The History of the Courts of the D.C. Circuit

Created amidst the controversy over President John Adams's appointment of the so-called “Midnight Judges,” the Courts of the District of Columbia Circuit have been transformed and transformative over the two centuries of their existence.

The Creation

For years after Congress moved to Washington, D.C., the Federalists controlled Congress against President Adams (who had served the eighteenth year of his term). The Act referred to the federal judiciary and created the predecessor to today’s Courts of the District of Columbia Circuit.

Because of the peculiar nature of the District of Columbia—the seat of the federal government—the Court was not of the type traditionally provided by state government—Congress has repeatedly reorganized the D.C. courts, sometimes moving the courts, sometimes closing them.

The First Three Judges

The first three judges appointed were William Cranch, Thomas Johnson (who refused to serve), and James Marshall (brother of Chief Justice John Marshall), in 1801. The last to serve in the Court of Appeals was a different James Marshall (brother of Chief Justice John Marshall), who was appointed in 1849.

The Early Courts

After William Cranch’s retirement in 1855, the judges held court in various locations—anywhere from a room in the Capitol to their private homes. Cranch, Thruston, and Morsell sat together from 1815 until 1863, having served for a combined 108 years. Cranch refused to serve, and Justice George Fisher.

The Courts that are Now

In 1873, Congress established the United States Court of Appeals for the District of Columbia, which has appellate jurisdiction over the judgments of the Supreme Court of the District of Columbia.

The Supreme Court of the United States confirmed that the Court of Appeals is an Article III court. FTC v. Klesner, 274 U.S. 145.

The United States Court of Appeals for the District of Columbia Circuit

The United States Court of Appeals for the District of Columbia Circuit

The U.S. Supreme Court recognizes that the Court of Appeals is an Article III court. FTC v. Klesner, 274 U.S. 145.

The United States District Court for the District of Columbia

The United States District Court for the District of Columbia is the trial court in the District of Columbia.

The Local Justices of the Peace

The local Justices of the Peace are officially recognized as an inferior court in the District of Columbia.

The Criminal Court of the District of Columbia

The Criminal Court of the District of Columbia was abolished in 1863, but its jurisdiction was transferred to the Circuit Court.

The Circuit Court of the District of Columbia

The Circuit Court of the District of Columbia was reorganized in 1873, and its jurisdiction was transferred to the Court of Appeals.

The United States Court of Appeals for the District of Columbia

The United States Court of Appeals for the District of Columbia is the appellate court in the District of Columbia.

The United States District Court for the District of Columbia

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The United States Supreme Court

The United States Supreme Court is the highest court in the United States, with jurisdiction over cases of federal law.

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