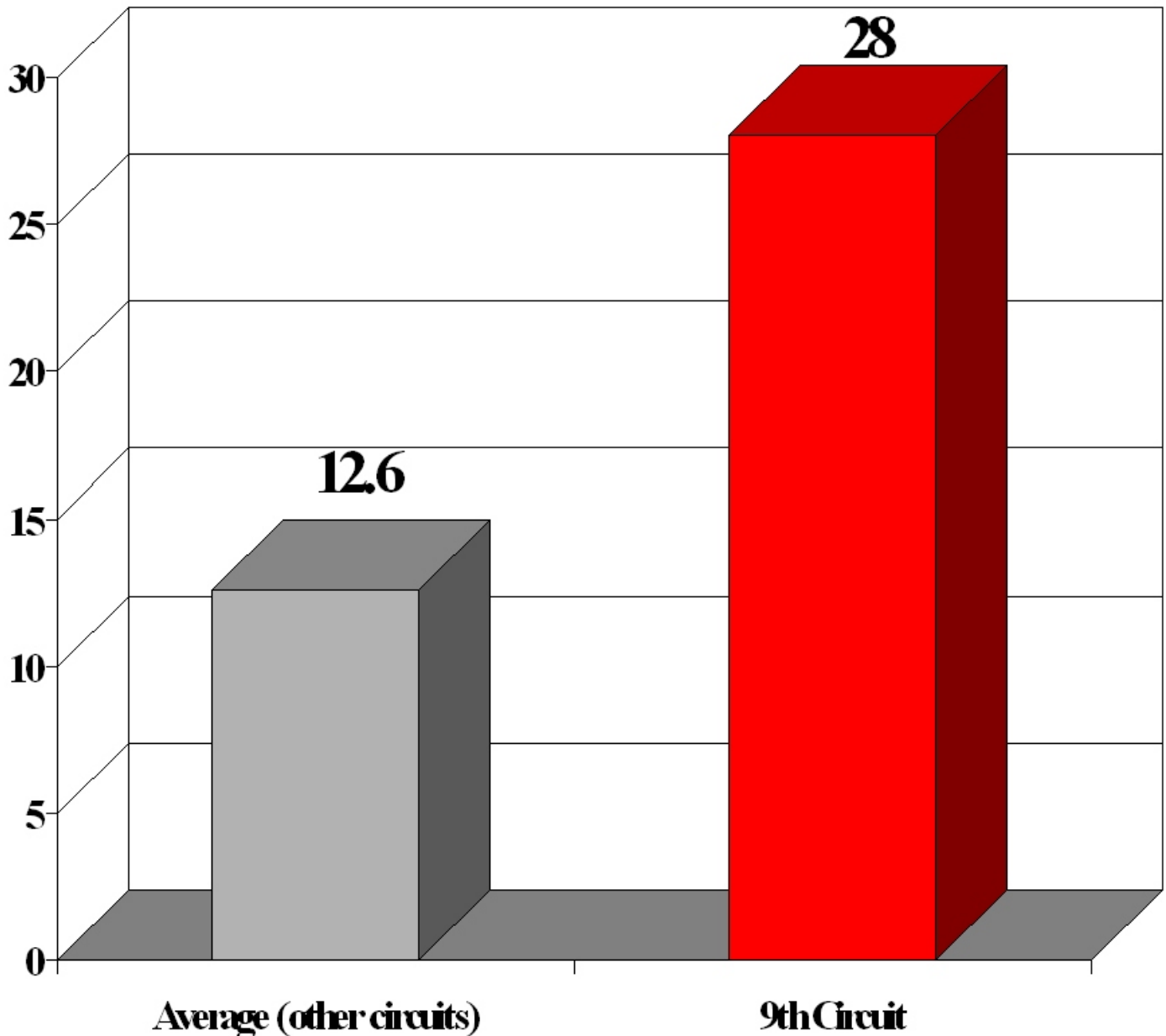
The Ninth Circuit has eleven more authorized judgeships than the next-largest circuit.



SOURCE: 28 U.S.C. § 44 (2004).

Exhibit 5

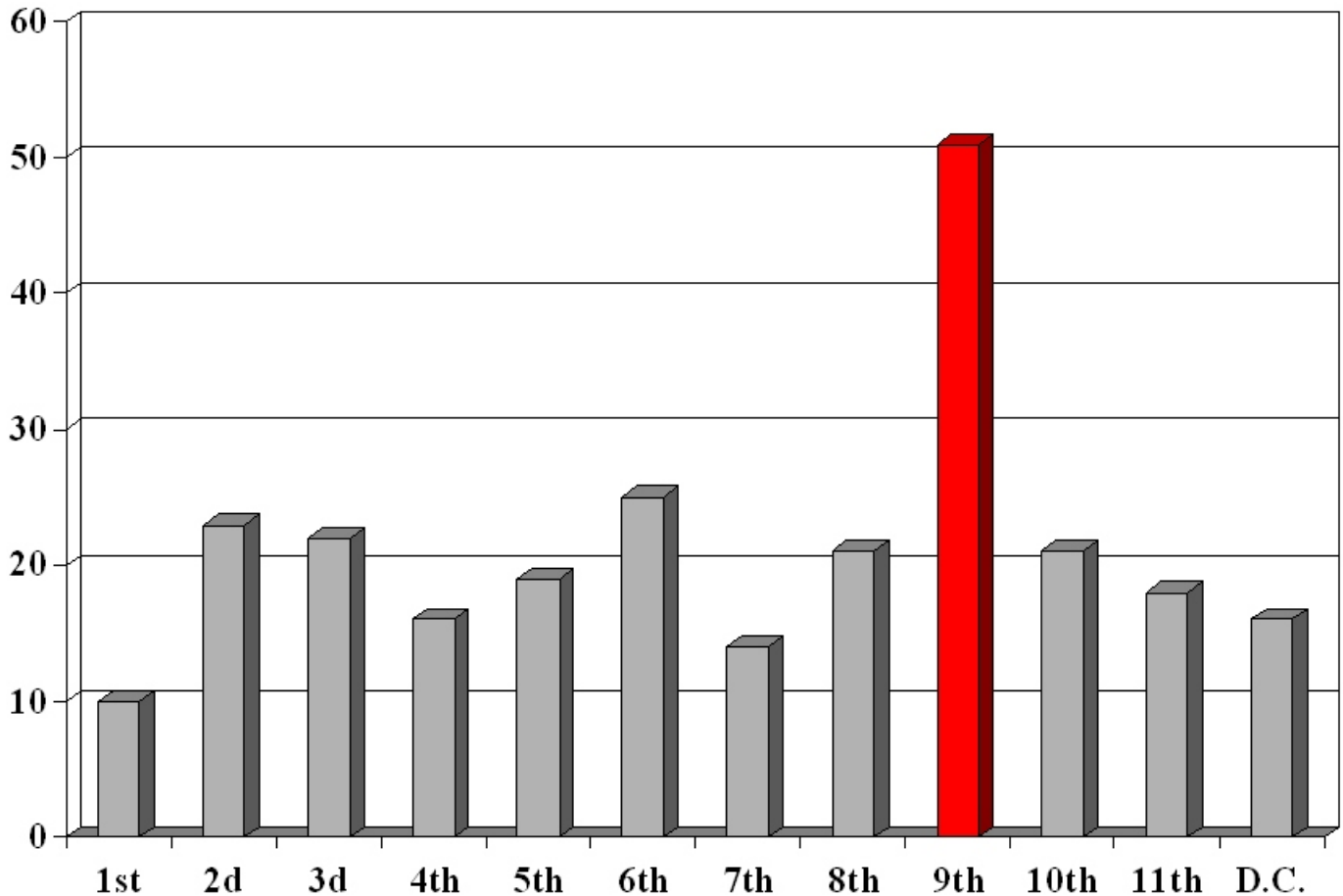
The Ninth Circuit has more than double the average number of authorized judgeships of all other circuits.



SOURCE: 28 U.S.C. § 44 (2004).

Exhibit 6

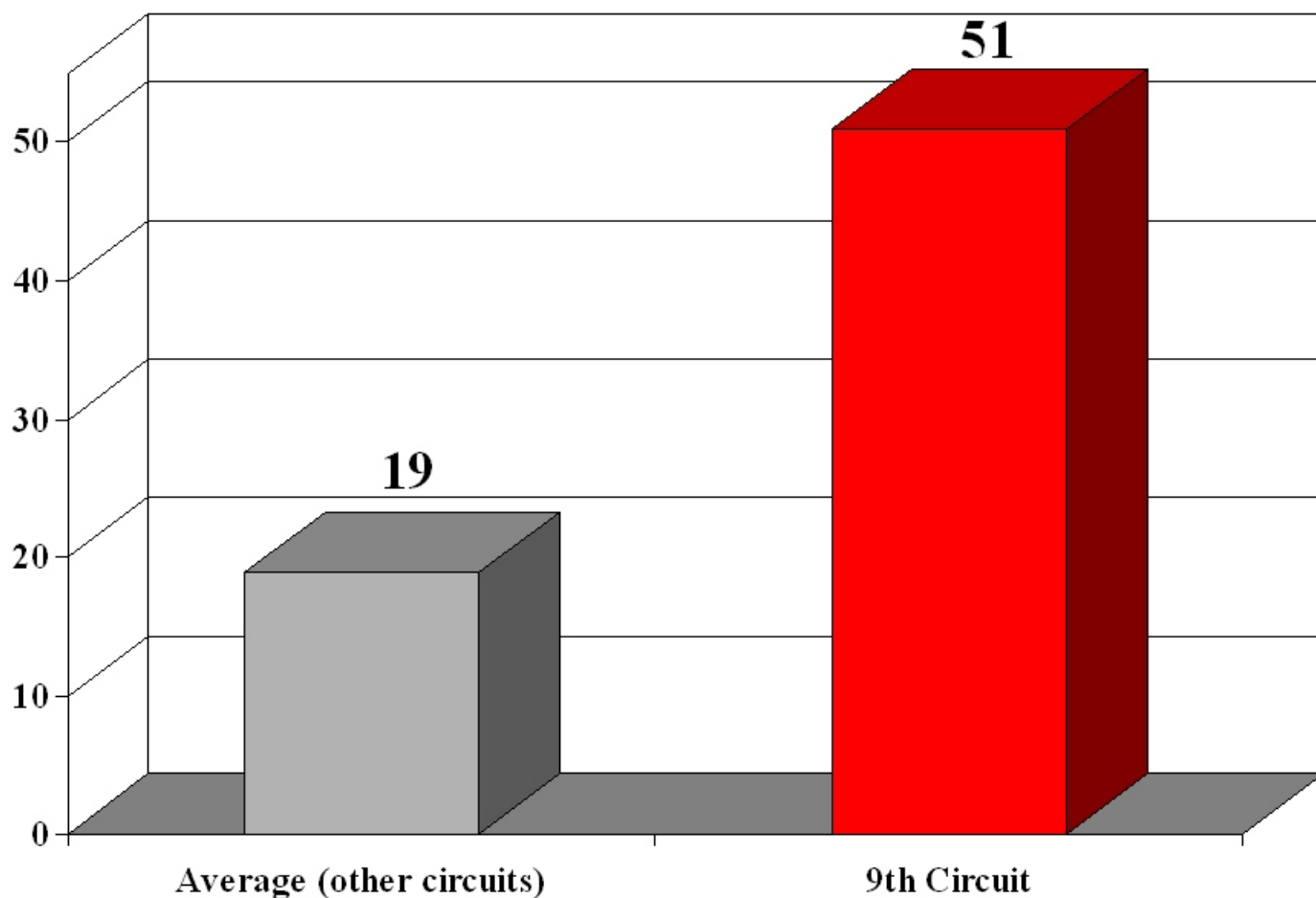
The Ninth Circuit has twenty-six more total judges (authorized + senior) than the next-largest circuit.



SOURCE: 28 U.S.C. § 44 (2004); Administrative Office of the United States Courts, Court Links, <http://www.uscourts.gov/alllinks.html#1st> (links to circuit court websites).

Exhibit 7

The Ninth Circuit has more than double the average number of total judges (authorized + senior) of all other circuits.



SOURCE: 28 U.S.C. § 44 (2004); Administrative Office of the United States Courts, Court Links, <http://www.uscourts.gov/alllinks.html#1st> (links to circuit court websites).

Exhibit 8

Number of Authorized and Total Judges by Circuit

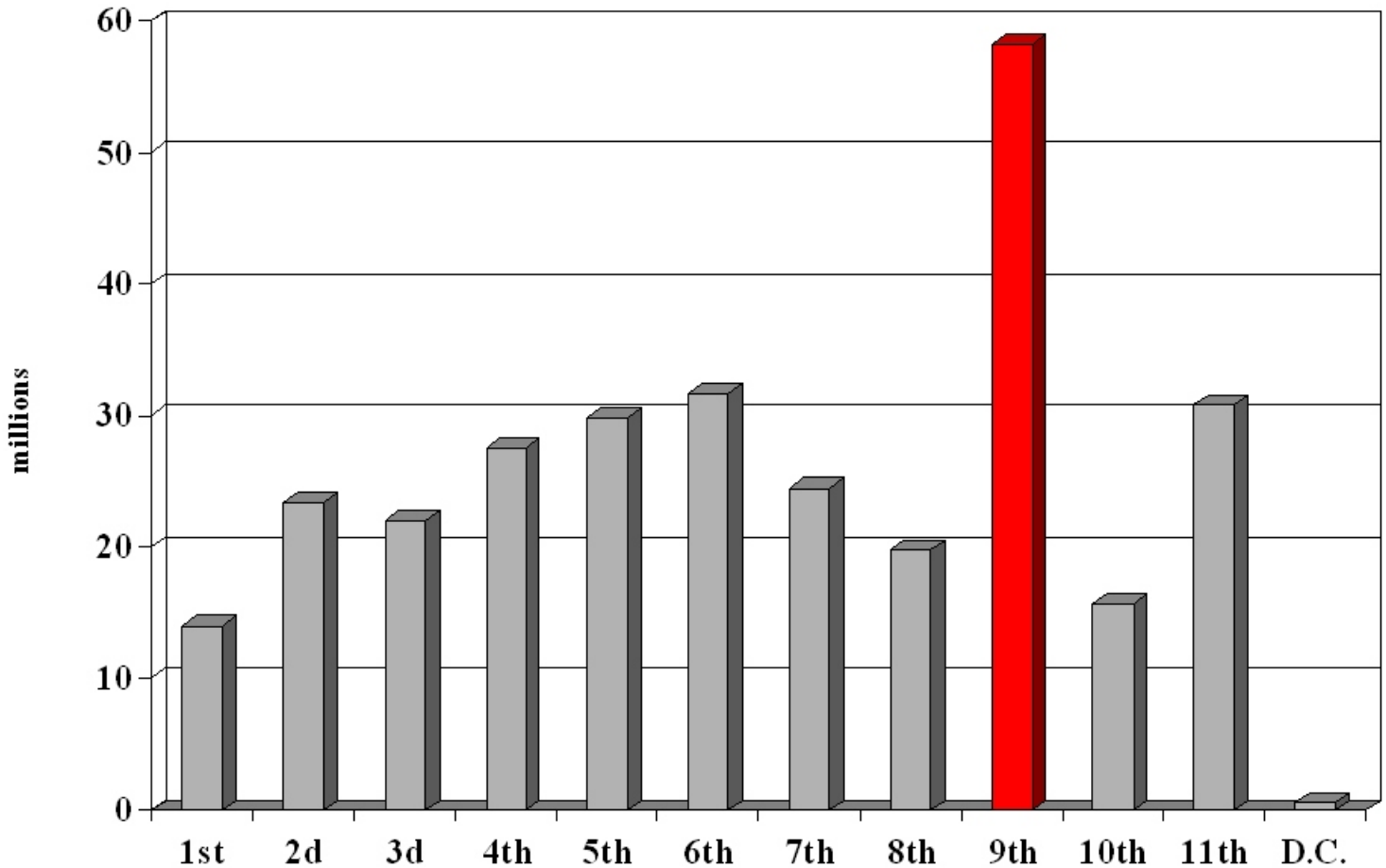
Court	Headquarter City	Authorized Judgeships	%	Senior Judges	%	Total Judges*	%
First	Boston, MA	6	3.6%	4	4.5%	10	3.9%
Second	New York, NY	13	7.8%	10	11.2%	23	9.1%
Third	Philadelphia, PA	14	8.4%	8	9.0%	22	8.7%
Fourth	Richmond, VA	15	9.0%	1	1.1%	16	6.3%
Fifth	New Orleans, LA	17	10.2%	2	2.2%	19	7.5%
Sixth	Cincinnati, OH	16	9.6%	9	10.1%	25	9.8%
Seventh	Chicago, IL	11	6.6%	3	3.4%	14	5.5%
Eighth	St. Louis, MO	11	6.6%	10	11.2%	21	8.3%
Ninth	San Francisco, CA	28	16.8%	23	25.8%	51	20.1%
Tenth	Denver, CO	12	7.2%	9	10.1%	19	7.5%
Eleventh	Atlanta, GA	12	7.2%	6	6.7%	18	7.1%
D.C.	Washington, DC	12	7.2%	4	4.5%	16	6.3%
Total		167	100%	89	100%	254	100%

* Total judges includes authorized judgeships and senior judges.

SOURCE: 28 U.S.C. § 44 (2004); Administrative Office of the United States Courts, Court Links, <http://www.uscourts.gov/alllinks.html#1st> (links to circuit court websites).

