

The blue slip is one of those quiet Senate traditions that ends up having a huge impact on judicial nominations, even though it isn't a formal rule. It's basically a way for home-state senators to signal whether they approve of a president's nominee for a federal judgeship (or sometimes a U.S. Attorney position). The process is simple on paper but politically powerful in practice.

What the blue slip actually is

- After the president selects a nominee for a federal district or circuit court, the **Senate Judiciary Committee chair sends a literal blue piece of paper** to the two senators from the nominee's home state.
- Each senator can **return the slip with approval**, return it with objections, or **not return it at all**.
- The slip is a form of **senatorial courtesy**, not a constitutional requirement.

Why it matters

Depending on how the Judiciary Committee chair chooses to interpret the tradition, a missing or negative blue slip can have very different consequences:

Historically strict interpretation

Some chairs have treated the blue slip as a **veto**, refusing to hold hearings or advance a nominee unless both home-state senators returned positive slips.

- Only two chairs—James Eastland and Patrick Leahy—enforced this strict standard consistently.

More flexible interpretation

Most chairs have allowed hearings and votes **even if one or both senators withheld their slips**.

- In 25 of the 36 years before Senator Grassley became chair, hearings were held despite negative or missing blue slips.

How it works step-by-step

1. **President nominates** a judge.
2. **Judiciary Committee chair sends blue slips** to the nominee's home-state senators.
3. Senators respond (or don't).
4. The **committee chair decides** whether to proceed with hearings and a vote based on their interpretation of the tradition.

5. If the committee advances the nominee, the **full Senate votes** on confirmation.

Why it's politically contentious

- It gives **individual senators enormous leverage** over judicial appointments in their state.
- Presidents often get frustrated when senators from the opposite party use the blue slip to block nominees.
- Recent disputes—especially involving U.S. Attorney nominations—have led to renewed calls to weaken or eliminate the practice.

Bottom line

The blue slip isn't a law, but it can function like a **soft veto** depending on who chairs the Judiciary Committee. It's a century-old courtesy that continues to shape the federal courts in very real ways.

Democrats are using this to get judges favorable to them.