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NEWS RELEASE

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Ninth Circuit Judge Richard R. Clifton Announces Intention to Take Senior Status

SAN FRANCISCO – Circuit Judge Richard R. Clifton of Honolulu, Hawaii, has announced that he will step down as an active judge of the United States Court of Appeals for the Ninth Circuit. Judge Clifton, 65, plans to assume senior status on December 31, 2016, at which time he will have more than 14 years of active service to the court.

In a December 31, 2015, letter informing President Obama of his intentions, Judge Clifton said he will continue to render substantial service as a senior judge. He said serving as a federal judge has been an “extraordinary honor and opportunity.”

“I look forward to continuing to serve while providing my court another judge and opening the door for another resident of Hawaii to have that opportunity,” Judge Clifton wrote.

Judge Clifton is only the second judge from Hawaii to serve on the Ninth Circuit Court of Appeals since Hawaii became a state in 1959. He followed in the footsteps of the late Senior Circuit Judge Herbert Y. C. Choy, who died in 2004.

Nominated by President George W. Bush, Judge Clifton was confirmed by the Senate on July 18, 2002, by a vote of 98-0. He received his judicial commission on July 30, 2002, and began hearing cases in August of that year.

Born in Framingham, Massachusetts, Judge Clifton grew up in Indianapolis and the Chicago suburb of Wilmette, Illinois. He graduated from Princeton University in 1972 and earned his J.D. from Yale Law School in 1975. He moved to Honolulu in 1975 to be a law clerk for Judge Choy, then joined the Honolulu law firm of Cades Schutte Fleming & Wright, one of the oldest and largest firms in Hawaii. He became a partner in 1982 and continued with the firm up to his appointment to the bench. His practice focused on business and commercial litigation with an emphasis on complex litigation and appellate practice, including oral arguments before the Ninth Circuit Court of Appeals.

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Judge Clifton has been active in the Hawaii State Bar Association, the American Bar Association, the Hawaii Women's Legal Foundation, and the Hawaii Chapter of the former American Judicature Society. For many years, Judge Clifton was an adjunct professor at the University of Hawaii's William S. Richardson School of Law, where he taught appellate advocacy. He also served on the board of directors for Hawaii Public Radio, including five years as chair.

Federal law allows an Article III judge to retire at their full current salary. Many judges choose, instead, to take senior status and continue to serve the judiciary at essentially no cost. The "Rule of 80" is the commonly used shorthand for the combination of age and years of service required before a judge may assume senior status. Eligibility begins at age 65 with 15 years of service. The years of required service decreases with increasing age, thus a judge seeking senior status at age 70 would need 10 years of service.

The Ninth Circuit Court of Appeals, the nation's largest and busiest appellate court, hears appeals of cases decided by federal trial courts and certain executive branch administrative agencies in nine western states and two Pacific Island jurisdictions.

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