Exhibit 9

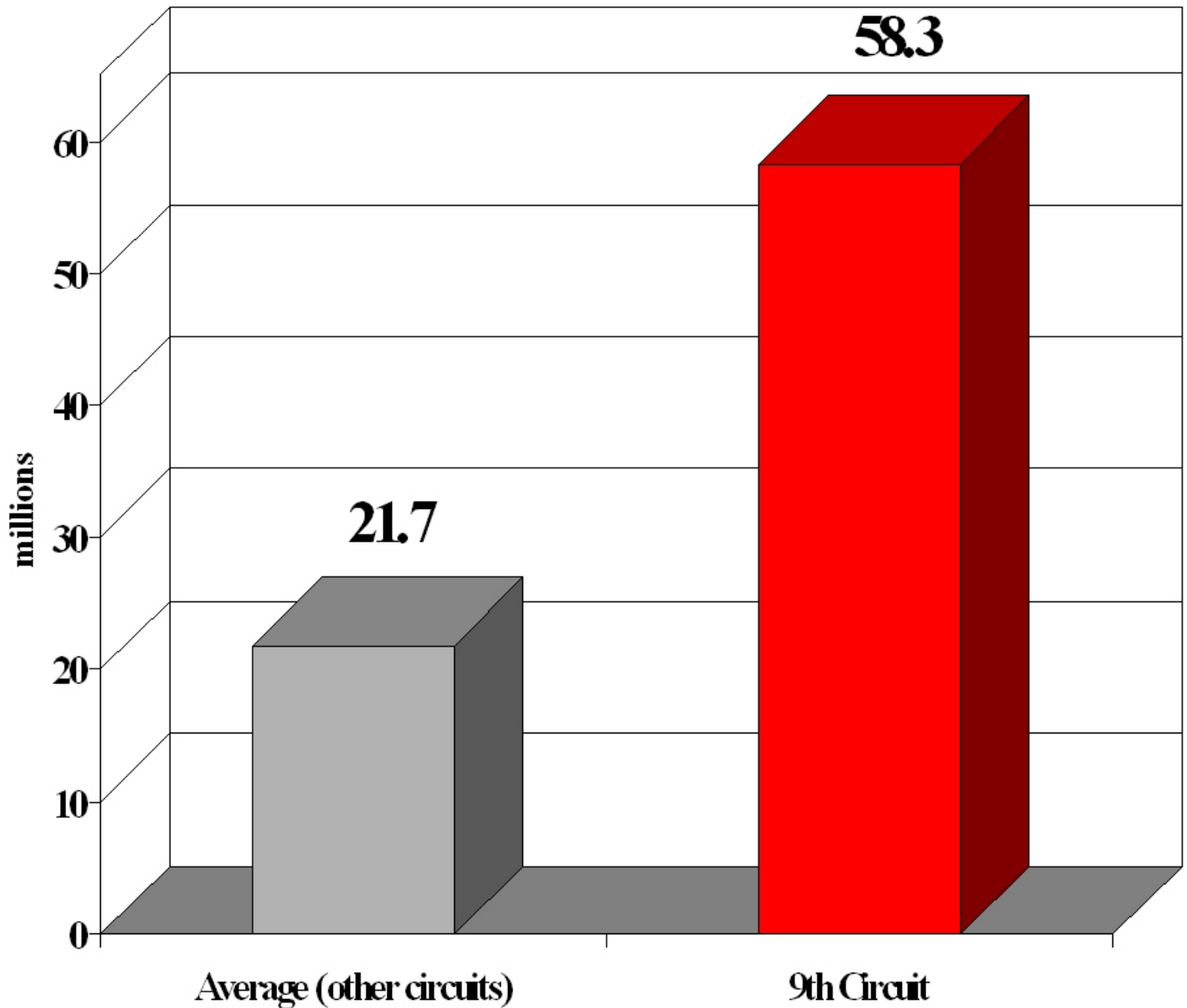
The Ninth Circuit's population is 27 million more than the next-largest circuit.



SOURCE: U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

Exhibit 10

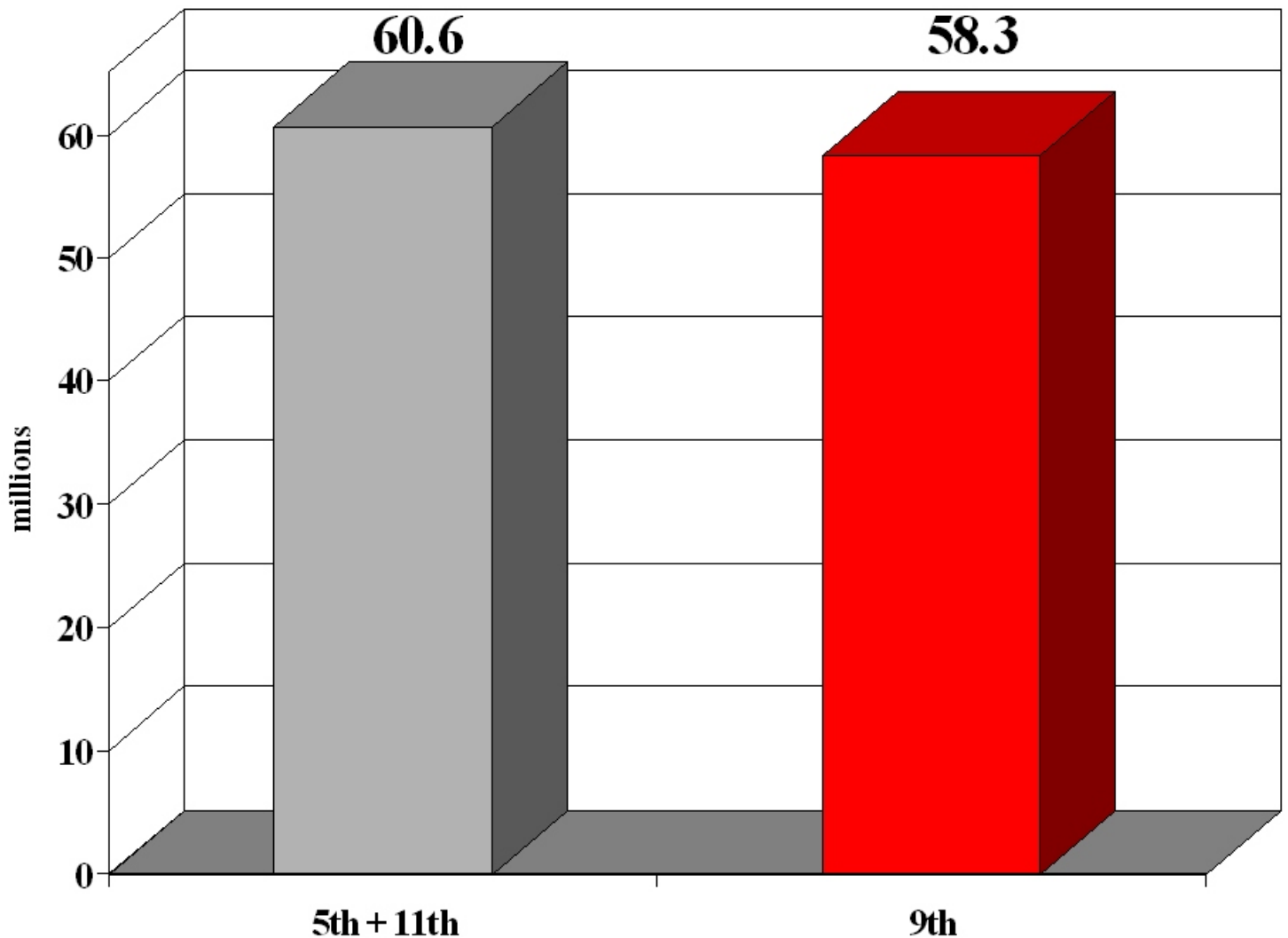
The Ninth Circuit has almost three times the average population of all other circuits.



SOURCE: U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>;
Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

Exhibit 11

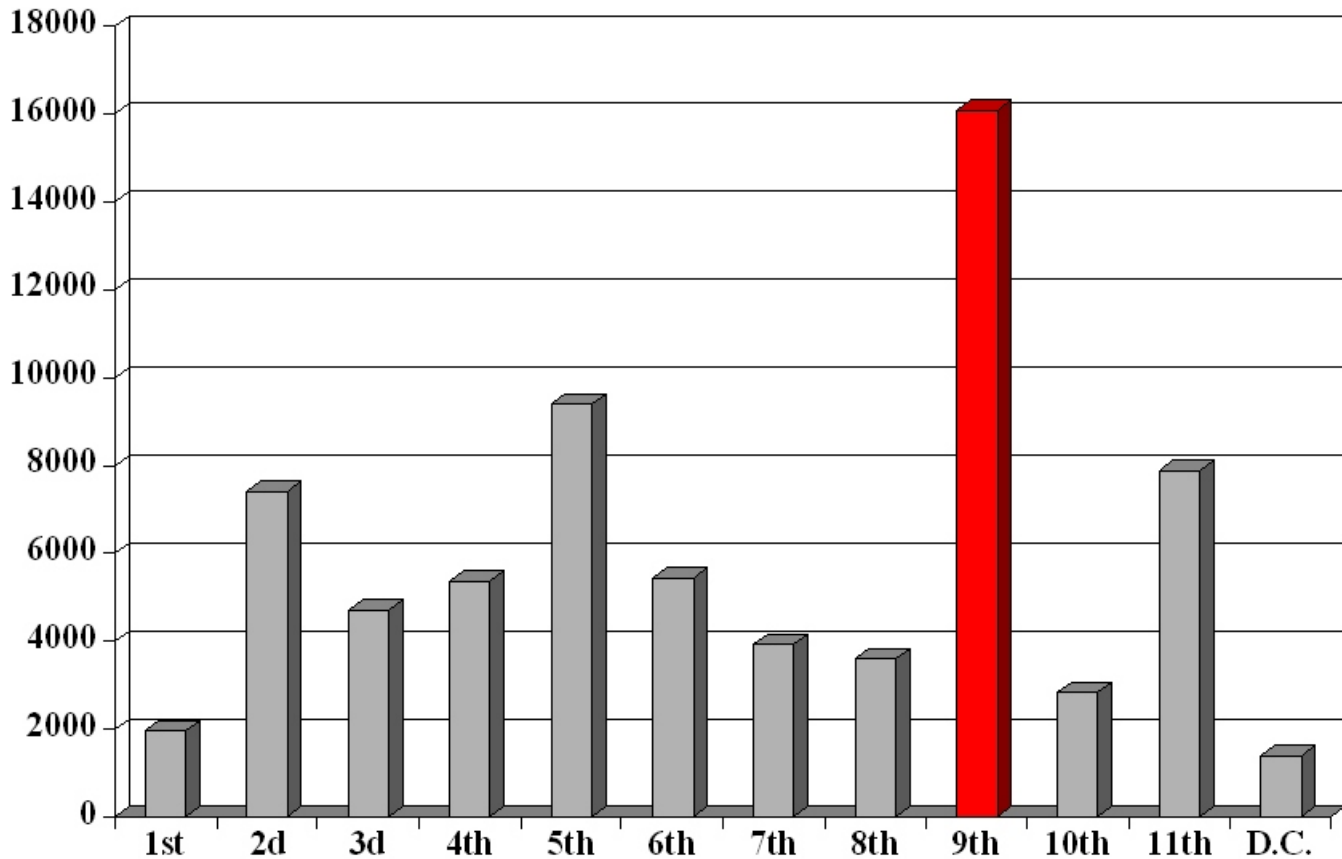
The Eleventh Circuit was carved out of the old Fifth Circuit in 1981 largely because of size. Today's Ninth Circuit has a population that is over 96% of the size of the current Fifth and Eleventh Circuits combined!



SOURCE: U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

Exhibit 12

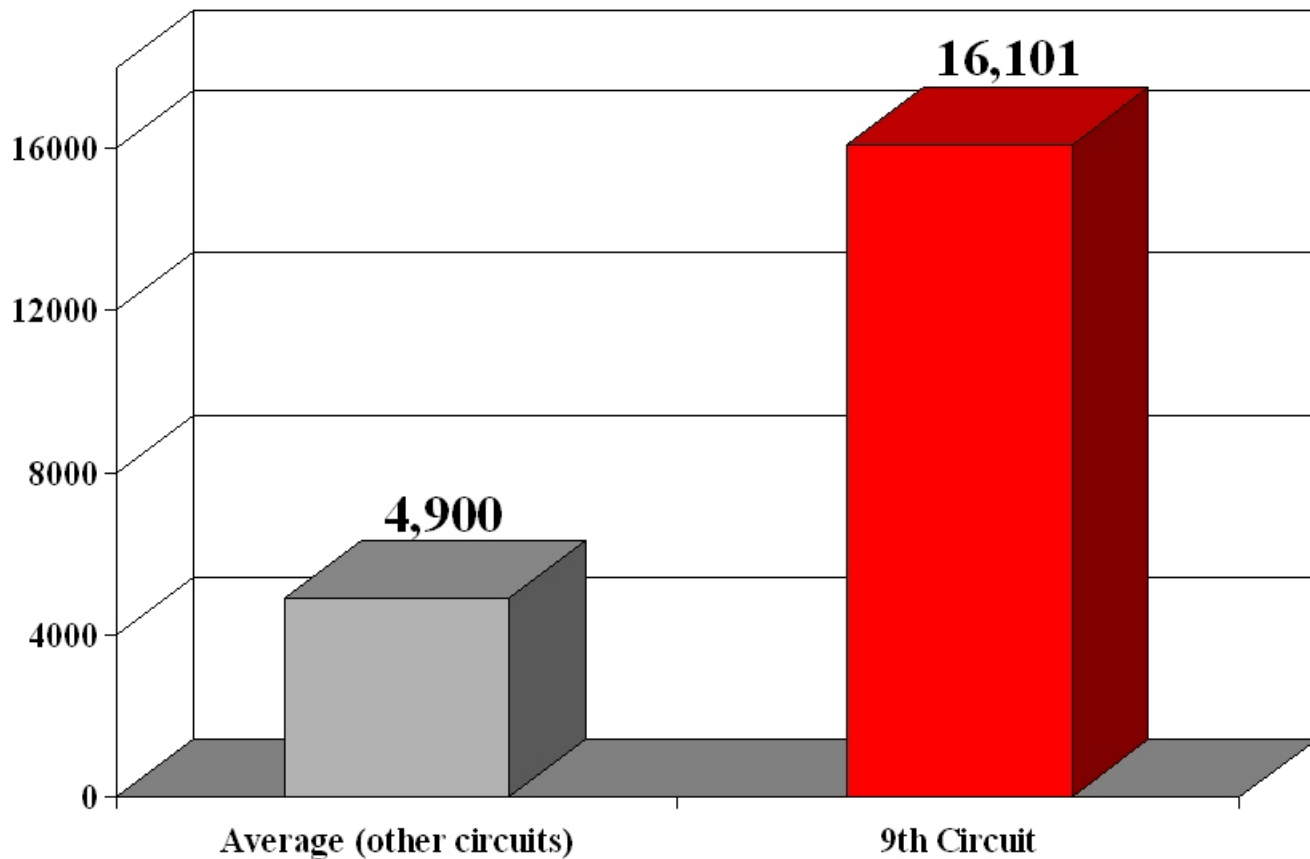
The Ninth Circuit had almost 7,000 more filings in 2005 than the next-busiest circuit.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables,
http://jnet.ao.dcn/Statistics/Caseload_Tables.html.

Exhibit 13

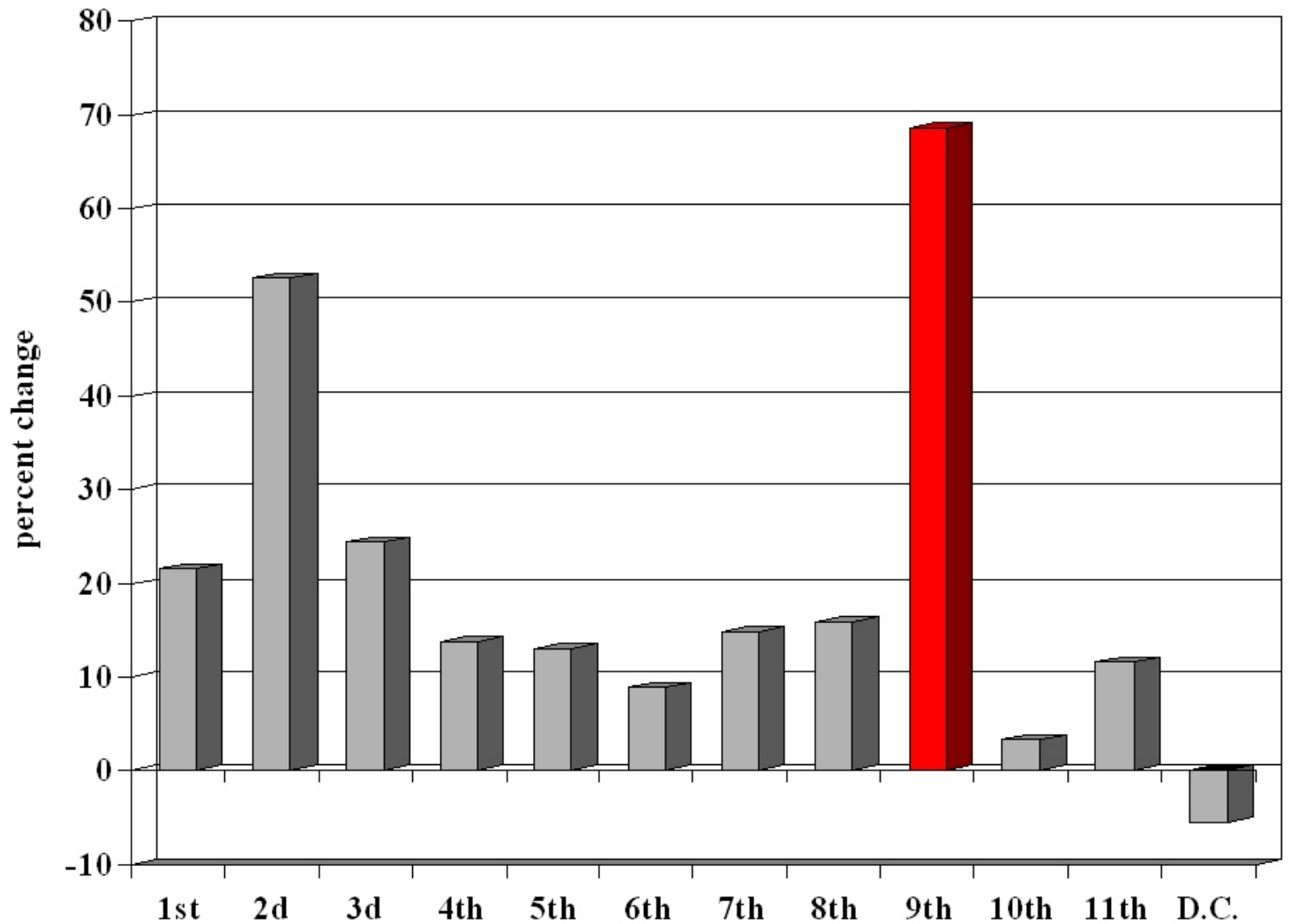
The Ninth Circuit had more than triple the average number of appeals filed of all other circuits in 2005.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html.

