



# U.S. District Court Nominees Confirmed During the First Three Years of the Biden Presidency: Overview and Analysis

January 4, 2024

This Insight provides statistics related to the nomination and confirmation of [U.S. district court](#) nominees during the first three years of the Biden presidency. This Insight also provides comparative statistics from each of the presidencies of President Joe Biden's three immediate predecessors—Presidents Donald Trump, Barack Obama, and George W. Bush.

For the purposes of this Insight, a President's first three years in office is measured as the period from when a President first takes the oath of office during his first calendar year in office (i.e., [January 20](#)) to December 31 of his third calendar year in office. So, for example, President Biden's first three years in office is represented by the period from January 20, 2021, to December 31, 2023.

The statistics provided below for district court nominees confirmed during the first three years of a presidency do not always reflect the final statistics that characterize all of the district court nominees confirmed during that President's entire time in office.

For additional historical statistics related to the nomination and confirmation of U.S. circuit and district court nominees, see [CRS Report R45622](#).

## Number and Percentage of Nominees Confirmed

As of December 31, 2023, President Biden nominated 150 individuals to U.S. district court judgeships, of whom 126 (84%) were confirmed by this same date.

During the first three years of the Trump presidency, 173 individuals were nominated to district court judgeships, of whom 133 (77%) were confirmed by December 31, 2019.

During the Obama and George W. Bush presidencies, 133 and 165 individuals were nominated, respectively, with 97 (73%) and 138 (84%) confirmed, respectively, by the end of the third year of each presidency.

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IN12295

## Demographic Characteristics

**Figure 1** shows the numerical breakdown by gender and race for U.S. district court nominees who were confirmed during the first three years of each presidency included in the analysis.

### Gender

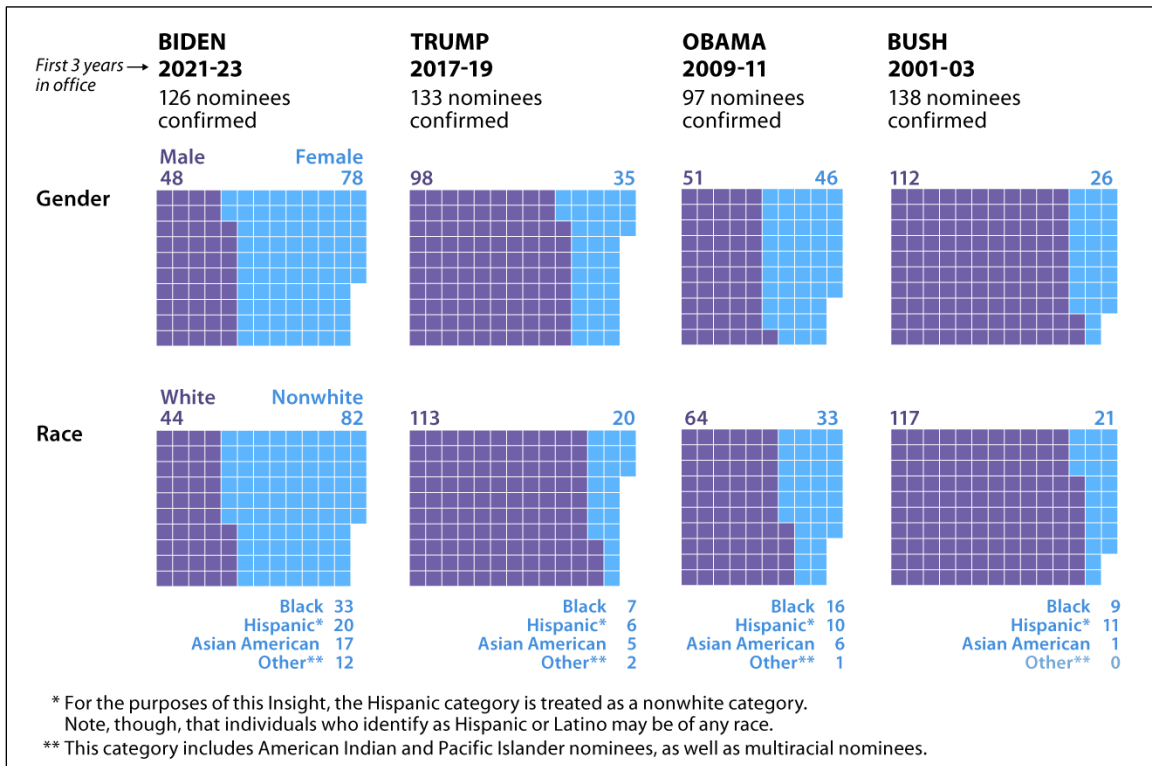
Of the 126 district court nominees confirmed during the first three years of the Biden presidency, 78 (62%) were women and 48 (38%) were men.

