







Thurgood Marshall



A. Leon Higginbotham



Cecil F. Poole

## BLACK HISTORY MONTH FOCUS:

## Growing List of Federal Judges

During his first three years, President Jimmy Carter dramatically improved the participation of blacks in the federal judiciary.

He appointed or promoted more than half of the 45 who were sitting as judges or awaiting Senate confirmation as the decade of the 70s ended, and he shattered the political - racial barrier that previously had prevented any black from presiding over a single U.S. district court in a Southern

Appointed for life, federal judges wield tremendous power while retaining the ability to remain independent of outside influences.

Readily recalled examples at various judicial levels include Chief Justice Earl Warren of the Supreme Court, Elbert P. Tuttle of the Fifth Circuit Court of Appeals, and Frank Johnson, who on numerous occasions while serving

Federal judges are appointed for life, and of the 678 judgeships in the federal system, 44 are black, and more than half have been appointed by the Carter administration. For many years, blacks were excluded from the federal bench in the deep south.

## By Moses Newsom

in an Alabama district court confronted Governor George Wallace on controversial issues as varied as school desegregation and prisoners' rights.

Critics of the federal judiciary have argued that artificial limitations on black participation in the national court system designed to guarantee equal justice for all cizizens, encourage questions about its overall

capacity for fairness. The political and racial considerations—freely admitted by previous high-level Justice

Department officials-that excluded blacks from the federal bench in Dixie, added to the tainted image of the federal justice system frequently cited by its critics.

The Omnibus Judgeship Act of 1978 created 117 district and 35 circuit court judges, bringing the federal system's total to 678. The 42 blacks sitting or already approved by the Senate by the end of 1979 represented slightly more than 6 percent of the total.

This was the picture as the new year came in:

Supreme Court, Justice Thurgood Marshall, appointed in 1967 by President Johnson.

U.S. Customs Court, Scovel Richardson, appointed by President Eisenhower in 1957, and James L. Watson, appointed by Johnson in 1966.

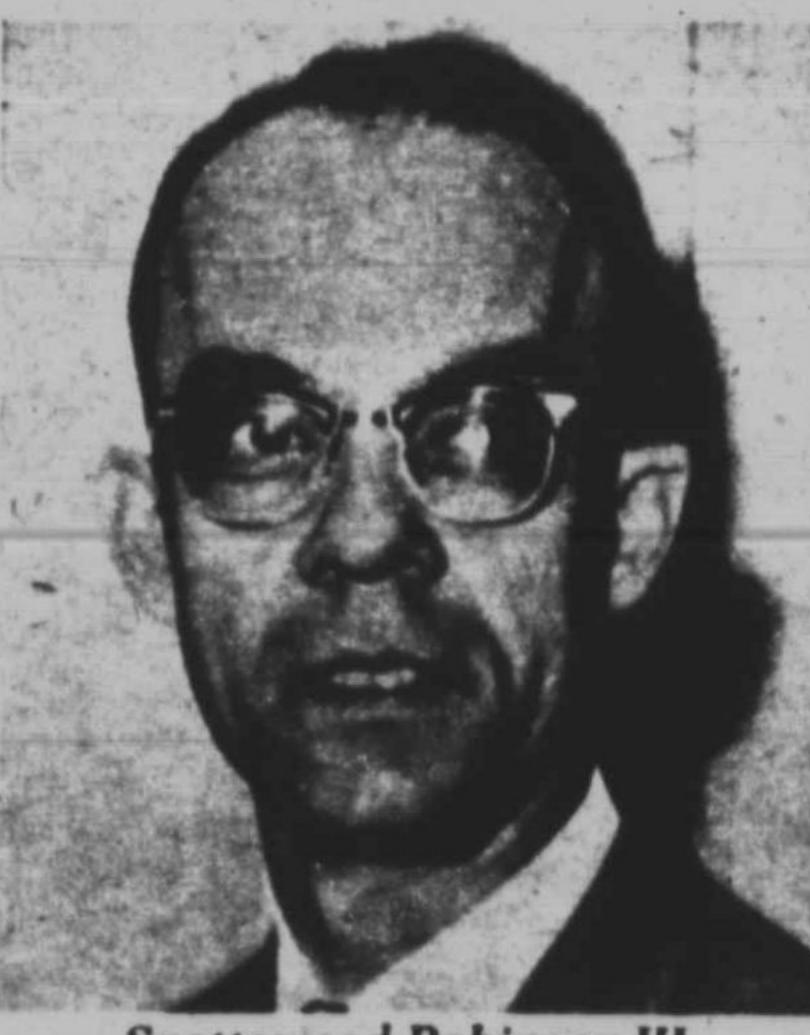
Of the nine serving at the appeals court level, all but Spottswood Robinson III in Washington, D.C., appointed in 1966 by Johnson, were named by Carter. Some of them were promotions from lower courts: Leon A. Higginbotham Jr. to the Third Circuit, and Damon Keith Jr. to the Sixth Circuit, both in 1977; Theodore McMillian to the Eighth Circuit in 1978, and Cecil F. Poole to the Ninth Circuit in

The other circuit court judges appointed by Carter are: Amalya Kearse, Second; Joseph Hatchett, Fifth (in New Orleans); Nathaniel

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Scovel Richardson 1957



Spottswood Robinson III





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