An easy guide to federal judicial nominations

9 steps from vacancy to confirmation

Every day federal judges make decisions that affect our lives. Not only do they hear cases impacting the environment, health care, Social Security benefits, and immigration, for example, but they often have the final say in determining who we can marry, whether our speech is protected, or how we can vote. Despite these important decisions, most Americans don't know how or why a judge is chosen. Under the Constitution, the president nominates federal judges by and with the advice and consent of the Senate. Our simple step-by-step guide illustrates the process.



Judges often give advance notice of up to one year before a vacancy occurs in a federal district court or circuit court of appeals.



The White House consults with home state senators, often soliciting their recommendations, to identify candidates to fill the vacancy.



The White House conducts a thorough vetting of the candidate, considers their American Bar Association rating, and announces their nomination.



The Senate Judiciary
Committee sends blue
slips—requests for approval
on light blue paper—to each
home state senator to indicate
support for the nominee.



The Senate votes and the nominee is confirmed with a majority vote.



The Senate majority leader schedules a full vote in the U.S. Senate.



A majority of the Senate
Judiciary Committee votes
to move the nominee
forward.



After blue slips are returned in favor of the nominee, the chair of the Senate Judiciary Committee schedules a committee hearing where members are able to debate the candidate's qualifications.



The president signs the judge's commission and begins their lifetime appointment to the federal bench.

POTENTIAL ROADBLOCKS

The above process assumes there are no procedural roadblocks to an appointment. This process can be affected by partisanship and can be delayed indefinitely.

Home state senators fail to recommend a candidate to the president. Home state senators fail to return the blue slip or disapprove of the nominee. Members of the Senate Judiciary Committee can delay the committee vote. Senators can block the Senate majority leader from promptly scheduling a full Senate vote.

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