Exhibit 14

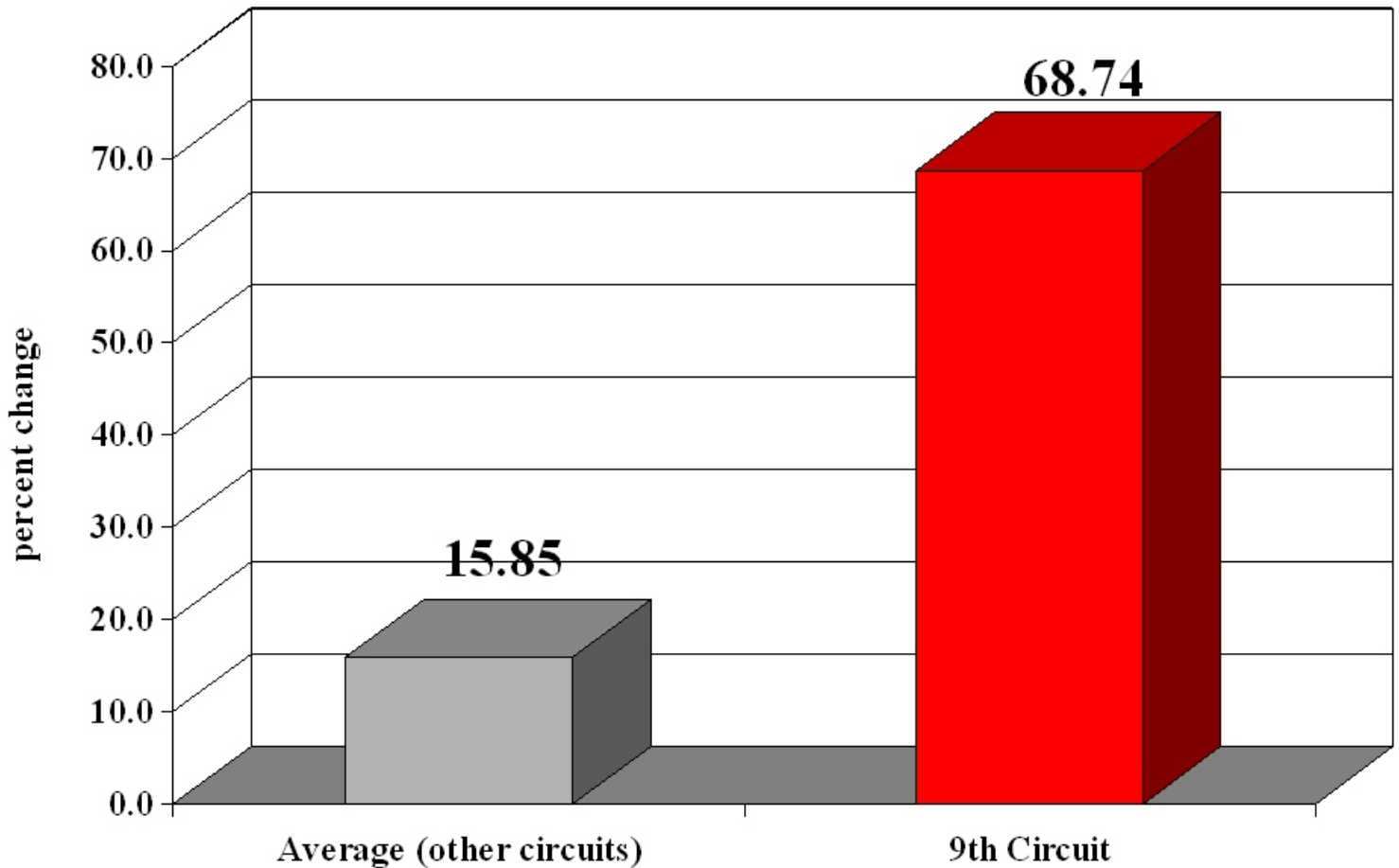
The Ninth Circuit's caseload increased more rapidly between 2000 and 2005 than did any other circuit's.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables,
http://jnet.ao.dcn/Statistics/Caseload_Tables.html.

Exhibit 15

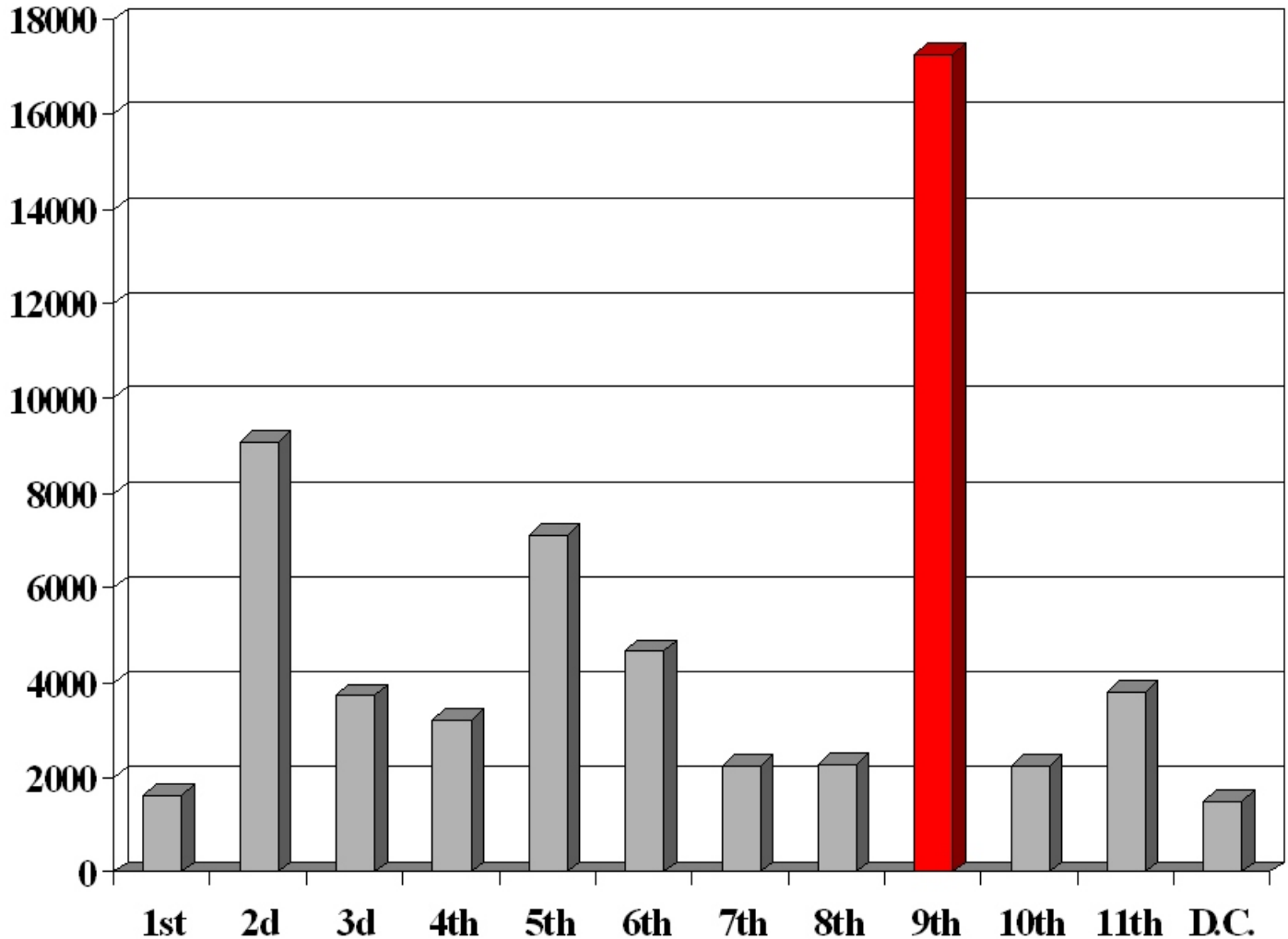
The Ninth Circuit's caseload increased nearly five times faster between 2000 and 2005 than did the average of all other circuits'.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html.

Exhibit 16

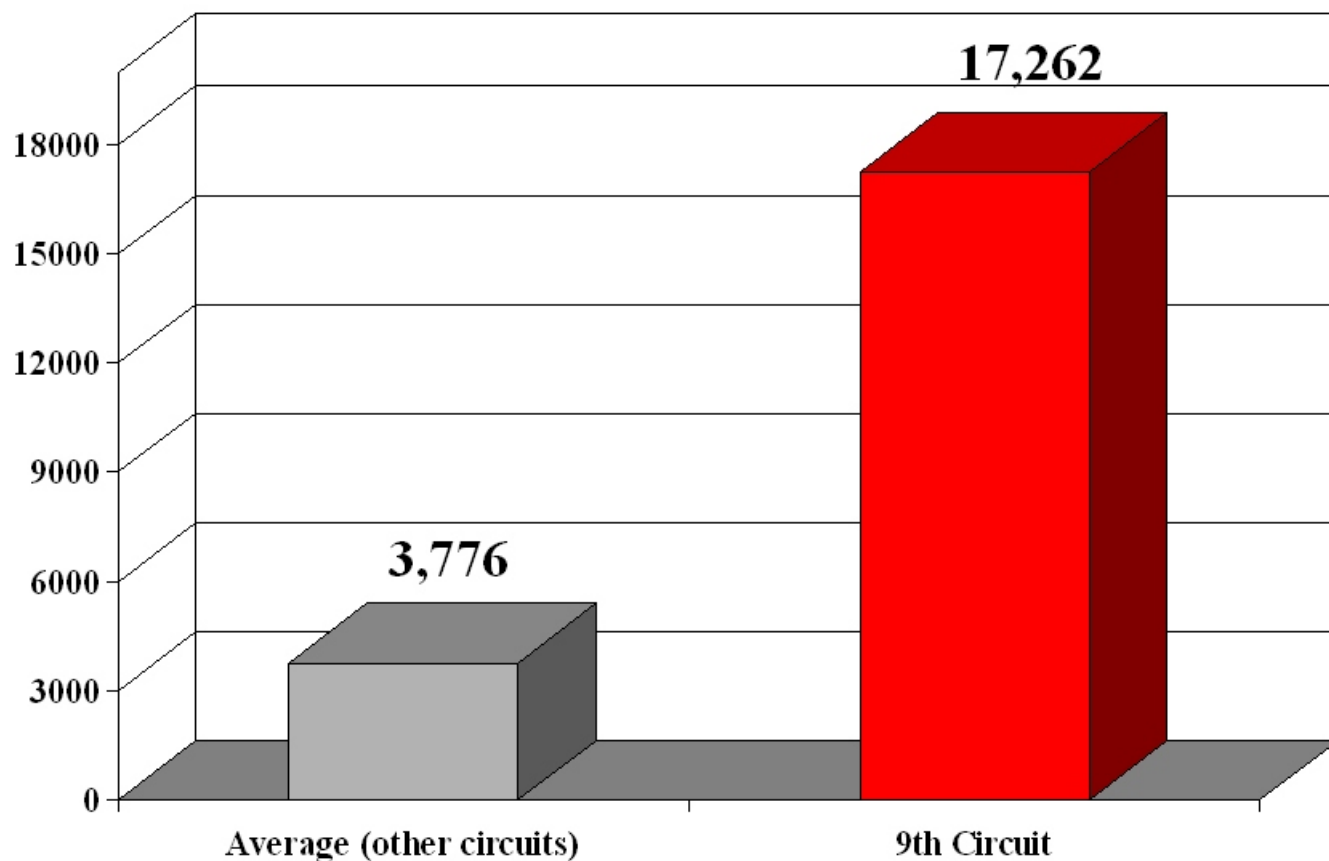
The Ninth Circuit has the largest backlog in the country by over 8,000 appeals.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://inet.ao.dcn/Statistics/Caseload_Tables.html, for the twelve months ending March 31, 2006.

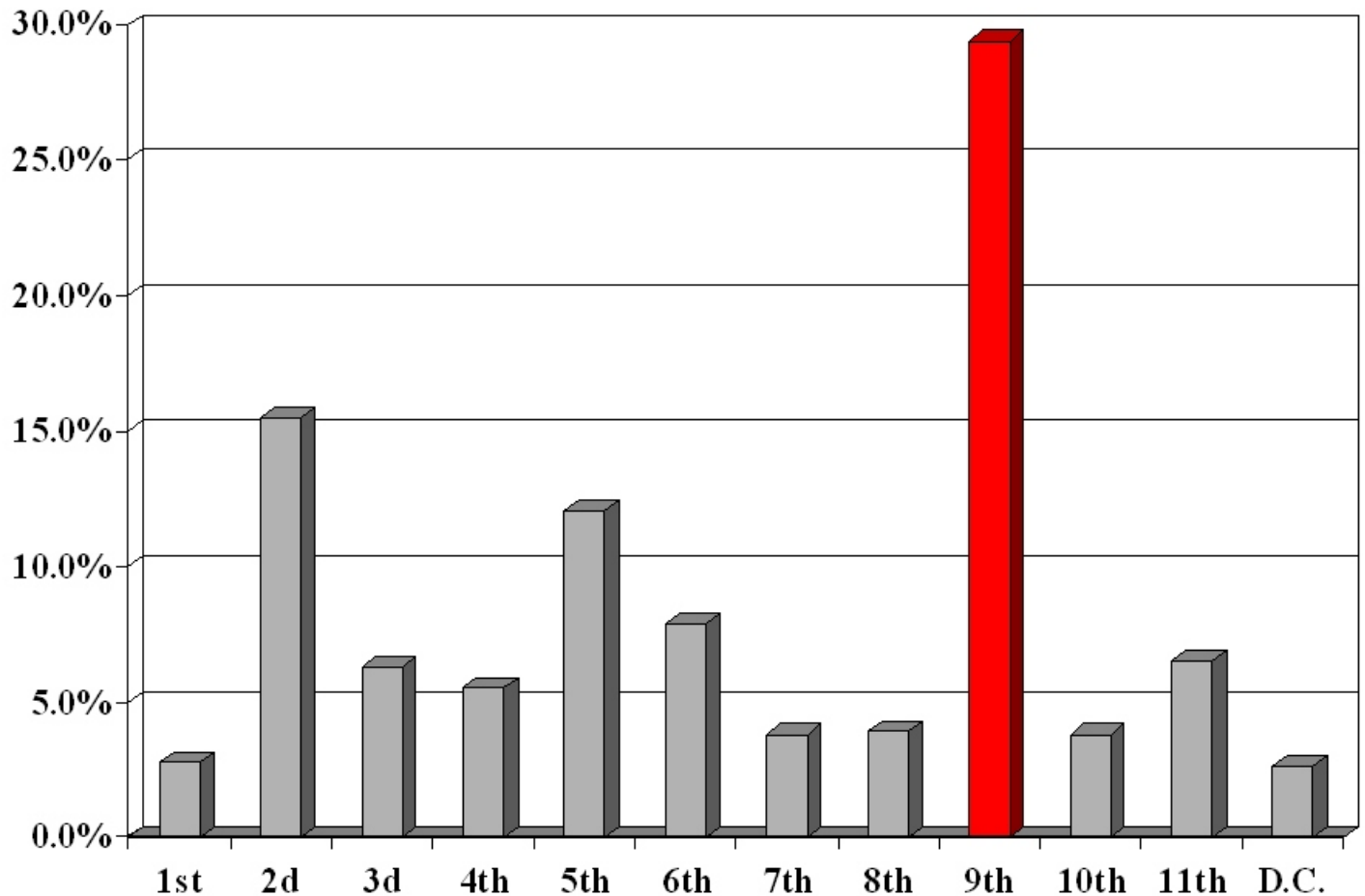
Exhibit 17

The Ninth Circuit's backlog is nearly five times larger than that of the average circuit.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html, for the twelve months ending March 31, 2006.

