



Judge Appointments: Lesson Plan

| Topic | |
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| Federal judges and Supreme Court justices are nominated by the President and are confirmed by a trial in the Senate. Individual states have their own rules for how judges are selected, but the four main methods are partisan elections, nonpartisan elections, merit selection by committee, and appointment. | |
| Possible subjects/classes | Time needed |
| <ul style="list-style-type: none">• Government• Law• Civics | 30-45 minutes |
| Video link: | |
| https://academy4sc.org/topic/judge-appointments-getting-on-the-bench/ | |
| Objective: <i>What will students know/be able to do at the end of class?</i> | |
| Students will be able to... <ul style="list-style-type: none">• Distinguish between the selection of federal and state judges.• Identify the steps in the process of federal judicial appointments and possible state selection methods.• Analyze the long-term political impact of judicial appointments. | |
| Key Concepts & Vocabulary | |
| Judiciary Appointments, Senate Judiciary Committee | |
| Materials Needed | |
| Worksheet, Student internet access | |
| Before you watch | |
| Quick write: Ask students to create a list of adjectives that describes the ideal judge. | |
| While you watch | |



1. What does the Constitution say about the requirements to be a judge?
2. List four different methods used to select state judges.
3. How long do federal judges and justices remain in office?

After you watch/discussion questions

1. What are some strengths and weaknesses of each of the judicial appointment methods?
2. Which federal appointment criteria do you think is most important? Why?
3. Is it possible or even important for the judiciary to be independent of politics? Why or why not?
4. Do you think citizens should have more of a say in federal judicial appointments? Why or why not?

Activity Ideas

- **Criteria Design:** Have students work in small groups and place themselves in the mindset of the founders drafting the Constitution. Ask them to come up with a list of requirements to serve as a federal judge. Students could model the qualifications after those for the President or a member of Congress, or create a different list altogether.
- **State Research:** As a class, find out how your state conducts judicial appointments for state courts. Students could also identify any judges seeking re-election, any vacancies, and who appointed the majority of the judges that are still on the bench. Have each student write a brief reflection paragraph or two about what they learned and found interesting in their research.
- **The Difference of Diversity:** Have students work in groups to look at the diversity within their state (or a state of their choosing) and the US as a whole concerning federal justices that have served in recent years. The [Brennan Center](#) is a good place to start with its in-depth [2019 State Supreme Court Research Report](#) and [February 2020 Update](#). The [Center for American Progress](#) is also a great resource with its report on [Building a More Inclusive Federal Judiciary](#). Have groups take notes of their discoveries and discuss why this data is important/relevant. Identify potential roadblocks for making a more representative court and ways such roadblocks might be lessened or overcome.

Sources/places to learn more



1. Rutkas, Dennis Steven. "The Appointment Process for U.S. Circuit and District Court Nominations: An Overview." *Congressional Research Service*, Congressional Research Service, 17 June 2016.
<https://fas.org/sgp/crs/misc/R43762.pdf>.
2. "Judicial Appointments and Judicial Independence." United States Institute of Peace. January 2009.
<https://www.usip.org/sites/default/files/Judicial-Appointments-EN.pdf>.
3. "Judicial Appointment Tracker." The Heritage Foundation. 2020.
<https://www.heritage.org/judicialtracker>.