

The Appointment of Black U.S. Circuit and District Court Judges: Historical Overview and Analysis

February 21, 2023

This CRS Insight provides historical and statistical information related to the appointment of Black U.S. circuit and district court judges. Recent CRS analysis has also provided information about the demographic characteristics of [circuit](#) and [district court](#) judges confirmed during the 117th Congress (2021-2022).

The first African American appointed to a [lower federal judgeship authorized by Article III of the U.S. Constitution](#) was [William H. Hastie](#), who was appointed by President Truman in 1949 to the [U.S. Court of Appeals for the Third Circuit](#) ([comprised of](#) Delaware, New Jersey, Pennsylvania, and the U.S. Virgin Islands). Judge Hastie initially received a [recess appointment](#) but was [later confirmed](#) by the Senate in 1950. The first African American to serve as a U.S. district court judge was [James B. Parsons](#), appointed by President Kennedy in 1961 to the [U.S. District Court for the Northern District of Illinois](#) (Chicago, Rockford).

The first African American woman to serve as a lower federal court judge was [Constance B. Motley](#), appointed by President Johnson in 1966 to the [U.S. District Court for the Southern District of New York](#) (Manhattan, White Plains, Poughkeepsie). The first African American woman to serve as a U.S. circuit court judge was [Amalya L. Kearse](#), appointed by President Carter in 1979 to the [Second Circuit](#) (Connecticut, New York, Vermont).

The data provided below are current through February 20, 2023, and also include Black biracial circuit and district court appointees.

U.S. Circuit Court Judges

From Judge Hastie's appointment in 1949 through February 20, 2023, there have been a total of 52 African Americans confirmed as U.S. circuit court judges. Of the 52, 32 (62%) have been men and 20 (39%) have been women. As of February 20, 2023, 25 (15%) of 170 active circuit court judges are African American (of whom 13 are men and 12 are women).

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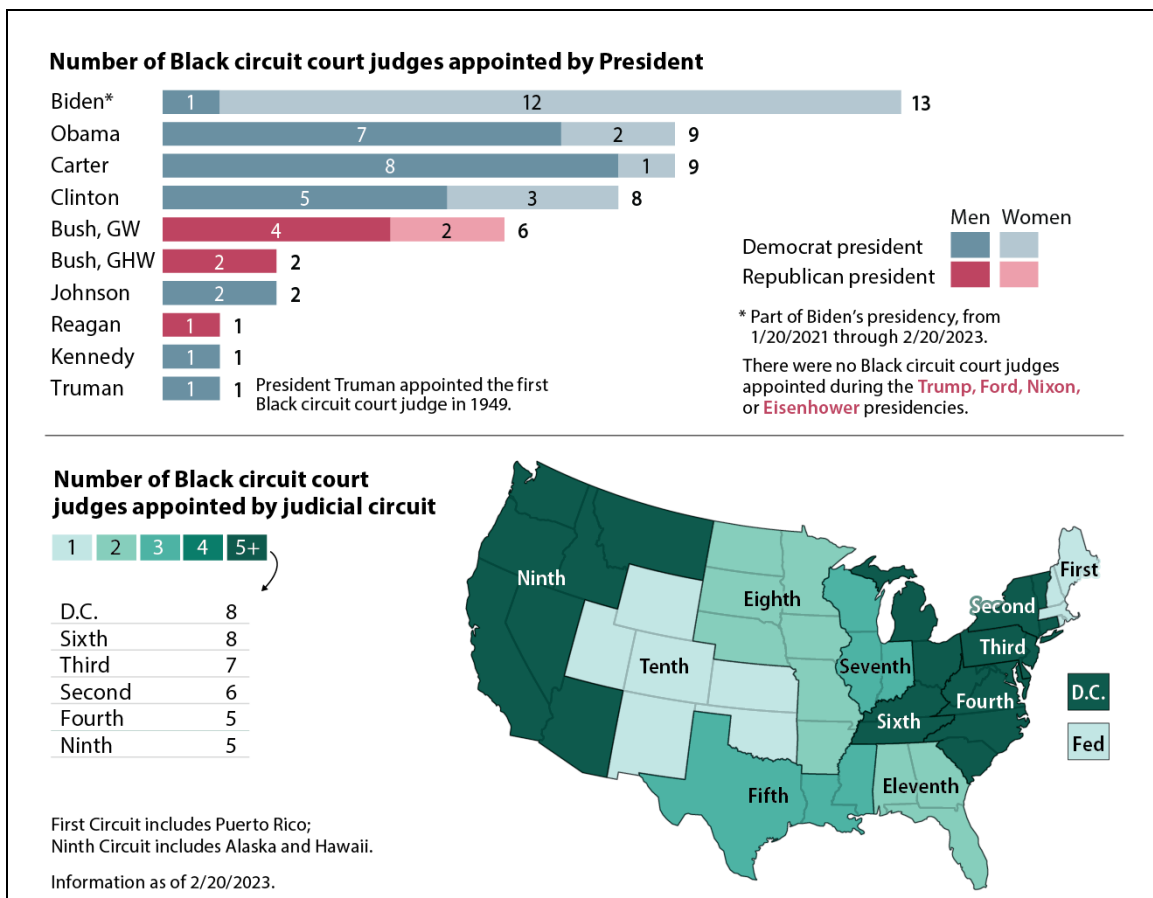
Figure 1 shows the total number of Black circuit court judges appointed by presidency, as well as a breakdown by gender of Black circuit court appointees during each presidency. Overall, President Biden has appointed more African Americans to circuit court judgeships than any other President (13).