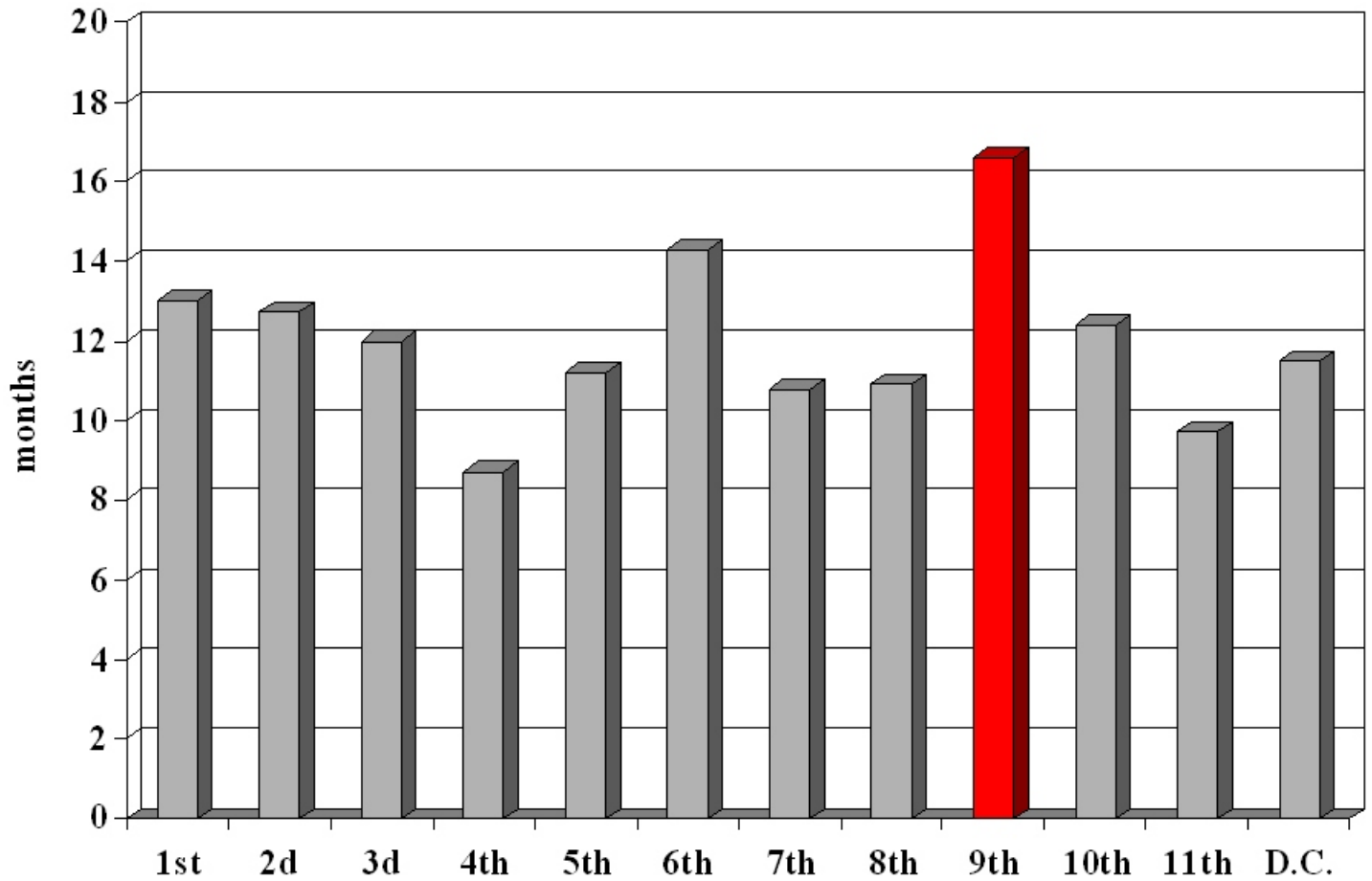
The Ninth Circuit has the highest backlog in the country—almost 30% of all pending federal appeals.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html, for the twelve months ending March 31, 2006.

Exhibit 19

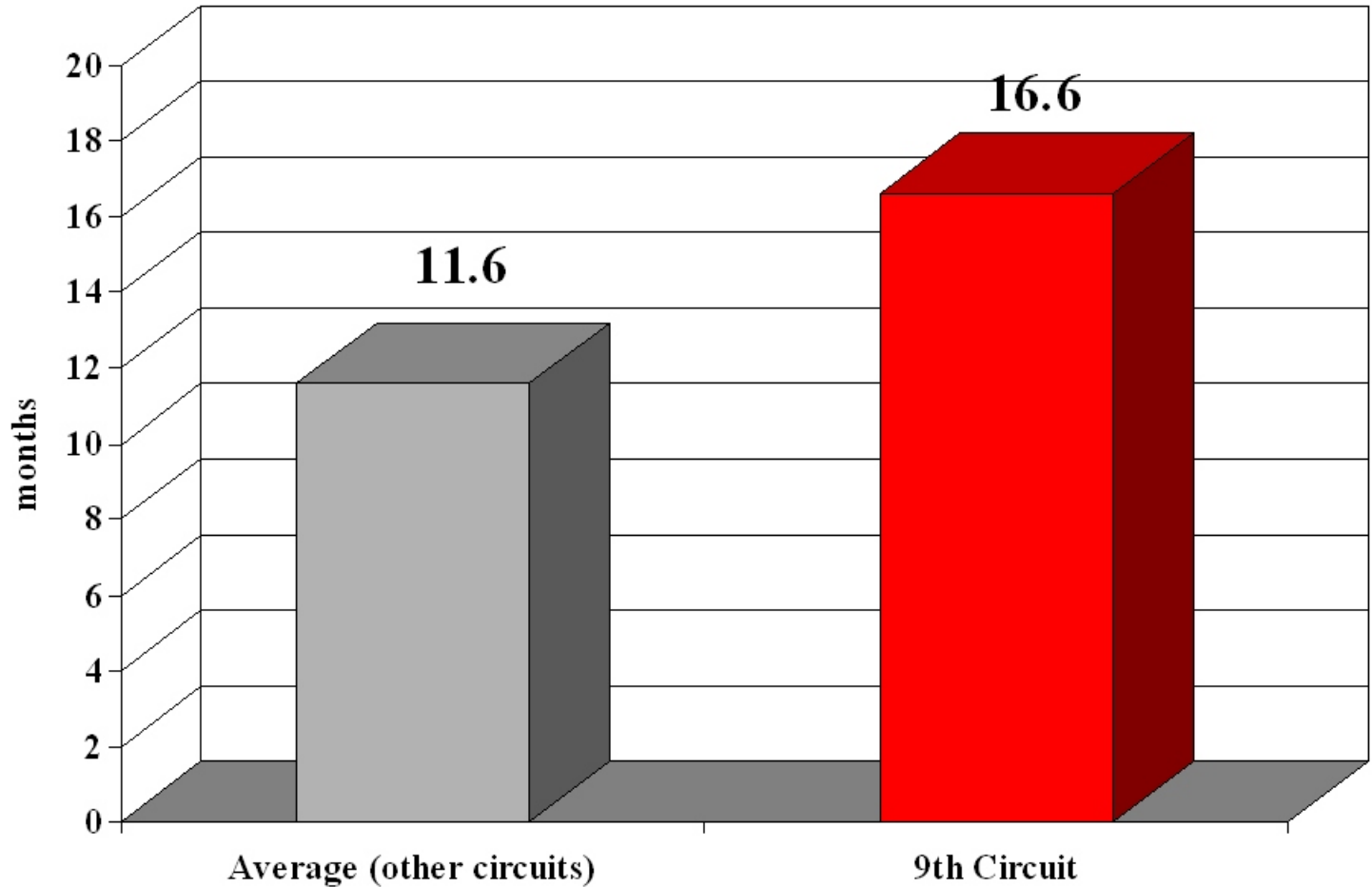
The Ninth Circuit is the slowest circuit in the disposition of appeals.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html.

Exhibit 20

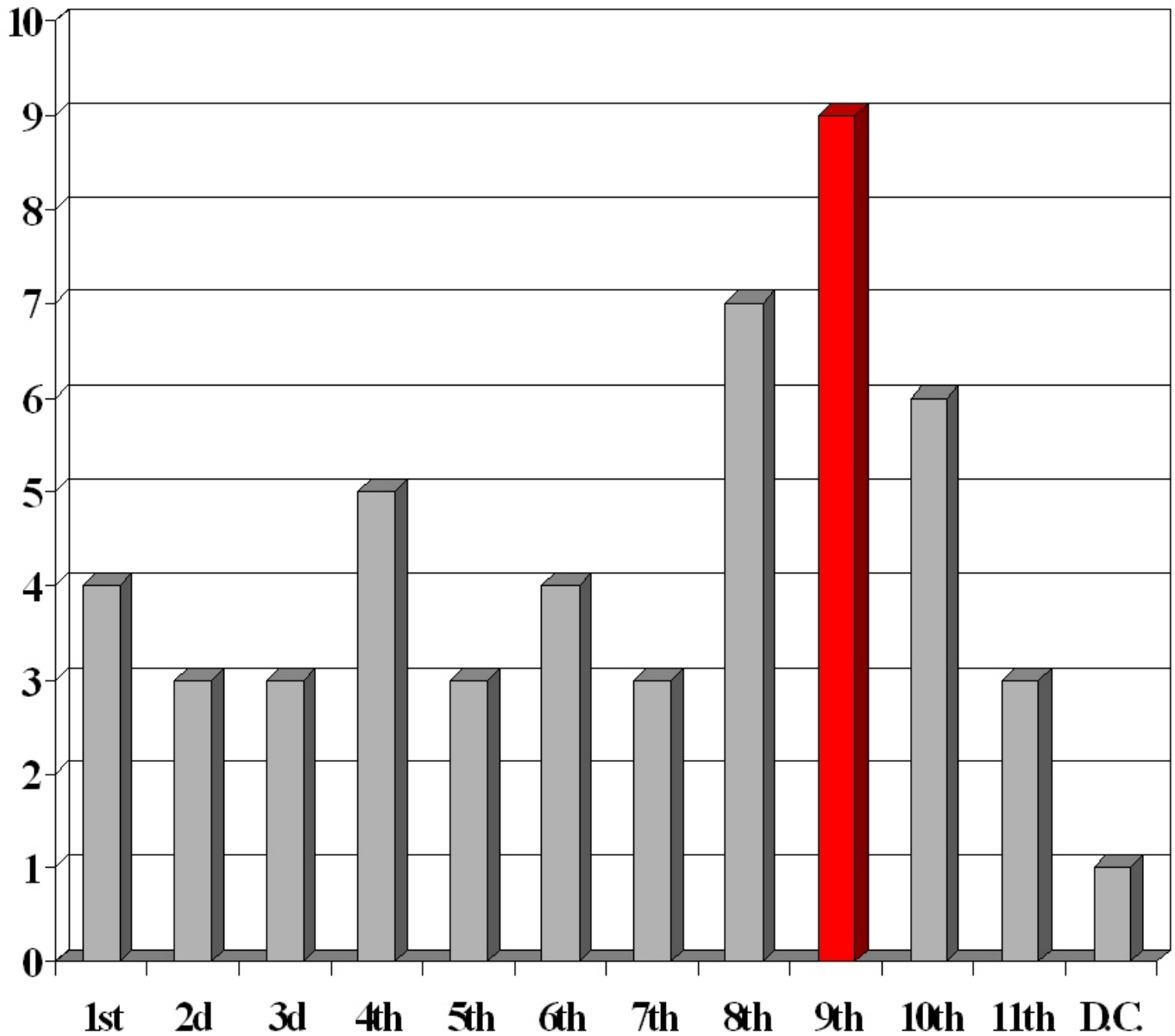
The Ninth Circuit takes over 40% longer to dispose of an appeal than the average of all other circuits.



SOURCE: Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html. Exhibit represents the median time from filing of the notice of appeal to final disposition.

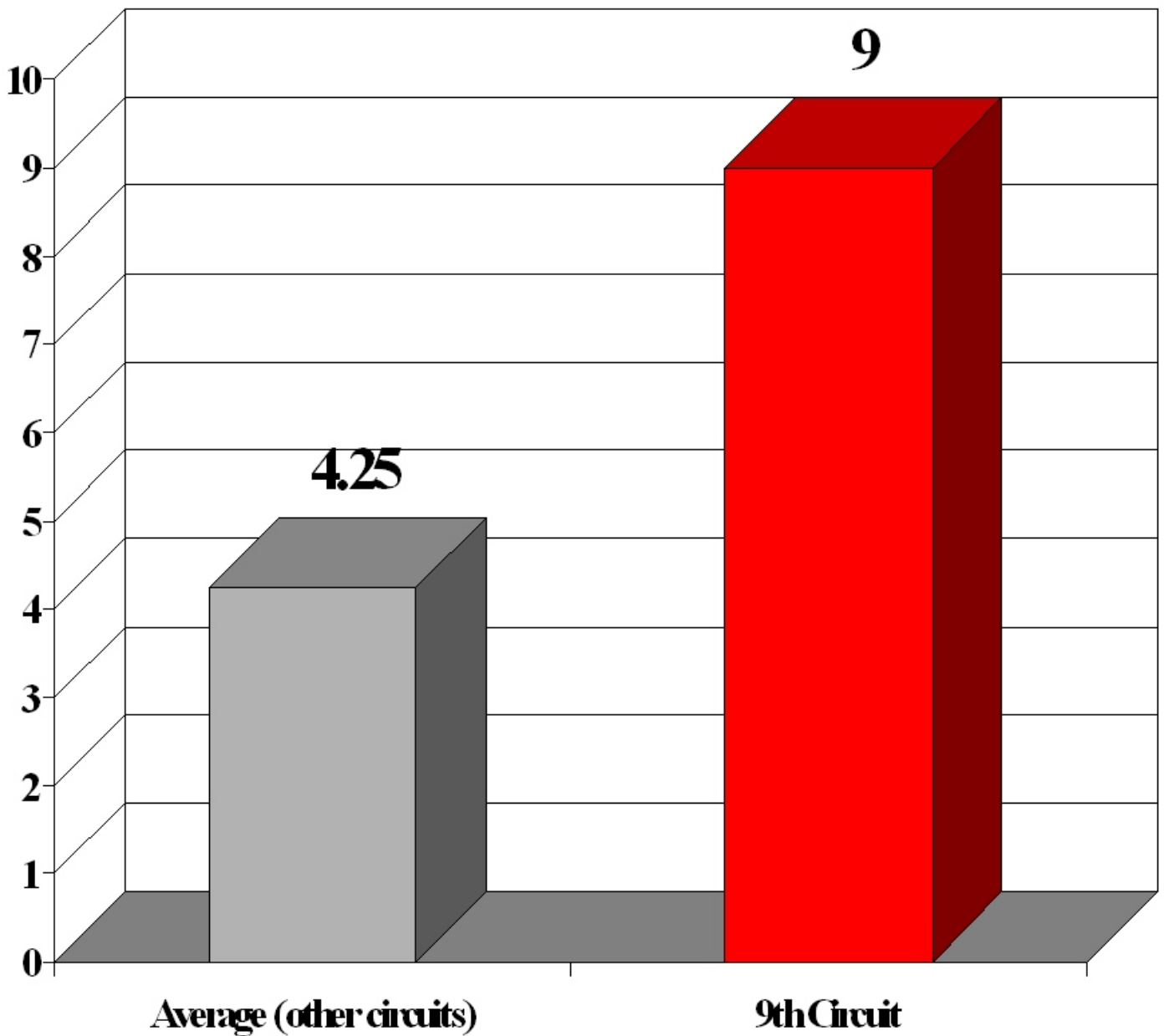
Exhibit 21

The Ninth Circuit encompasses more states than any other circuit.



SOURCE: 28 U.S.C. § 41 (2004).

