



Public Information Office
United States Courts for the Ninth Circuit

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NEWS RELEASE

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Ninth Circuit Judge N. Randy Smith to Assume Senior Status in 2018

SAN FRANCISCO – Circuit Judge N. Randy Smith of Pocatello, Idaho, has announced that he will step down as an active judge of the United States Court of Appeals for the Ninth Circuit. Judge Smith plans to assume senior status on August 11, 2018, his 69th birthday. At that time, he will have more than 11 years of active service to the court.

In a December 1, 2017, letter informing President Trump of his intentions, Judge Smith thanked President George W. Bush, the U.S. Senate and the nation for the opportunity to serve on the nation’s busiest federal appellate court.



Judge N. Randy Smith

“It has been my extraordinary honor and a humbling privilege to serve our country in this responsibility,” he wrote.

Judge Smith later said he plans to continue to hear cases and serve the court in other capacities.

“I am fortunate to work with wonderful colleagues and an outstanding staff. I truly enjoy what I am doing and I plan to continue making a contribution as a senior judge,” he said.

President Bush nominated Judge Smith to the Ninth Circuit Court of Appeals on January 16, 2007. The U.S. Senate voted unanimously to confirm Judge Smith on February 15, 2007, and he received his judicial commission on March 19, 2007. He filled a judgeship formerly held by the late Judge Thomas G. Nelson of Boise, Idaho.

Prior to coming onto the federal bench, Judge Smith had served as a district judge in Idaho’s Sixth Judicial District. He was elected to the office in 1995 and reelected in 1998 and 2002. Since 2004, he has served as the court’s administrative judge from 2004 to 2007. He had previously practiced as a civil litigator with the law firm of Merrill & Merrill, focusing on corporate civil litigation and insurance defense cases.

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Judge Smith has served as an adjunct professor at Idaho State University since 1984 and was an adjunct professor at Boise State University, from 1979 to 1981.

Born in Logan, Utah, Judge Smith received his B.S. degree in 1974 from Brigham Young University and his J.D. from BYU's J. Reuben Clark School of Law in 1977.

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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