

APGoPo Unit 6

FEDERAL ATTORNEYS AND JUDGES

| FEDERAL ATTORNEYS | | |
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| <p>ATTORNEY GENERAL</p> <ul style="list-style-type: none"> ▪ Appointed by President with Senate consent ▪ Head of Department of Justice | <p>SOLICITOR GENERAL</p> <ul style="list-style-type: none"> ▪ Appointed by President with Senate consent ▪ Represents U.S. government in Supreme Court ▪ Decides which cases the federal government will appeal to the Supreme Court ▪ Decides the federal government's position in these cases ▪ Sometimes called the "10th Justice" of the Supreme Court because of his/her influence there | <p>U.S. ATTORNEYS</p> <ul style="list-style-type: none"> ▪ At least one for each District Court, 94 in all ▪ Prosecutes federal cases, though most cases are settled by plea-bargaining ▪ Appointed by the President for 4-year terms (key patronage positions) ▪ Senatorial courtesy applies in their appointments |

| FEDERAL JUDGES | |
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| <ul style="list-style-type: none"> • Appointed by President with "advice and consent" of Senate (majority vote needed for confirmation) • Given life tenure subject to good behavior • May be impeached and removed by Congress (very rare) | |
| <p style="text-align: center;">Advantages of life terms</p> <ul style="list-style-type: none"> • Experience • Stability • Re-election not necessary • No fear of removal based on decision • Interest groups have little influence | <p style="text-align: center;">Disadvantages of life terms</p> <ul style="list-style-type: none"> • Judicial activism • Precedent • Old court • Ideology; slow to change |

FACTORS AFFECTING SELECTION OF FEDERAL JUDGES

Senatorial courtesy

→ President will consult with the two Senators from the state in which they are to be appointed. The Senate will then show "courtesy" to those two senators by not confirming judges to whom the two senators object (does not apply in the appointment of Supreme Court justices)

Senate Judiciary Committee

→ Hold public hearings on each Supreme Court nominee, and sends a recommendation to Senate floor for approval or rejection

Senate

→ Simple majority vote needed for confirmation

Political parties

→ Judges are generally from the same political party as the President

Age

→ Since judges have lifetime appointments, judges live on long after the Presidents who appoint them die (presidential influence continues after they leave office)

Ideology of prospective judges

→ Presidents generally try to appoint people of similar philosophy (and judges may try to retire when there is a president with a similar ideology)

American Bar Association

→ Evaluates nominees (Senate Judiciary Committee considers ABA ratings)

Existence of a "paper trail"

→ If a prospective judge has written extensively, his writings may be used against him during confirmation hearings

Diversity

→ Race (mostly white) and gender (mostly male)

Number of judges

→ Congress can increase or decrease the number of courts and judges

Interest Groups

→ Tactics include protest demonstrations, appearances on TV and radio talk shows, media advertisements, editorials, and e-mails to senators