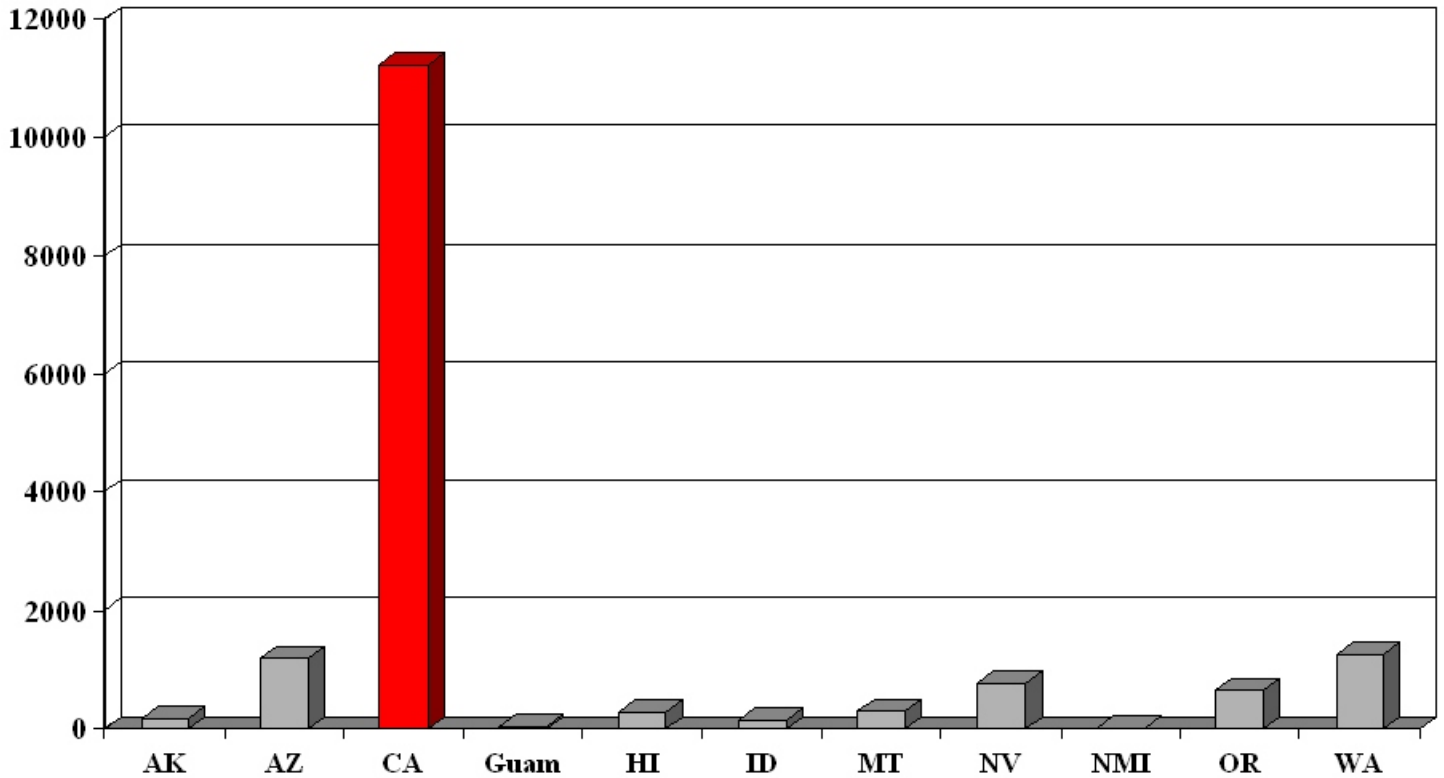
The Ninth Circuit has more than double the average number of states of all other circuits.



SOURCE: 28 U.S.C. § 41 (2004).

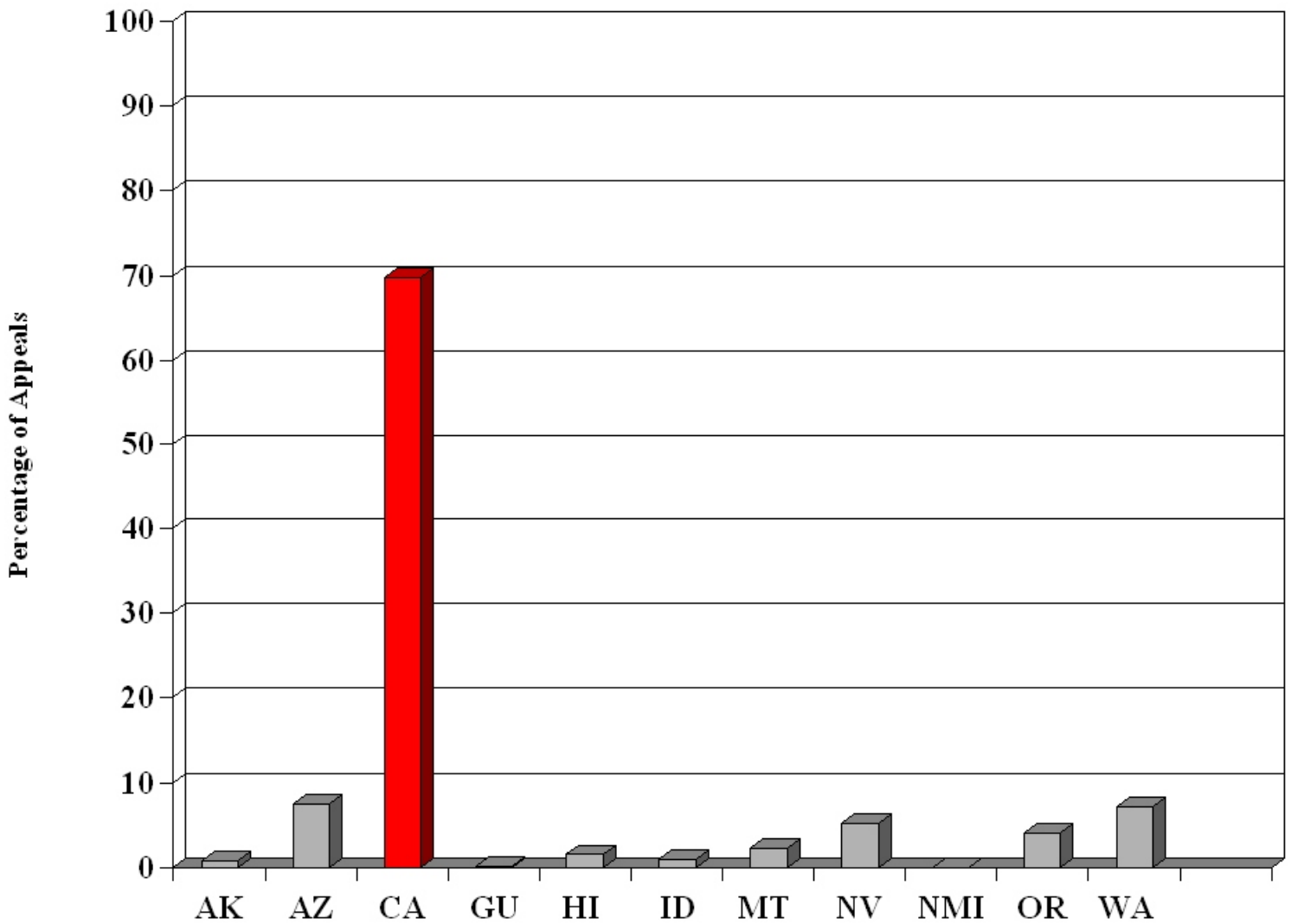
Exhibit 23

California alone accounts for nearly seventy percent of all appeals filed within the Ninth Circuit.



SOURCE: Ninth Circuit AIMS database.

No state other than California accounts for even 10% of the appeals filed within the Ninth Circuit.



SOURCE: Ninth Circuit AIMS database.

Exhibit 25

Judges, Population, and Appeals by State Within the Ninth Circuit, 2005

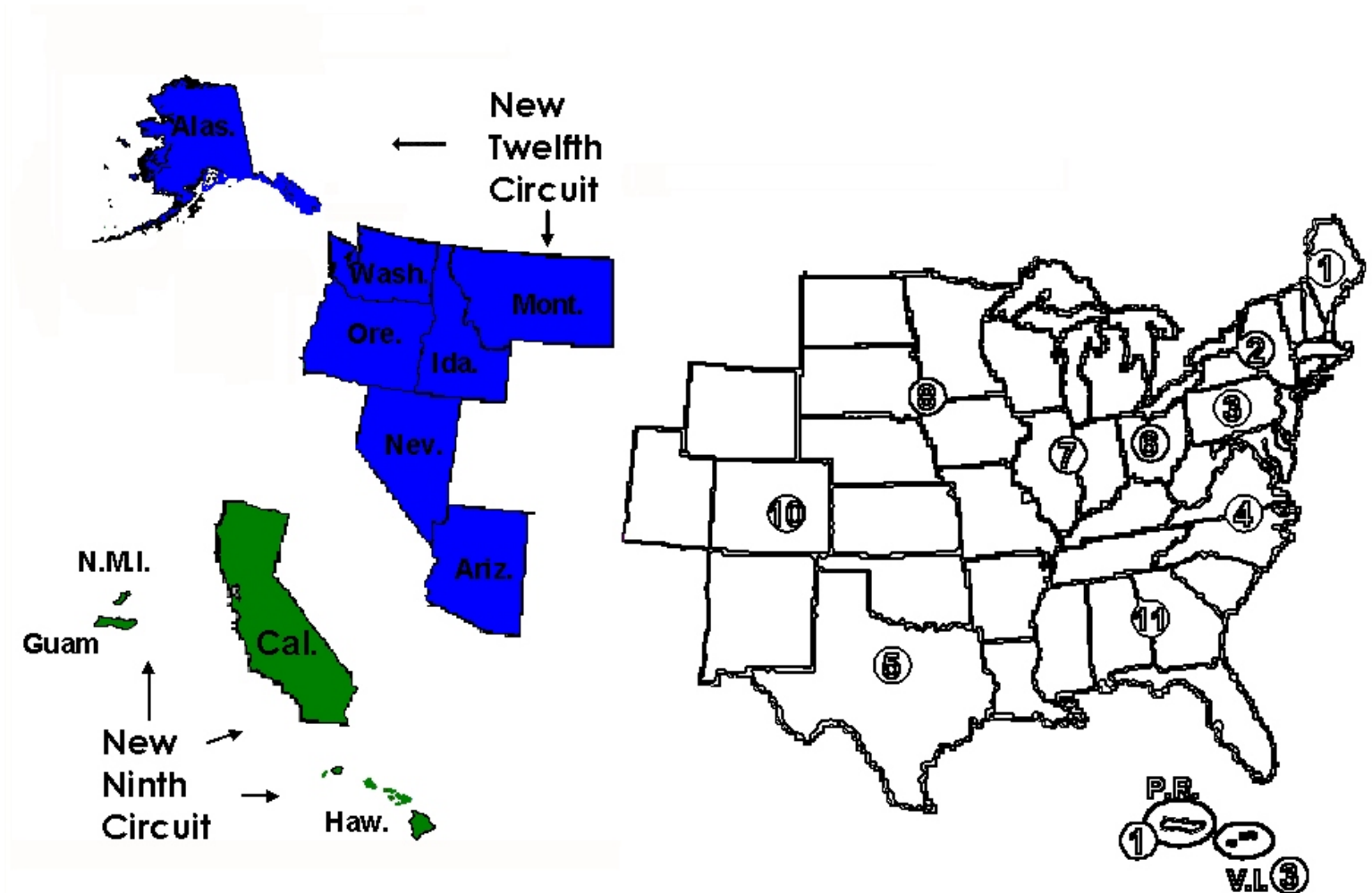
State	Current Circuit Judgeships	% Judgeships	Population*	% Pop.	Appeals	% Appeals
Alaska	1	3.6%	655,435	1.1%	172	1.1%
Arizona	3	10.7%	5,743,834	9.9%	1,204	7.5%
California	14	50.0%	35,893,799	61.6%	11,229	69.7%
Guam	0	0.0%	166,090	0.3%	42	0.3%
Hawaii	1	3.6%	1,262,840	2.2%	297	1.8%
Idaho	2**	7.1%	1,393,262	2.4%	149	0.9%
Montana	1	3.6%	926,865	1.6%	300	1.9%
Nevada	2	7.1%	2,334,771	4.0%	787	4.9%
N. Mariana Islands	0	0.0%	78,252	0.1%	15	0.1%
Oregon	2	7.1%	3,594,586	6.2%	653	4.1%
Washington	2	7.1%	6,203,788	10.6%	1,261	7.8%
TOTAL	28	100%	58,253,522	100%	16,109	100%

* All population figures were calculated using U.S. Census 2004 estimates.

** Includes two vacant judgeships for which nominees are currently pending.

SOURCE: 28 U.S.C. § 44 (2004); Ninth Circuit AIMS database; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

The Circuits After the Restructuring Proposed by S. 1845



Section 7 of the bill establishes Phoenix, Arizona, as the location of the Twelfth Circuit Headquarters.

S. 1845

Judges for the “New” Ninth Circuit After S. 1845’s Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Goodwin	Nixon	California	Pasadena	Senior
3. Wallace	Nixon	California	San Diego	Senior
4. Sneed	Nixon	California	San Francisco	Senior
5. Pregerson	Carter	California	Woodland Hills	ACTIVE
6. Alarcon	Carter	California	Los Angeles	Senior
7. Ferguson	Carter	California	Santa Ana	Senior
8. Nelson, D.	Carter	California	Pasadena	Senior
9. Boochever	Carter	California	Pasadena	Senior
10. Reinhardt	Carter	California	Los Angeles	ACTIVE
11. Hall	Reagan	California	Pasadena	Senior
12. Kozinski	Reagan	California	Pasadena	ACTIVE
13. Noonan	Reagan	California	San Francisco	Senior
14. Thompson	Reagan	California	San Diego	Senior
15. Fernandez	G.H.W. Bush	California	Pasadena	Senior
16. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
17. Tashima	Clinton	California	Pasadena	Senior
18. McKeown	Clinton	California	San Diego	ACTIVE
19. Wardlaw	Clinton	California	Pasadena	ACTIVE
20. Fletcher, W.	Clinton	California	San Francisco	ACTIVE
21. Fisher	Clinton	California	Pasadena	ACTIVE
22. Paez	Clinton	California	Pasadena	ACTIVE
23. Berzon	Clinton	California	San Francisco	ACTIVE
24. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
25. Callahan	G.W. Bush	California	Sacramento	ACTIVE
26. Bea	G.W. Bush	California	San Francisco	ACTIVE
27. M.Smith	G.W. Bush	California	Los Angeles	ACTIVE
28. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE
29. [New Judgeship]*	_____	California	_____	NEW
30. [New Judgeship]*	_____	California	_____	NEW
31. [New Judgeship]*	_____	California	_____	NEW
32. [New Judgeship]*	_____	California	_____	NEW
33. [New Judgeship]*	_____	California	_____	NEW
34. [Temp. Judgeship]**	_____	California	_____	TEMPORARY
35. [Temp. Judgeship]**	_____	California	_____	TEMPORARY

SUMMARY:	ACTIVE Judges	15
	Nominees Pending	+ 0
	Existing Judgeships	15
	New Judgeships	+ 5
	Permanent Judgeships	20
	Temporary Judgeships	+ 2
	Authorized Judgeships	22
	Senior Judges	+ 13
	TOTAL	35

*New judgeship created by S. 1845

**Temporary judgeship not to be filled after 10 years

S. 1845

Judges for the New Twelfth Circuit After S. 1845's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Hug	Carter	Nevada	Reno	Senior
2. Skopil	Carter	Oregon	Portland	Senior
3. Fletcher, B.	Carter	Washington	Seattle	Senior
4. Schroeder	Carter	Arizona	Phoenix	ACTIVE
5. Farris	Carter	Washington	Seattle	Senior
6. Canby	Carter	Arizona	Phoenix	Senior
7. Beezer	Reagan	Washington	Seattle	Senior
8. Brunetti	Reagan	Nevada	Reno	Senior
9. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
10. Leavy	Reagan	Oregon	Portland	Senior
11. Trott	Reagan	Idaho	Boise	Senior
12. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
13. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
14. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
15. Thomas	Clinton	Montana	Billings	ACTIVE
16. Silverman	Clinton	Arizona	Phoenix	ACTIVE
17. Graber	Clinton	Oregon	Portland	ACTIVE
18. Gould	Clinton	Washington	Seattle	ACTIVE
19. Tallman	Clinton	Washington	Seattle	ACTIVE
20. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
21. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
22. [Myers]	G.W. Bush	Idaho	Boise	Nominee
23. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	11
	Nominees Pending	+ 2
	Existing Judgeships	13
	New Judgeships	+ 0*
	Authorized Judgeships	13*
	Senior Judges	+ 10
	TOTAL	23

* S. 1845 specifies 14 authorized judgeships for the Twelfth Circuit but does not explicitly create a new one. This appears to be an error.

