

Just a Number? The Impact of Age on Federal Judicial Nominations

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Abstract

Lifetime appointments to the federal bench have the potential to provide long-term policy influence well beyond the tenure of the appointing president. Members of Congress and the president face age requisites, but none exist for the judicial branch. While younger judicial nominees have the potential to serve longer on the bench, older nominees may be more experienced. How, then, does age impact the potential confirmation of a judicial nominee to the federal bench? Using a dataset of 2,534 lower court nominations from 1981-2020, I find that age impacts a nominee's chances of being confirmed but this is conditional by court level. At the circuit level, older nominees are more likely to be confirmed while there is no effect at the district level. However, previous judicial experience can dramatically increase a young nominee's confirmation prospects. Further, following the 2013 "nuclear option", nominees to the circuit court are significantly younger but, are no longer less likely to be confirmed suggesting reduced confirmation hurdles may lead to a younger federal judiciary.