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PRESIDENT'S MESSAGE

By Stuart Dunwoody

Like changes in the seasons, politics and the business climate, judicial appointments often come in cycles. For the last fifteen years or more, new district judges have joined the bench in our District at fairly regular intervals, as incumbent judges have taken senior status. Of the current roster of active judges filling our seven district judgeships, Chief Judge Lasnik received his commission in 1998, followed by Judge Pechman in 1999, Judge Leighton in 2002, Judges Martinez and Robart in 2004, and Judges Settle and Jones in 2007. (Judge Rothstein is also an active judge of the district but heads the Federal Judicial Center in Washington, D.C.)

Based on the demographics of our active judges, it is likely that this period of steady turnover ended when Judge Jones joined the bench, and that no new district judge will be appointed for another six years, until 2016. This eight-year hiatus will probably be followed by three and a half years in which the District's active judges turn over completely.

These predictions follow from the rules governing when a judge may take senior status: she may do so at age 65, provided she has served at least fifteen years. A judge who does not have fifteen years of service by her 65th birthday may take senior status when her age and period of service add up to 80: A 68-year-old judge may take senior status if she has twelve years of experience, for example.

There is, of course, no requirement that a judge take senior status as soon as she is able. A judge is free to remain in active status for his entire constitutionally-allotted life term. Most judges take senior status as soon as they are able, however, both to increase the number of judges available to handle the District's workload, and to have more control over their workload.

The demographics of our bench are yet another example of a baby-boomer bulge. All seven were born within the four-year period from 1947 through 1951 (1951 was a particularly good year for judges, with four of them born in that year). Because of their particular combinations of birth date and length of service, none will be eligible for senior status until 2016, but then the floodgates open. Judge Lasnik can go senior in January 2016, followed by Judge Pechman in February and Judge Robart in June 2016. Two more judges become eligible the following year – Judges Leighton and Settle, in May and August 2017. Judge Martinez can go senior in June 2018. Finally, Judge Jones, the most junior of the current judges in seniority, will be eligible for senior status in September 2019, and the entire bench will have turned over the course of three and a half years, assuming all judges go senior as soon as they hit the magic number.

So what does this mean if you aspire to what appears to be one of the best legal jobs around? First, if you are fifty or older, do not hold your breath. Judicial nominees usually are in their late forties or early to mid-fifties; for the current bench of active judges the average age at appointment was 53



(both median and mean). Second, if you are now in your forties, start thinking about how you can increase your chances of being one of the seven who will be appointed in quick succession starting in 2016. Maybe you should try to get elected (or appointed) to a superior court judgeship, as four of our seven active district judges did. On the other hand, the other three

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had a background of private practice combined with community and bar leadership and involvement, so that could be a good plan as well.

Another interesting question is politics. While arguably less important in this district, where a merit selection panel chooses three candidates for the state's Senators to present to the President for consideration, ultimately the choice among those three is the President's to make. The timing may favor those candidates who lean Republican. The

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