S. 1845

S. 1845's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judges	% Judges	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
Third	14	8.4%	22,044,310	7.4%	4,705	6.7%	336
Fourth	15	9.0%	27,572,528	9.3%	5,362	7.7%	357
Fifth	17	10.2%	29,908,758	10.0%	9,411	13.4%	554
Sixth	16	9.6%	31,618,515	10.6%	5,429	7.8%	339
Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
Eighth	11	6.7%	19,715,119	6.6%	3,601	5.1%	327
Ninth	28	16.8%	58,253,522	19.6%	16,101	23.0%	575
Tenth	12	7.2%	15,659,315	5.3%	2,857	4.1%	238
Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
“New” Ninth**	22	13.2%	37,400,981	12.6%	11,583	16.5%	527
Twelfth**	13	7.8%	20,852,541	7.0%	4,526	6.5%	348

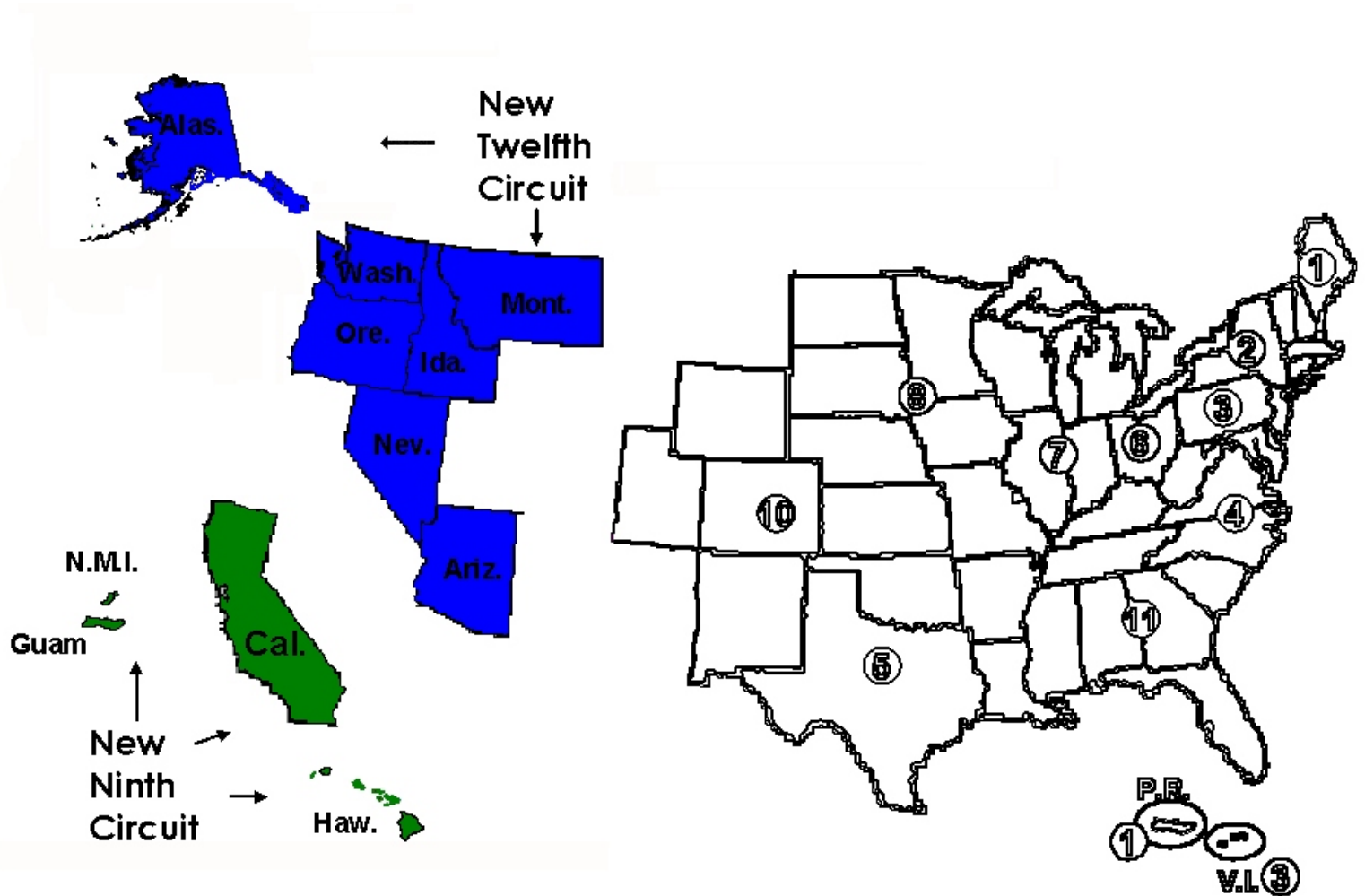
* All population figures are based on U.S. Census 2004 estimates. The total population for the United States, Puerto Rico, Guam, the Virgin Islands, and the Northern Mariana Islands in 2004 was estimated at 297,903,376.

** “New” Ninth and Twelfth Circuits based on alignments and additional judgeships as proposed by S. 1845. Percent judges for reconfigured circuits based on a total of 174 judges. Number of judges for new Twelfth Circuit omits the additional judgeship not expressly created by S. 1845, although the bill authorizes a total of 14 judgeships for the new circuit.

SOURCE: 28 U.S.C. § 44; Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

S. 1845

The Circuits After the Restructuring Proposed by H.R. 4093



H.R. 4093

Exhibit 31

Judges for the “New” Ninth Circuit After H.R. 4093’s Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Goodwin	Nixon	California	Pasadena	Senior
3. Wallace	Nixon	California	San Diego	Senior
4. Sneed	Nixon	California	San Francisco	Senior
5. Pregerson	Carter	California	Woodland Hills	ACTIVE
6. Alarcon	Carter	California	Los Angeles	Senior
7. Ferguson	Carter	California	Santa Ana	Senior
8. Nelson, D.	Carter	California	Pasadena	Senior
9. Boochever	Carter	California	Pasadena	Senior
10. Reinhardt	Carter	California	Los Angeles	ACTIVE
11. Hall	Reagan	California	Pasadena	Senior
12. Kozinski	Reagan	California	Pasadena	ACTIVE
13. Noonan	Reagan	California	San Francisco	Senior
14. Thompson	Reagan	California	San Diego	Senior
15. Fernandez	G.H.W. Bush	California	Pasadena	Senior
16. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
17. Tashima	Clinton	California	Pasadena	Senior
18. McKeown	Clinton	California	San Diego	ACTIVE
19. Wardlaw	Clinton	California	Pasadena	ACTIVE
20. Fletcher, W.	Clinton	California	San Francisco	ACTIVE
21. Fisher	Clinton	California	Pasadena	ACTIVE
22. Paez	Clinton	California	Pasadena	ACTIVE
23. Berzon	Clinton	California	San Francisco	ACTIVE
24. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
25. Callahan	G.W. Bush	California	Sacramento	ACTIVE
26. Bea	G.W. Bush	California	San Francisco	ACTIVE
27. M.Smith	G.W. Bush	California	Los Angeles	ACTIVE
28. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE
29. [New Judgeship]*	_____	California	_____	NEW
30. [New Judgeship]*	_____	California	_____	NEW
31. [New Judgeship]*	_____	California	_____	NEW
32. [New Judgeship]*	_____	California	_____	NEW
33. [New Judgeship]*	_____	California	_____	NEW
34. [Temp. Judgeship]**	_____	California	_____	TEMPORARY
35. [Temp. Judgeship]**	_____	California	_____	TEMPORARY

SUMMARY:	ACTIVE Judges	15
	Nominees Pending	+ 0
	Existing Judgeships	15
	New Judgeships	+ 5
	Permanent Judgeships	20***
	Temporary Judgeships	+ 2
	Authorized Judgeships	22
	Senior Judges	+ 13
	TOTAL	35

*New judgeship created by H.R. 4093

**Temporary judgeship not to be filled after 10 years

***H.R. 4093 authorizes only 19 judgeships, but such number appears to be a mistake because it would represent a reduction of one judgeship as compared to the circuit’s current composition.

H.R. 4093

Judges for the New Twelfth Circuit After H.R. 4093's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Hug	Carter	Nevada	Reno	Senior
2. Skopil	Carter	Oregon	Portland	Senior
3. Fletcher, B.	Carter	Washington	Seattle	Senior
4. Schroeder	Carter	Arizona	Phoenix	ACTIVE
5. Farris	Carter	Washington	Seattle	Senior
6. Canby	Carter	Arizona	Phoenix	Senior
7. Beezer	Reagan	Washington	Seattle	Senior
8. Brunetti	Reagan	Nevada	Reno	Senior
9. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
10. Leavy	Reagan	Oregon	Portland	Senior
11. Trott	Reagan	Idaho	Boise	Senior
12. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
13. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
14. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
15. Thomas	Clinton	Montana	Billings	ACTIVE
16. Silverman	Clinton	Arizona	Phoenix	ACTIVE
17. Graber	Clinton	Oregon	Portland	ACTIVE
18. Gould	Clinton	Washington	Seattle	ACTIVE
19. Tallman	Clinton	Washington	Seattle	ACTIVE
20. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
21. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
22. [Myers]	G.W. Bush	Idaho	Boise	Nominee
23. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	11
	Nominees Pending	+ 2
	Existing Judgeships	13
	New Judgeships	+ 0*
	Authorized Judgeships	13*
	Senior Judges	+ 10
	TOTAL	23

* H.R. 4093 specifies 14 authorized judgeships for the Twelfth Circuit but does not explicitly create a new one. This appears to be an error.

H.R. 4093

Exhibit 33

H.R. 4093's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judges	% Judges	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
Third	14	8.4%	22,044,310	7.4%	4,705	6.7%	336
Fourth	15	9.0%	27,572,528	9.3%	5,362	7.7%	357
Fifth	17	10.2%	29,908,758	10.0%	9,411	13.4%	554
Sixth	16	9.6%	31,618,515	10.6%	5,429	7.8%	339
Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
Eighth	11	6.7%	19,715,119	6.6%	3,601	5.1%	327
Ninth	28	16.8%	58,253,522	19.6%	16,101	23.0%	575
Tenth	12	7.2%	15,659,315	5.3%	2,857	4.1%	238
Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
“New” Ninth**	22	13.2%	37,400,981	12.6%	11,583	16.5%	527
Twelfth**	13	7.8%	20,852,541	7.0%	4,526	6.5%	348

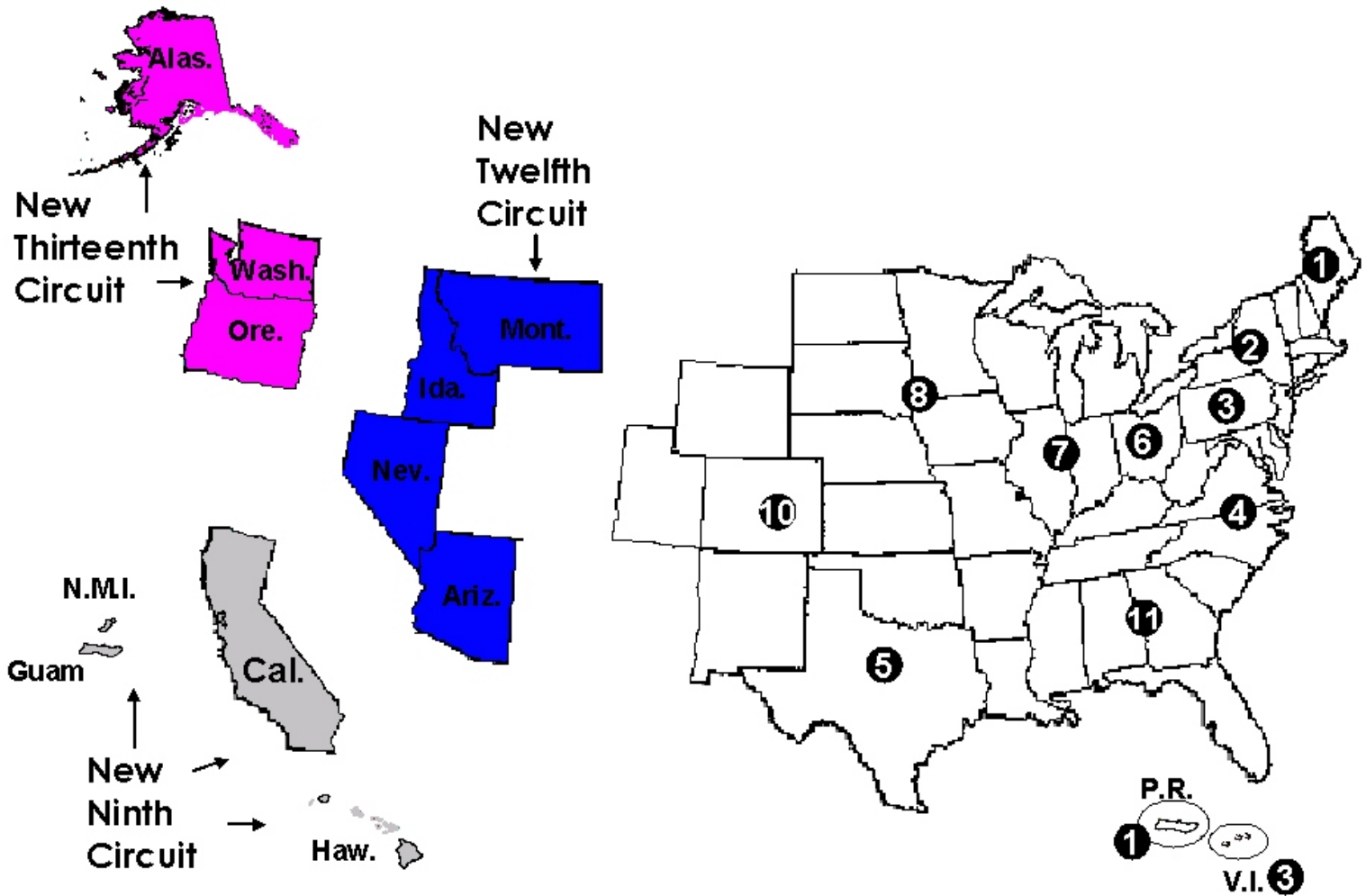
* All population figures are based on U.S. Census 2004 estimates. The total population for the United States, Puerto Rico, Guam, the Virgin Islands, and the Northern Mariana Islands in 2004 was estimated at 297,903,376.

** “New” Ninth and Twelfth Circuits based on alignments and additional judgeships as proposed by H.R. 4093. Percent judges for reconfigured circuits based on a total of 174 judges. Number of judges for new Twelfth Circuit omits the additional judgeship not expressly created by H.R. 4093, although the bill authorizes a total of 14 judgeships for the new circuit.

SOURCE: 28 U.S.C. § 44; Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html. U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

H.R. 4093

**The Circuits After the Restructuring Proposed by
H.R. 211 and S. 1301
(passed by the House on October 5, 2004, as S. 878)**



H.R. 211 & S. 1301

Judges for the “New” Ninth Circuit After H.R. 211’s and S. 1301’s Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Goodwin	Nixon	California	Pasadena	Senior
3. Wallace	Nixon	California	San Diego	Senior
4. Sneed	Nixon	California	San Francisco	Senior
5. Pregerson	Carter	California	Woodland Hills	ACTIVE
6. Alarcon	Carter	California	Los Angeles	Senior
7. Ferguson	Carter	California	Santa Ana	Senior
8. Nelson, D.	Carter	California	Pasadena	Senior
9. Boochever	Carter	California	Pasadena	Senior
10. Reinhardt	Carter	California	Los Angeles	ACTIVE
11. Hall	Reagan	California	Pasadena	Senior
12. Kozinski	Reagan	California	Pasadena	ACTIVE
13. Noonan	Reagan	California	San Francisco	Senior
14. Thompson	Reagan	California	San Diego	Senior
15. Fernandez	G.H.W. Bush	California	Pasadena	Senior
16. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
17. Tashima	Clinton	California	Pasadena	Senior
18. McKeown	Clinton	California	San Diego	ACTIVE
19. Wardlaw	Clinton	California	Pasadena	ACTIVE
20. Fletcher, W.	Clinton	California	San Francisco	ACTIVE
21. Fisher	Clinton	California	Pasadena	ACTIVE
22. Paez	Clinton	California	Pasadena	ACTIVE
23. Berzon	Clinton	California	San Francisco	ACTIVE
24. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
25. Callahan	G.W. Bush	California	Sacramento	ACTIVE
26. Bea	G.W. Bush	California	San Francisco	ACTIVE
27. M. Smith	G.W. Bush	California	Los Angeles	ACTIVE
28. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE
29. [Future vacancy]*		California	--	Vacancy
30. [Future vacancy]*		California	--	Vacancy
31. [Future vacancy]*		California	--	Vacancy
32. [Future vacancy]*		California	--	Vacancy
33. [Future vacancy]*		California	--	Vacancy
34. [Future temporary vacancy]**		California	--	Vacancy
35. [Future temporary vacancy]**		California	--	Vacancy

SUMMARY:	ACTIVE Judges	15
	Nominees pending	+ 0
	Existing Judgeships	15
	New Judgeships	+ 5
	Permanent Judgeships	20
	Temporary Judgeships	+ 2
	Authorized Judgeships	22
	Senior Judges	+ 13
	TOTAL	35

* New judgeship created by H.R. 211 and S. 1301

** Temporary judgeship not to be filled after 10 years

H.R. 211 & S. 1301

Judges for the New Twelfth Circuit After H.R. 211's and S. 1301's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Hug	Carter	Nevada	Reno	Senior
2. Schroeder	Carter	Arizona	Phoenix	ACTIVE
3. Canby	Carter	Arizona	Phoenix	Senior
4. Brunetti	Reagan	Nevada	Reno	Senior
5. Trott	Reagan	Idaho	Boise	Senior
6. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
7. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
8. Thomas	Clinton	Montana	Billings	ACTIVE
9. Silverman	Clinton	Arizona	Phoenix	ACTIVE
10. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
11. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
12. [Myers]	G.W. Bush	Idaho	Boise	Nominee
13. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	6
	Nominees	+ 2
	Existing Judgeships	8
	New Judgeships	+ 0
	Authorized Judgeships	8
	Senior Judges	+ 5
	TOTAL	13

H.R. 211 & S. 1301

Judges for the New Thirteenth Circuit After H.R. 211's and S. 1301's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Skopil	Carter	Oregon	Portland	Senior
2. Fletcher, B.	Carter	Washington	Seattle	Senior
3. Farris	Carter	Washington	Seattle	Senior
4. Beezer	Reagan	Washington	Seattle	Senior
5. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
6. Leavy	Reagan	Oregon	Portland	Senior
7. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
8. Graber	Clinton	Oregon	Portland	ACTIVE
9. Gould	Clinton	Washington	Seattle	ACTIVE
10. Tallman	Clinton	Washington	Seattle	ACTIVE

SUMMARY:	ACTIVE Judges	5
	Vacancies	+ 0
	Existing Judges	5
	New Judgeships	+ 0
	Authorized Judgeships	5
	Senior Judges	+ 5
	TOTAL	10

H.R. 211 & S. 1301

H.R. 211's and S. 1301's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judgeships	% Judgeships	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
Third	14	8.4%	22,044,310	7.4%	4,705	6.7%	336
Fourth	15	9.0%	27,572,528	9.3%	5,362	7.7%	357
Fifth	17	10.2%	29,908,758	10.0%	9,411	13.4%	554
Sixth	16	9.6%	31,618,515	10.6%	5,429	7.8%	339
Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
Eighth	11	6.7%	19,715,119	6.6%	3,601	5.1%	327
Ninth	28	16.8%	58,253,522	19.6%	16,101	23.0%	575
Tenth	12	7.2%	15,659,315	5.3%	2,857	4.1%	238
Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
"New" Ninth**	22	12.6%	37,400,981	12.6%	11,583	16.5%	527
Twelfth**	8	4.6%	10,398,732	3.5%	2,440	3.5%	305
Thirteenth**	5	2.9%	10,453,809	3.5%	2,086	3.0%	417

* All population figures are based on U.S. Census 2004 estimates. The total U.S. population in 2004 (excluding Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands) was estimated at 293,655,404.