This represents the only instance during the first three years of any presidency for which a majority of district court nominees confirmed by the Senate were women.

The percentages of district court nominees confirmed during the first three years of the Trump, Obama, and Bush presidencies who were women were 26%, 47%, and 19%, respectively.

Overall, as of December 31, 2023, 385 (62%) of all active district court judges were men and 241 (38%) were women.

**Figure 1. Demographic Characteristics**



**Source:** Congressional Research Service compilation of public data.

### Race

Of the 126 district court nominees confirmed during the first three years of the Biden presidency, 44 (35%) were White, 33 (26%) were Black, 20 (16%) were Hispanic, 17 (14%) were Asian American, and 12 (10%) were another race or ethnicity (or multiracial). For the purposes of this Insight, the Hispanic

category is treated as a nonwhite category (but individuals who identify as Hispanic or Latino [may be of any race](#)).

The group of district court nominees confirmed during the first three years of the Biden presidency is the most racially diverse group of district court nominees confirmed by the Senate during the first three years of any presidency (in terms of both the number and percentage of nonwhite nominees).

For the Trump, Obama, and Bush presidencies, the percentages of district court nominees confirmed during the first three years of each presidency who were White were 85%, 66%, and 85%, respectively.

The percentages of such nominees who were Black were 5%, 16%, and 7%, respectively, while the percentages of nominees who were Hispanic were 5%, 10%, and 8%, respectively.

The percentages of such nominees who were Asian American were 4%, 6%, and less than 1%, respectively, while the percentages of nominees in the Other category were 2%, 1%, and 0%, respectively.

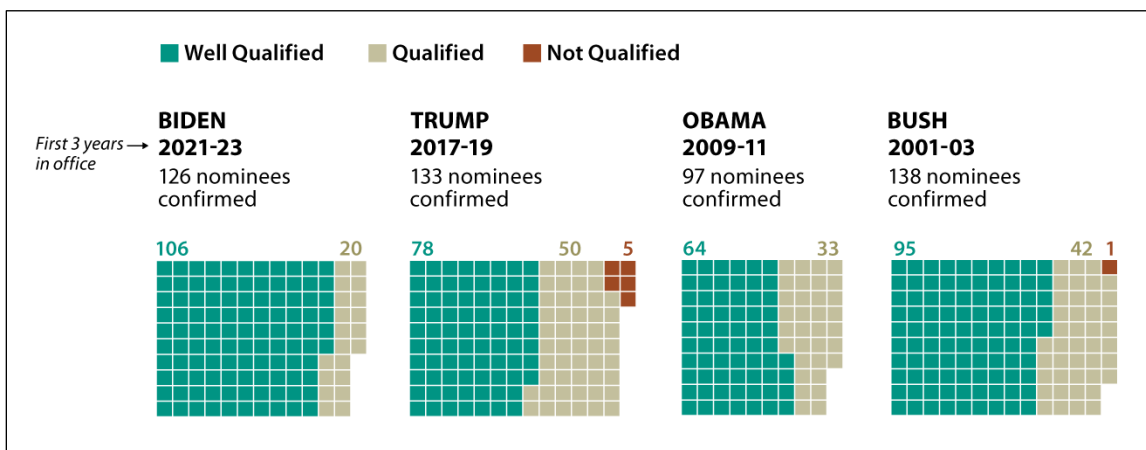
Overall, as of December 31, 2023, 418 (67%) of all active district court judges were White, 91 (15%) were Black, 59 (9%) were Hispanic, 33 (5%) were Asian American, and 25 (4%) were included in the Other category.

### ABA Ratings

**Figure 2** shows the breakdown of ratings [given by the American Bar Association \(ABA\)](#) to district court nominees confirmed during the first three years of the Biden presidency (as well as during the first three years of the other presidencies included in the analysis). Each nominee received a rating of Well Qualified, Qualified, or Not Qualified.