Additionally, President Biden has appointed more Black women to circuit court judgeships than all other prior Presidents combined. Specifically, of the 20 Black women ever confirmed as circuit court judges, President Biden has appointed 12 (60%).

Among Republican administrations, President Reagan appointed the [first Black circuit court judge](#). Overall, among Republican administrations, President George W. Bush appointed the greatest number of Black circuit court judges (six)—including the [first Black female appointee by a Republican President](#).

Figure 1. Appointment of Black U.S. Circuit Court Judges

(10/21/1949 to 2/20/2023)



Source: Compilation of publicly available data by the Congressional Research Service.

Figure 1 also shows the total number of Black circuit court judges appointed, from 1949 through February 20, 2023, to each judicial circuit. The greatest number of Black circuit court judges have been confirmed to both the [D.C. Circuit](#) and [Sixth Circuit](#) (Kentucky, Michigan, Ohio, Tennessee)—each with six appointees. The fewest number of Black circuit court judges have been appointed to the [Federal](#), [First](#), and [Tenth](#) Circuits—each with one.

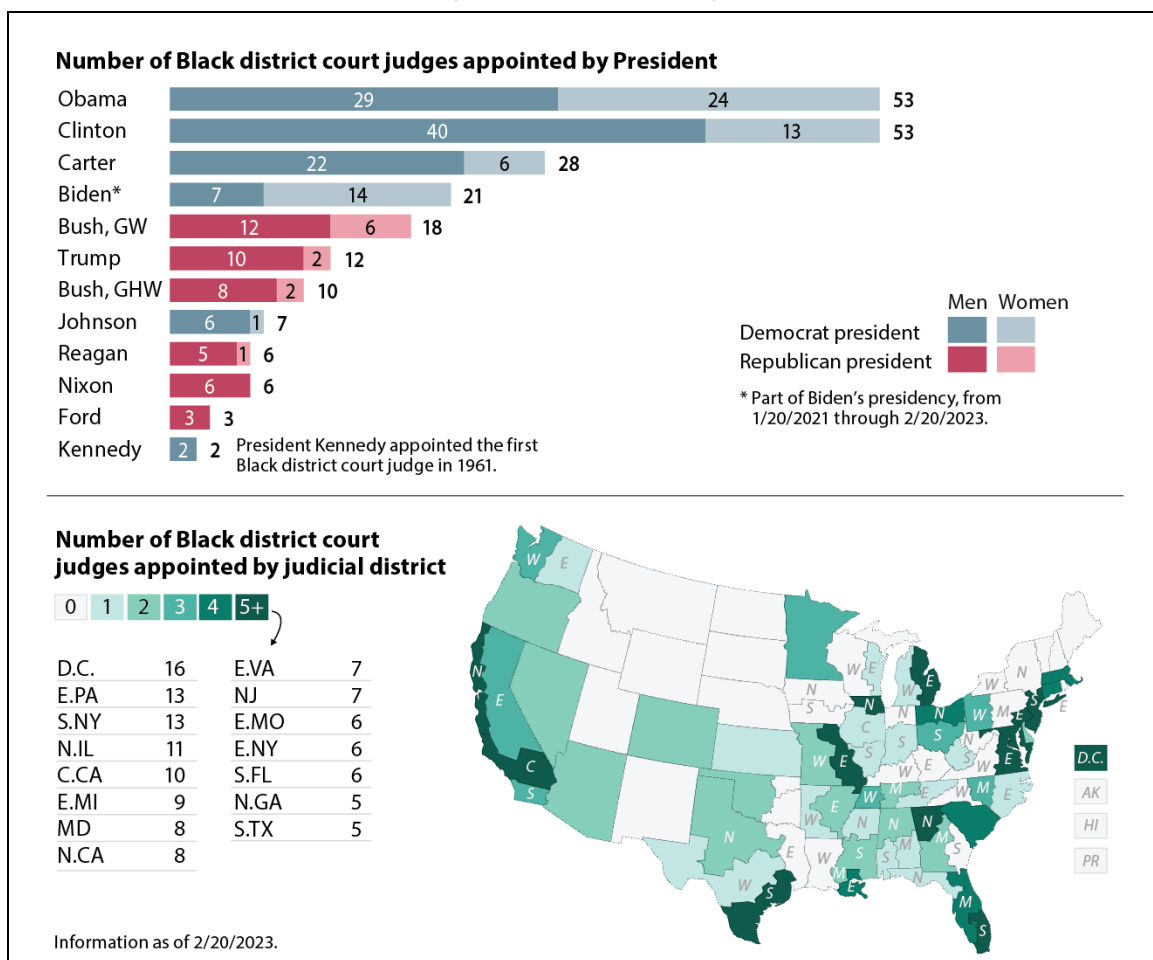
U.S. District Court Judges

From Judge Parsons's appointment in 1961 through February 20, 2023, there have been a total of 219 African Americans confirmed as U.S. district court judges. Of the 219, 150 (68%) have been men and 69 (32%) have been women. As of February 20, 2023, 88 (15%) of 604 active district court judges are African American (of whom 48 are men and 40 are women).

Figure 2 shows the total number of Black district court judges appointed by presidency, as well as a breakdown by gender of Black district court appointees during each presidency. Overall, Presidents Obama and Clinton appointed more African Americans to district court judgeships than any other President—each with 53 Black district court appointees (45% of President Obama's Black appointees were women, while 25% of President Clinton's Black appointees were women).