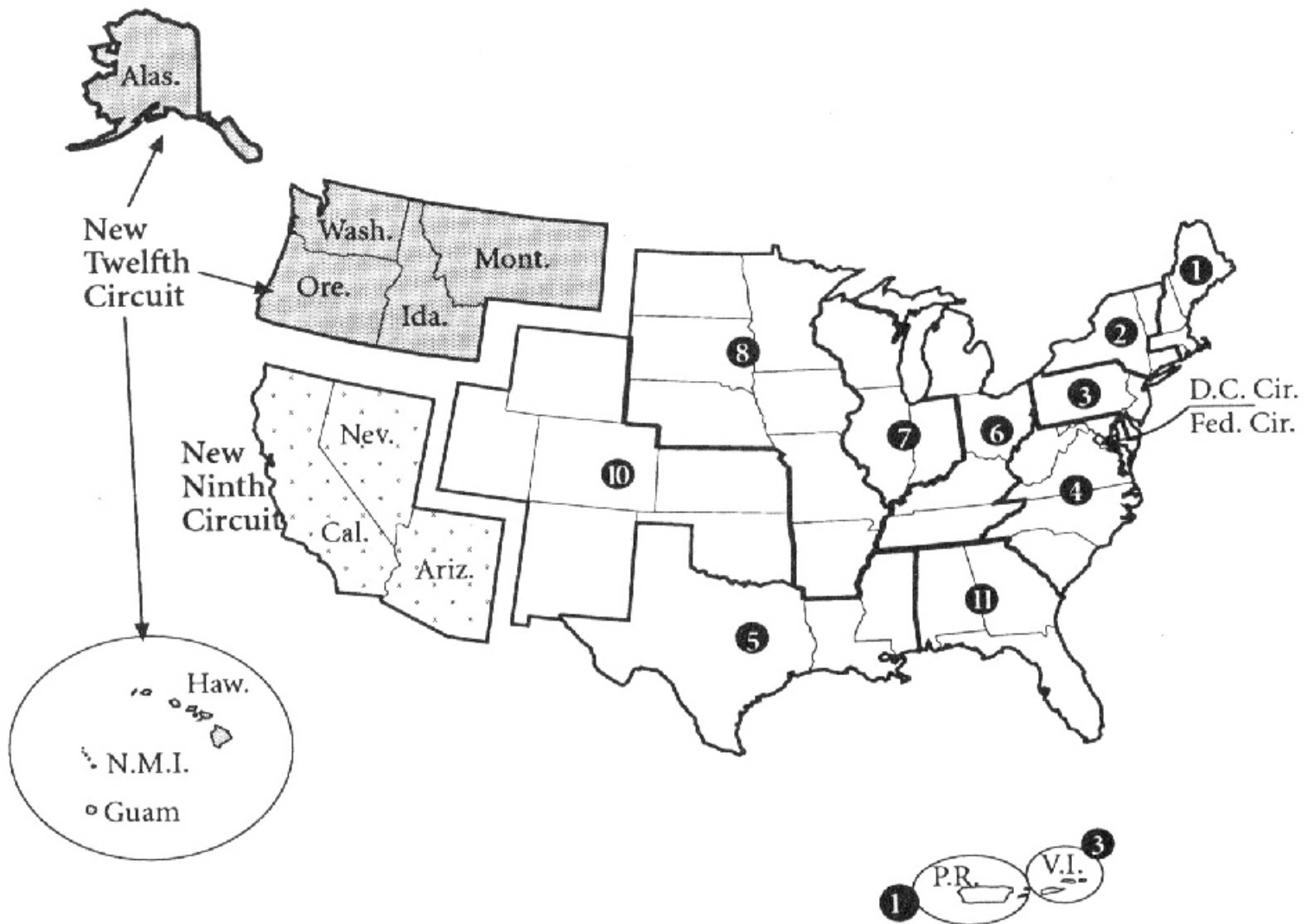
** "New" Ninth, Twelfth, and Thirteenth Circuits based on alignments and additional judgeships as proposed by H.R. 211 and S. 1301. Percent judges for reconfigured circuits based on a total of 174 judges.

SOURCE: 28 U.S.C. § 44 (2004); Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

H.R. 211 & S. 1301

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The Circuits After the Restructuring Proposed by H.R. 212



H.R. 212

Judges for the “New” Ninth Circuit After H.R. 212’s Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Goodwin	Nixon	California	Pasadena	Senior
3. Wallace	Nixon	California	San Diego	Senior
4. Sneed	Nixon	California	San Francisco	Senior
5. Hug	Carter	Nevada	Reno	Senior
6. Schroeder	Carter	Arizona	Phoenix	ACTIVE
7. Pregerson	Carter	California	Woodland Hills	ACTIVE
8. Alarcon	Carter	California	Los Angeles	Senior
9. Ferguson	Carter	California	Santa Ana	Senior
10. Nelson, D.	Carter	California	Pasadena	Senior
11. Canby	Carter	Arizona	Phoenix	Senior
12. Boochever	Carter	California	Pasadena	Senior
13. Reinhardt	Carter	California	Los Angeles	ACTIVE
14. Hall	Reagan	California	Pasadena	Senior
15. Brunetti	Reagan	Nevada	Reno	Senior
16. Kozinski	Reagan	California	Pasadena	ACTIVE
17. Noonan	Reagan	California	San Francisco	Senior
18. Thompson	Reagan	California	San Diego	Senior
19. Fernandez	G.H.W. Bush	California	Pasadena	Senior
20. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
21. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
22. Tashima	Clinton	California	Pasadena	Senior
23. Silverman	Clinton	Arizona	Phoenix	ACTIVE
24. McKeown	Clinton	California	San Diego	ACTIVE
25. Wardlaw	Clinton	California	Pasadena	ACTIVE
26. Fletcher, W.	Clinton	California	San Francisco	ACTIVE
27. Fisher	Clinton	California	Pasadena	ACTIVE
28. Paez	Clinton	California	Pasadena	ACTIVE
29. Berzon	Clinton	California	San Francisco	ACTIVE
30. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
31. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
32. Callahan	G.W. Bush	California	Sacramento	ACTIVE
33. Bea	G.W. Bush	California	San Francisco	ACTIVE
34. M. Smith	G.W. Bush	California	Los Angeles	ACTIVE
35. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE
36. [Future vacancy]*		--	--	Vacancy
37. [Future vacancy]*		--	--	Vacancy
38. [Future vacancy]*		--	--	Vacancy
39. [Future vacancy]*		--	--	Vacancy
40. [Future vacancy]*		--	--	Vacancy
41. [Future temporary vacancy]**		--	--	Vacancy
42. [Future temporary vacancy]**		--	--	Vacancy

SUMMARY:	ACTIVE Judges	19
	Nominees	+ 0
	Existing Judgeships	19
	New Judgeships	+ 5
	Permanent Judgeships	24
	Temporary Judgeships	+ 2
	Authorized Judgeships	26
	Senior Judges	+ 16
	TOTAL	42

* New judgeship created by H.R. 212

** Temporary judgeship not to be filled after 10 years

H.R. 212

Judges for the New Twelfth Circuit After H.R. 212's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Skopil	Carter	Oregon	Portland	Senior
2. Fletcher, B.	Carter	Washington	Seattle	Senior
3. Farris	Carter	Washington	Seattle	Senior
4. Beezer	Reagan	Washington	Seattle	Senior
5. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
6. Leavy	Reagan	Oregon	Portland	Senior
7. Trott	Reagan	Idaho	Boise	Senior
8. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
9. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
10. Thomas	Clinton	Montana	Billings	ACTIVE
11. Graber	Clinton	Oregon	Portland	ACTIVE
12. Gould	Clinton	Washington	Seattle	ACTIVE
13. Tallman	Clinton	Washington	Seattle	ACTIVE
14. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
15. [Myers]	G.W. Bush	Idaho	Boise	Nominee
16. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	7
	Nominees	+ 2
	Existing Judgeships	9
	New Judgeships	+ 0
	Authorized Judgeships	9
	Senior Judges	+ 7
	TOTAL	16

H.R. 212

Exhibit 42

H.R. 212's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judgeships	% Judgeships	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
Third	14	8.4%	22,044,310	7.4%	4,705	6.7%	336
Fourth	15	9.0%	27,572,528	9.3%	5,362	7.7%	357
Fifth	17	10.2%	29,908,758	10.0%	9,411	13.4%	554
Sixth	16	9.6%	31,618,515	10.6%	5,429	7.8%	339
Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
Eighth	11	6.7%	19,715,119	6.6%	3,601	5.1%	327
Ninth	28	16.8%	58,253,522	19.6%	16,101	23.0%	575
Tenth	12	7.2%	15,659,315	5.3%	2,857	4.1%	238
Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
"New" Ninth**	26	14.9%	43,972,404	14.8%	13,220	18.9%	508
Twelfth**	9	5.2%	14,281,118	4.8%	2,889	4.1%	321

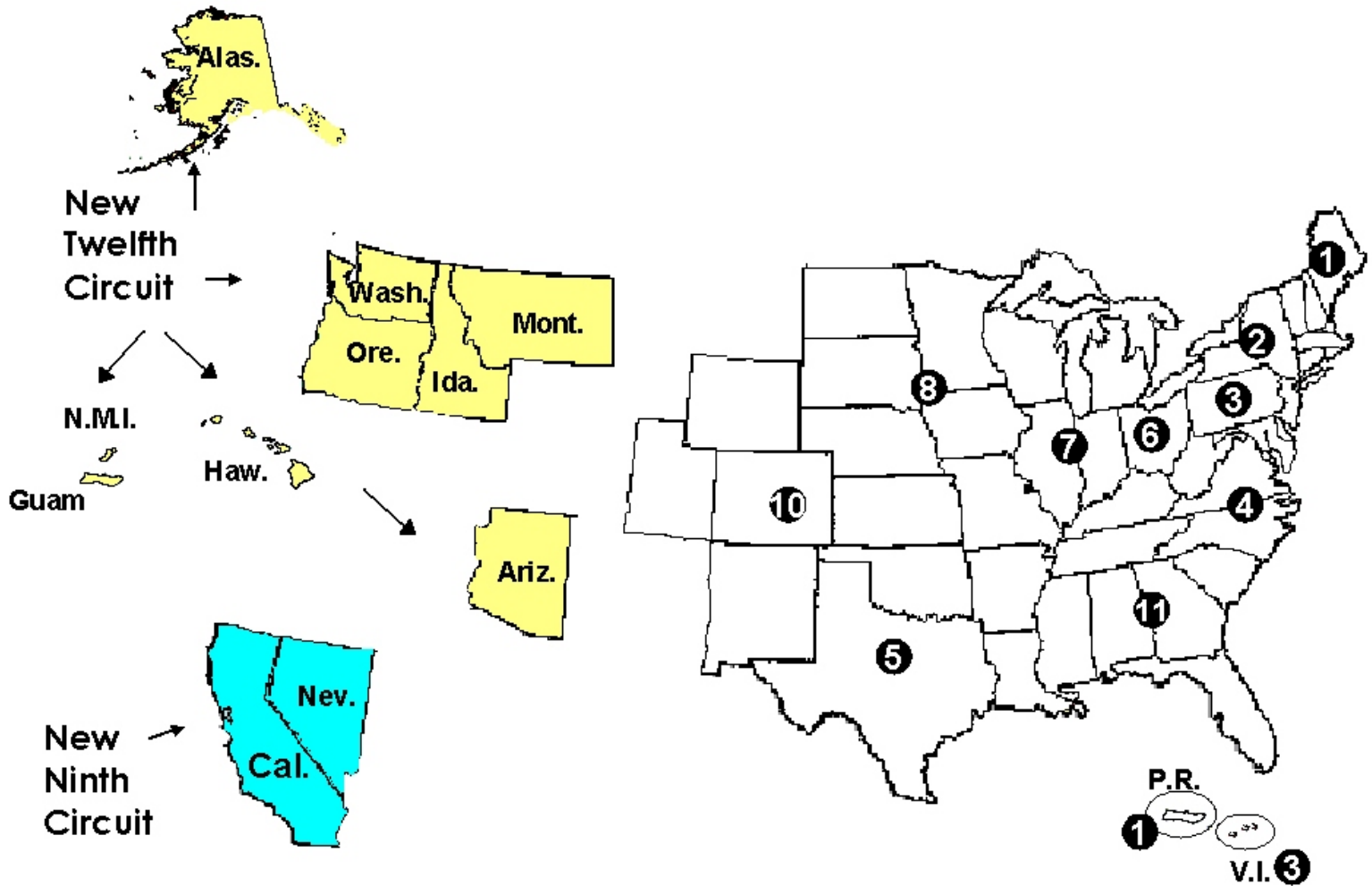
* All population figures are based on U.S. Census 2004 estimates. The total U.S. population in 2004 (excluding Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands) was estimated at 293,655,404.

** "New" Ninth and Twelfth Circuits based on alignments and additional judgeships as proposed by H.R. 212. Percent judges for reconfigured circuits based on a total of 174 judges.

SOURCE: 28 U.S.C. § 44 (2004); Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

H.R. 212

The Circuits After the Restructuring Proposed by S. 1022 (passed by the Senate on July 29, 1997)



S. 1022 (1997)

Judges for the “New” Ninth Circuit After S. 1022’s Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Goodwin	Nixon	California	Pasadena	Senior
3. Wallace	Nixon	California	San Diego	Senior
4. Sneed	Nixon	California	San Francisco	Senior
5. Hug	Carter	Nevada	Reno	Senior
6. Pregerson	Carter	California	Woodland Hills	ACTIVE
7. Alarcon	Carter	California	Los Angeles	Senior
8. Ferguson	Carter	California	Santa Ana	Senior
9. Nelson, D.	Carter	California	Pasadena	Senior
10. Boochever	Carter	California	Pasadena	Senior
11. Reinhardt	Carter	California	Los Angeles	ACTIVE
12. Hall	Reagan	California	Pasadena	Senior
13. Brunetti	Reagan	Nevada	Reno	Senior
14. Kozinski	Reagan	California	Pasadena	ACTIVE
15. Noonan	Reagan	California	San Francisco	Senior
16. Thompson	Reagan	California	San Diego	Senior
17. Fernandez	G.H.W. Bush	California	Pasadena	Senior
18. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
19. Tashima	Clinton	California	Pasadena	Senior
20. McKeown	Clinton	California	San Diego	ACTIVE
21. Wardlaw	Clinton	California	Pasadena	ACTIVE
22. Fletcher, W.	Clinton	California	San Francisco	ACTIVE
23. Fisher	Clinton	California	Pasadena	ACTIVE
24. Paez	Clinton	California	Pasadena	ACTIVE
25. Berzon	Clinton	California	San Francisco	ACTIVE
26. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
27. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
28. Callahan	G.W. Bush	California	Sacramento	ACTIVE
29. Bea	G.W. Bush	California	San Francisco	ACTIVE
30. M.Smith	G.W. Bush	California	Los Angeles	ACTIVE
31. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE

SUMMARY:	ACTIVE Judges	16
	Nominees	+ 0
	Existing Judgeships	16
	New Judgeships	+ 0
	Authorized Judgeships	16
	Senior Judges	+ 15
	TOTAL	31

S. 1022 (1997)

Judges for the New Twelfth Circuit After S. 1022's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Skopil	Carter	Oregon	Portland	Senior
2. Fletcher, B.	Carter	Washington	Seattle	Senior
3. Schroeder	Carter	Arizona	Phoenix	ACTIVE
4. Farris	Carter	Washington	Seattle	Senior
5. Canby	Carter	Arizona	Phoenix	Senior
6. Beezer	Reagan	Washington	Seattle	Senior
7. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
8. Leavy	Reagan	Oregon	Portland	Senior
9. Trott	Reagan	Idaho	Boise	Senior
10. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
11. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
12. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
13. Thomas	Clinton	Montana	Billings	ACTIVE
14. Silverman	Clinton	Arizona	Phoenix	ACTIVE
15. Graber	Clinton	Oregon	Portland	ACTIVE
16. Gould	Clinton	Washington	Seattle	ACTIVE
17. Tallman	Clinton	Washington	Seattle	ACTIVE
18. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
19. [Myers]	G.W. Bush	Idaho	Boise	Nominee
20. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	10
	Nominees	+ 2
	Existing Judgeships	12
	New Judgeships	+ 0
	Authorized Judgeships	12
	Senior Judges	+ 8
	TOTAL	20

S. 1022 (1997)

S. 1022's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judgeships	% Judgeships	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
Third	14	8.4%	22,044,310	7.4%	4,705	6.7%	336
Fourth	15	9.0%	27,572,528	9.3%	5,362	7.7%	357
Fifth	17	10.2%	29,908,758	10.0%	9,411	13.4%	554
Sixth	16	9.6%	31,618,515	10.6%	5,429	7.8%	339
Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
Eighth	11	6.7%	19,715,119	6.6%	3,601	5.1%	327
Ninth	28	16.8%	58,253,522	19.6%	16,101	23.0%	575
Tenth	12	7.2%	15,659,315	5.3%	2,857	4.1%	238
Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
"New" Ninth**	23	13.2%	38,228,570	12.8%	12,016	17.2%	522
Twelfth**	12	6.9%	20,024,952	6.7%	4,093	5.8%	341

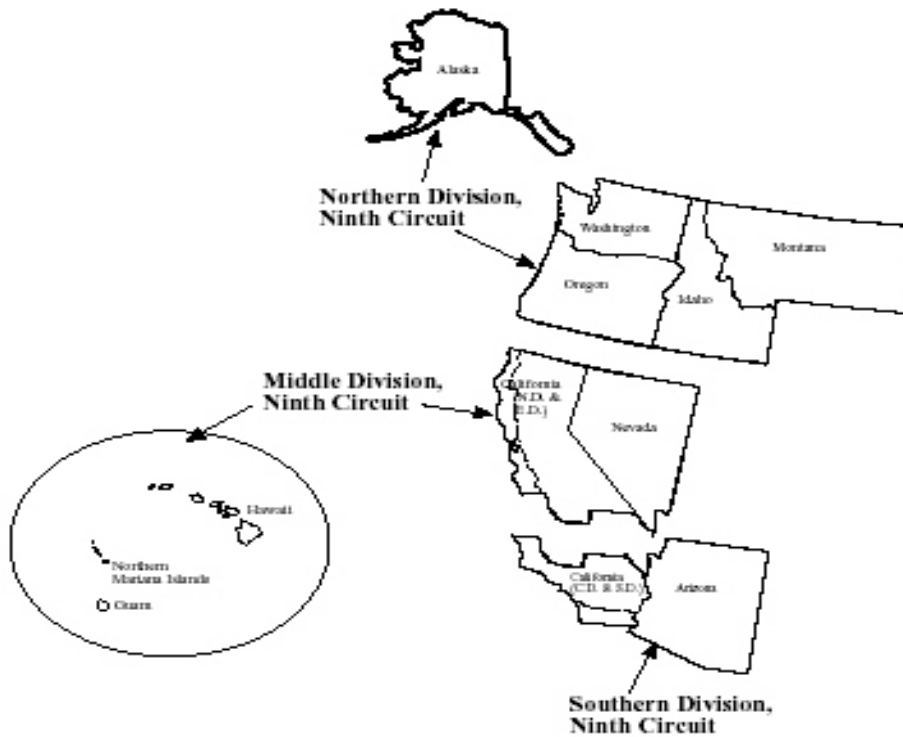
* All population figures are based on U.S. Census 2004 estimates. The total U.S. population in 2004 (excluding Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands) was estimated at 293,655,404.