Of the 126 district court nominees confirmed during the first three years of the Biden presidency, 106 (84%) received a rating of Well Qualified and 20 (16%) received a rating of Qualified. No district court nominee confirmed during this period received a rating of Not Qualified.

**Figure 2. Ratings by the American Bar Association**



**Source:** Congressional Research Service compilation of public data.

For the Trump, Obama, and Bush presidencies, the percentages of district court nominees confirmed during the first three years of each presidency rated as Well Qualified were 59%, 66%, and 69%, respectively. The percentages rated as Qualified were 38%, 34%, and 30%, respectively, while the percentages rated as Not Qualified were 4%, 0%, and less than 1%, respectively.

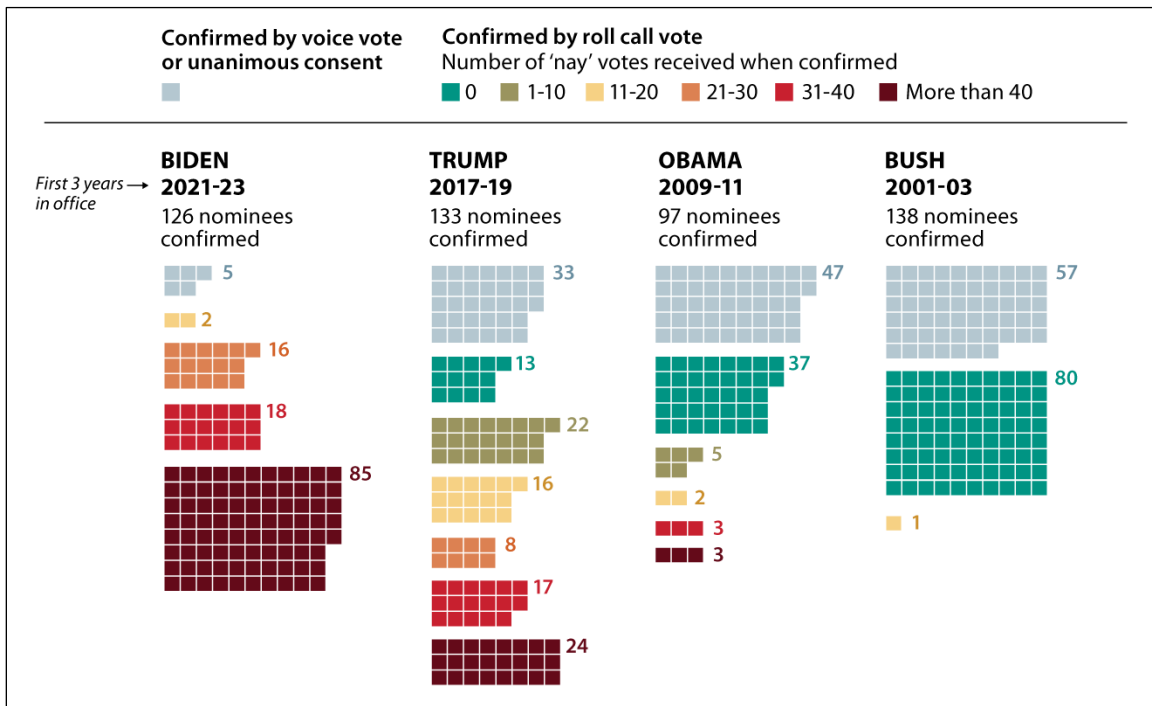
### Number of “Nay” Votes When Confirmed

**Figure 3** shows the number of district court nominees confirmed by [voice vote](#), [unanimous consent](#), or [roll call vote](#) during the first three years of each presidency—and, if confirmed by roll call vote, the number of “nay” votes received when confirmed.

Of the 126 district court nominees confirmed during the first three years of the Biden presidency, 5 (4%) were confirmed by voice vote or unanimous consent and 121 (96%) were confirmed by roll call vote.

Of those confirmed by roll call vote, a majority (85, or 70%) received more than 40 “nay” votes when confirmed.

**Figure 3. Number of “Nay” Votes When Confirmed**



**Source:** Congressional Research Service compilation of public data.

During the first three years of the Trump and Obama presidencies, pluralities of district court nominees were confirmed by voice vote/unanimous consent (25% and 48%, respectively). Of the 100 district court nominees confirmed by roll call during the first three years of the Trump presidency, 24 (24%) received more than 40 nay votes.

During the Bush presidency, a majority of nominees (58%) were confirmed by roll call vote and received zero nay votes.

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