Figure 2. Appointment of Black U.S. District Court Judges

(8/30/1961 to 2/20/2023)



Source: Compilation of publicly available data by the Congressional Research Service.

As of February 20, 2023, President Biden has appointed the fourth-greatest number of African Americans to district court judgeships (with a total of 21). Of the 12 presidencies included in **Figure 2**, President Biden is the only President for whom a majority of Black district court appointees are women—specifically, 14 of 21 (67%).

Additionally, as of February 20, 2023, there were 11 Black district court nominees whose nominations have yet to receive final Senate action. There may also be additional nominations of African Americans to district court judgeships during the 118th Congress.

Among Republican administrations, President Reagan appointed the [first Black district court judge](#) (and [first Black female district court judge](#)). Overall, among Republican administrations, President George W. Bush appointed the greatest number of Black district court judges (18).

Figure 2 also shows the total number of Black district court judges appointed, from 1961 through February 20, 2023, to each judicial district. The greatest number of Black district court judges have been confirmed to the [United States District Court for the District of Columbia](#)—with 16 appointees. Rounding out the top three are the [Eastern District of Pennsylvania](#) (Philadelphia, Allentown, Reading, Easton) and the [Southern District of New York](#) (Manhattan, White Plains, Poughkeepsie)—each with 13 Black appointees.

At present, there are 31 U.S. district courts (of 91, excluding [territorial courts](#)) to which a Black judge has never been appointed—including courts for judicial districts with relatively high percentages of African American residents (e.g., the [Southern District of Georgia](#), which includes Augusta and Savannah, and the [Western District of Louisiana](#), which includes Shreveport, Monroe, and Alexandria).

Author Information

Barry J. McMillion
Analyst in American National Government

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