** "New" Ninth and Twelfth Circuits based on alignments as proposed by S. 1022. Numbers assume that S. 1022 would add seven new judges as H.R. 4093, H.R. 211, and H.R. 212 do, with resulting percentages based on a total of 174 judges. Percent judges for reconfigured circuits based on a total of 174 judges.

SOURCE: 28 U.S.C. § 44 (2004); Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

S. 1022 (1997)

The Ninth Circuit After the Restructuring Proposed by the White Commission



White Commission Proposal (1998)

Judges for the Ninth Circuit (Southern Division) After the White Commission's Restructuring

Judge	Appointed by	State	City	Status (Active/Senior)
1. Goodwin	Nixon	California	Pasadena	Senior
2. Wallace	Nixon	California	San Diego	Senior
3. Schroeder	Carter	Arizona	Phoenix	ACTIVE
4. Pregerson	Carter	California	Woodland Hills	ACTIVE
5. Alarcon	Carter	California	Los Angeles	Senior
6. Ferguson	Carter	California	Santa Ana	Senior
7. Nelson, D.	Carter	California	Pasadena	Senior
8. Canby	Carter	Arizona	Phoenix	Senior
9. Boochever	Carter	California	Pasadena	Senior
10. Reinhardt	Carter	California	Los Angeles	ACTIVE
11. Hall	Reagan	California	Pasadena	Senior
12. Kozinski	Reagan	California	Pasadena	ACTIVE
13. Thompson	Reagan	California	San Diego	Senior
14. Fernandez	G.H.W. Bush	California	Pasadena	Senior
15. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
16. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
17. Tashima	Clinton	California	Pasadena	Senior
18. Silverman	Clinton	Arizona	Phoenix	ACTIVE
19. McKeown	Clinton	California	San Diego	ACTIVE
20. Wardlaw	Clinton	California	Pasadena	ACTIVE
21. Fisher	Clinton	California	Pasadena	ACTIVE
22. Paez	Clinton	California	Pasadena	ACTIVE
23. M. Smith	G.W. Bush	California	Los Angeles	ACTIVE
24. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE

SUMMARY:	ACTIVE Judges	13
	Nominee	+ 0
	Existing Judgeships	13
	New Judgeships	+ 0
	Authorized Judgeships	13
	Senior Judges	+ 11
	TOTAL	24

White Commission Proposal (1998)

Judges for the Ninth Circuit (Middle Division) After the White Commission's Restructuring

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Sneed	Nixon	California	San Francisco	Senior
3. Hug	Carter	Nevada	Reno	Senior
4. Brunetti	Reagan	Nevada	Reno	Senior
5. Noonan	Reagan	California	San Francisco	Senior
6. W. Fletcher	Clinton	California	San Francisco	ACTIVE
7. Berzon	Clinton	California	San Francisco	ACTIVE
8. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
9. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
10. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
11. Callahan	G.W. Bush	California	Sacramento	ACTIVE
12. Bea	G.W. Bush	California	San Francisco	ACTIVE

SUMMARY:	ACTIVE Judges	7
	Nominee	+ 0
	Existing Judgeships	7
	New Judgeships	+ 0
	Authorized Judgeships	7
	Senior Judges	+ 5
	TOTAL	12

White Commission Proposal (1998)

Judges for the Ninth Circuit (Northern Division) After the White Commission's Restructuring

Judge	Appointed by	State	City	Status (Active/Senior)
1. Skopil	Carter	Oregon	Portland	Senior
2. B. Fletcher	Carter	Washington	Seattle	Senior
3. Farris	Carter	Washington	Seattle	Senior
4. Beezer	Reagan	Washington	Seattle	Senior
5. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
6. Leavy	Reagan	Oregon	Portland	Senior
7. Trott	Reagan	Idaho	Boise	Senior
8. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
9. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
10. Thomas	Clinton	Montana	Billings	ACTIVE
11. Graber	Clinton	Oregon	Portland	ACTIVE
12. Gould	Clinton	Washington	Seattle	ACTIVE
13. Tallman	Clinton	Washington	Seattle	ACTIVE
14. [Myers]	G.W. Bush	Idaho	Boise	Nominee
15. [R.Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	6
	Nominees	+ 2
	Existing Judgeships	8
	New Judgeships	+ 0
	Authorized Judgeships	8
	Senior Judges	+ 7
	TOTAL	15

White Commission Proposal (1998)

The White Commission's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judgeships	% Judgeships	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
Third	14	8.4%	22,044,310	7.4%	4,705	6.7%	336
Fourth	15	9.0%	27,572,528	9.3%	5,362	7.7%	357
Fifth	17	10.2%	29,908,758	10.0%	9,411	13.4%	554
Sixth	16	9.6%	31,618,515	10.6%	5,429	7.8%	339
Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
Eighth	11	6.7%	19,715,119	6.6%	3,601	5.1%	327
Ninth	28	16.8%	58,253,522	19.6%	16,101	23.0%	575
Tenth	12	7.2%	15,659,315	5.3%	2,857	4.1%	238
Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
Ninth Circuit (Northern Division)**	8	4.6%	12,773,936	4.3%	2,535	3.6%	317
Ninth Circuit (Middle Division)**	11	6.3%	18,475,255	6.2%	5,409	7.7%	492
Ninth Circuit (Southern Division)**	16	9.2%	27,004,331	9.1%	8,165	11.7%	510

* All population figures are based on U.S. Census 2004 estimates.

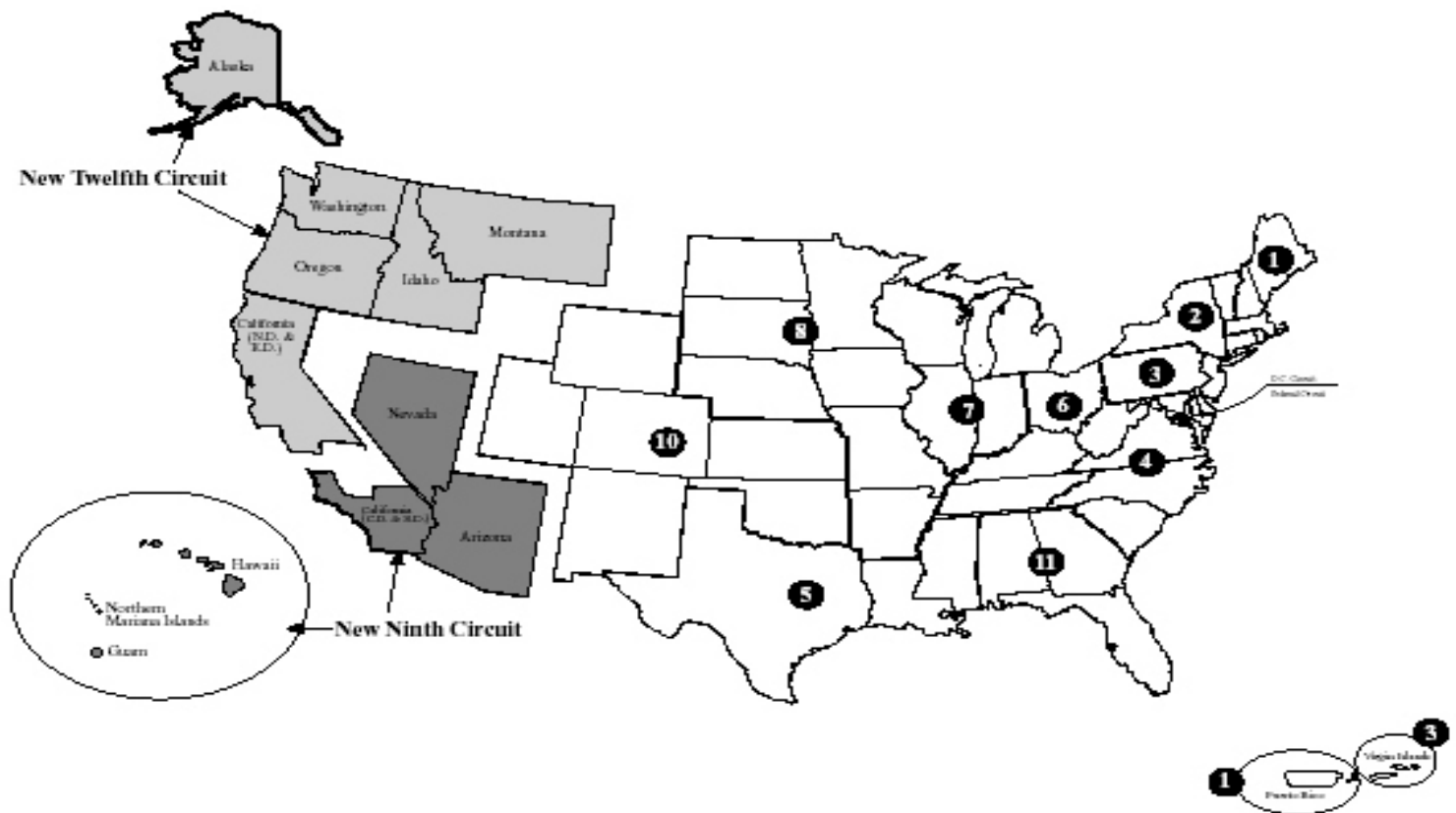
** Ninth Circuit divisions based on restructuring proposed by the White Commission with assumption of seven new judgeships, with resulting percentages based on a total of 174 judges.

SOURCE: 28 U.S.C. § 44 (2004); Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://inet.ao.dcn/Statistics/Caseload_Tables.html; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

White Commission Proposal (1998)

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The Circuits After the Restructuring Proposed by the Hruska Commission



Hruska Commission Proposal (1973)

Judges for the “New” Ninth Circuit After the Hruska Commission’s Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Goodwin	Nixon	California	Pasadena	Senior
2. Wallace	Nixon	California	San Diego	Senior
3. Hug	Carter	Nevada	Reno	Senior
4. Schroeder	Carter	Arizona	Phoenix	ACTIVE
5. Pregerson	Carter	California	Woodland Hills	ACTIVE
6. Alarcon	Carter	California	Los Angeles	Senior
7. Ferguson	Carter	California	Santa Ana	Senior
8. Nelson, D.	Carter	California	Pasadena	Senior
9. Canby	Carter	Arizona	Phoenix	Senior
10. Boochever	Carter	California	Pasadena	Senior
11. Reinhardt	Carter	California	Los Angeles	ACTIVE
12. Hall	Reagan	California	Pasadena	Senior
13. Brunetti	Reagan	Nevada	Reno	Senior
14. Kozinski	Reagan	California	Pasadena	ACTIVE
15. Thompson	Reagan	California	San Diego	Senior
16. Fernandez	G.H.W. Bush	California	Pasadena	Senior
17. Rymer	G.H.W. Bush	California	Pasadena	ACTIVE
18. Hawkins	Clinton	Arizona	Phoenix	ACTIVE
19. Tashima	Clinton	California	Pasadena	Senior
20. Silverman	Clinton	Arizona	Phoenix	ACTIVE
21. McKeown	Clinton	California	San Diego	ACTIVE
22. Wardlaw	Clinton	California	Pasadena	ACTIVE
23. Fisher	Clinton	California	Pasadena	ACTIVE
24. Paez	Clinton	California	Pasadena	ACTIVE
25. Rawlinson	Clinton	Nevada	Las Vegas	ACTIVE
26. Clifton	G.W. Bush	Hawaii	Honolulu	ACTIVE
27. Bybee	G.W. Bush	Nevada	Las Vegas	ACTIVE
28. M. Smith	G.W. Bush	California	Los Angeles	ACTIVE
29. Ikuta (eff. TBA)	G.W. Bush	California	Pasadena	ACTIVE

SUMMARY:	ACTIVE Judges	16
	Nominees	+ 0
	Existing Judgeships	16
	New Judgeships	+ 0
	Authorized Judgeships	16
	Senior Judges	+ 13
	TOTAL	29

Hruska Commission Proposal (1973)

Judges for the New Twelfth Circuit After the Hruska Commission's Split

Judge	Appointed by	State	City	Status (Active/Senior)
1. Browning	Kennedy	California	San Francisco	Senior
2. Sneed	Nixon	California	San Francisco	Senior
3. Skopil	Carter	Oregon	Portland	Senior
4. B. Fletcher	Carter	Washington	Seattle	Senior
5. Farris	Carter	Washington	Seattle	Senior
6. Beezer	Reagan	Washington	Seattle	Senior
7. Noonan	Reagan	California	San Francisco	Senior
8. O'Scannlain	Reagan	Oregon	Portland	ACTIVE
9. Leavy	Reagan	Oregon	Portland	Senior
10. Trott	Reagan	Idaho	Boise	Senior
11. Nelson, T.	G.H.W. Bush	Idaho	Boise	Senior
12. Kleinfeld	G.H.W. Bush	Alaska	Fairbanks	ACTIVE
13. Thomas	Clinton	Montana	Billings	ACTIVE
14. Graber	Clinton	Oregon	Portland	ACTIVE
15. W. Fletcher	Clinton	California	San Francisco	ACTIVE
16. Gould	Clinton	Washington	Seattle	ACTIVE
17. Berzon	Clinton	California	San Francisco	ACTIVE
18. Tallman	Clinton	Washington	Seattle	ACTIVE
19. Callahan	G.W. Bush	California	Sacramento	ACTIVE
20. Bea	G.W. Bush	California	San Francisco	ACTIVE
21. [Myers]	G.W. Bush	Idaho	Boise	Nominee
22. [R. Smith]	G.W. Bush	Idaho	Boise	Nominee

SUMMARY:	ACTIVE Judges	10
	Nominees	+ 2
	Existing Judgeships	12
	New Judgeships	+ 0
	Authorized Judgeships	12
	Senior Judges	+ 10
	TOTAL	22

Hruska Commission Proposal (1973)

The Hruska Commission's Reorganization—Judges, Population, and Caseload by Circuit

Court	Authorized Judgeships	% Judgeships	Pop.*	% Pop.	Appeals	% Appeals	Appeals per Judgeship
First	6	3.6%	14,008,745	4.7%	1,943	2.8%	324
Second	13	7.8%	23,352,086	7.8%	7,384	10.5%	568
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Seventh	11	6.7%	24,460,229	8.2%	3,926	5.6%	357
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Eleventh	12	7.2%	30,756,726	10.3%	7,889	11.3%	657
D.C.	12	7.2%	553,523	0.2%	1,395	2.0%	116
Total	167	100%	297,903,376	100%	70,003	100%	419
"New" Ninth**	19	10.9%	30,846,284	10.4%	9,306	13.3%	490
Twelfth**	16	9.2%	27,407,238	9.2%	6,803	9.7%	425

* All population figures are based on U.S. Census 2004 estimates.

** Ninth Circuit divisions based on restructuring proposed by the Hruska Commission with assumption of seven new judgeships, with resulting percentages based on a total of 174 judges.

SOURCE: 28 U.S.C. § 44 (2004); Ninth Circuit AIMS database; Administrative Office of the United States Courts, U.S. Courts of Appeals Statistical Tables, http://jnet.ao.dcn/Statistics/Caseload_Tables.html; U.S. Census Bureau, Estimated 2004 Population, <http://www.census.gov/Press-Release/www/releases/archives/CB04-246.pdf>; Central Intelligence Agency, The World Factbook, <http://www.cia.gov/cia/publications/factbook/>.

Hruska Commission Proposal (1973)