

**SUMMARY OF OPPOSITION TO EFFORTS  
TO SPLIT THE NINTH CIRCUIT  
(November 6, 2006)**

Opponents of proposals to split the Ninth Circuit Court of Appeals include the vast majority of judges from the Ninth Circuit, elected officials, bar associations, law professors, prominent practitioners, editorial boards, and civil rights, women's rights, disability rights, labor, health, religious, conservation and other national, state and local groups.

**For links to the letters, testimony and more from the opposition cited below, go to:**  
<http://www.judgingtheenvironment.org/issues/page.jsp?itemID=27579314>

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**A. JUDGES:**

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Judges on the [Ninth Circuit Court of Appeals: Joint or Individual Letters](#)

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Judges on [U.S. Bankruptcy Courts](#) in the Ninth Circuit

***i. Ninth Circuit Court of Appeals Judges:*** Includes all but three active judges who have taken a position.

**1. Joint Opposition:**

- **33 Ninth Circuit Court Judges, *For Federalism and Separation of Powers, A Court United: A Statement of A Number of Ninth Circuit Judges*, Engage, vol. 7, Issue 1, (March 2006) (signatures ordered as in the article):**

Mary M. Schroeder  
Chief Judge  
Appointed by Pres. Carter 09/26/79

James R. Browning  
Senior Judge  
Appointed by Pres. Kennedy 09/18/61

Alfred T. Goodwin  
Senior Judge  
Appointed by Pres. Nixon 11/30/71

J. Clifford Wallace  
Senior Judge  
Appointed by Pres. Nixon 07/14/72

Procter Hug, Jr.  
Senior Judge  
Appointed by Pres. Carter 09/15/77

Otto R. Skopil  
Senior Judge  
Appointed by Pres. Carter 01/01/86

Betty B. Fletcher  
Senior Judge  
Appointed by Pres. Carter 09/26/79

Jerome Farris  
Senior Judge  
Appointed by Pres. Carter 09/27/79

Harry Pregerson  
Appointed by Pres. Carter 11/02/79

Warren J. Ferguson  
Senior Judge  
Appointed by Pres. Carter 11/27/79

Dorothy W. Nelson  
Senior Judge  
Appointed by Pres. Carter 12/20/79

William C. Canby, Jr.  
Senior Judge  
Appointed by Pres. Carter 05/23/80

Robert Boochever  
Senior Judge  
Appointed by Pres. Carter 06/18/80

Stephen Reinhardt,  
Appointed by Pres. Carter 09/11/80

Melvin Brunetti  
Appointed by Pres. Reagan 04/04/85

Alex Kozinski  
Appointed by Pres. Reagan 11/07/85

John T. Noonan, Jr.  
Senior Judge  
Appointed by Pres. Reagan 12/17/85

David R. Thompson  
Senior Judge  
Appointed by Pres. Reagan 12/17/85

Michael D. Hawkins  
Appointed by Pres. Clinton 09/15/94

A. Wallace Tashima  
Appointed by Pres. Clinton 06/30/04

Sidney R. Thomas  
Appointed by Pres. Clinton 01/04/96

Barry G. Silverman  
Appointed by Pres. Clinton 02/04/98

Susan P. Graber  
Appointed by Pres. Clinton 03/19/98

M. Margaret McKeown  
Appointed by Pres. Clinton 04/08/98

Kim M. Wardlaw  
Appointed by Pres. Clinton 08/03/98

William A. Fletcher  
Appointed by Pres. Clinton 10/09/98

Raymond C. Fisher  
Appointed by Pres. Clinton 10/12/99

Richard A. Paez  
Appointed by Pres. Clinton 03/14/00

Marsha S. Berzon  
Appointed by Pres. Clinton 03/16/00

Johnnie B. Rawlinson,  
Appointed by Pres. Clinton 07/26/00

Richard R. Clifton  
Appointed by Pres. G.W. Bush 07/30/02

Consuelo M. Callahan  
Appointed by Pres. G.W. Bush 05/28/03

Carlos T. Bea  
Appointed by Pres. G.W. Bush 10/01/03

- Circuit Judges Bea, Rawlinson, Clifton and Callahan: By letter (Oct. 21, 2005); (Sept. 14, 2006).

## **2. Individual Opposition:**

- Chief Circuit Judge Mary Schroeder (October 26, 2005) (May 5, 2004) (Apr. 19, 2004) (Apr. 7, 2004) (Oct. 28, 2003)(September 20, 2006)
- Alex Kozinski (Oct. 26, 2005) (Oct. 21, 2003)
- Sidney R. Thomas (Oct. 26, 2005) (May 1, 2004) (Oct. 28, 2003) (Sept. 20, 2006)
- Judge Emeritus Marilyn Huff (Oct. 26, 2005)
- Senior Judge Clifford Wallace, (Apr. 7, 2004)
- Judge Stephen Reinhardt (2004)
- Charles E. Wiggins, (Sept. 17, 1999) (deceased)

ii. United States District Court Judges (within the Ninth Circuit):

I. Joint Opposition:

- **65 U.S. District Court Judges:** Letter to Sens. Specter and Leahy (Sept. 19, 2006) (As ordered in the letter):

Ann L. Aiken,  
District of Oregon  
Appointed by Pres. Clinton 1/7/97

Rudi Brewster  
Senior Judge  
Southern District of California  
Appointed by Pres. Reagan 5/24/84

Franklin D. Burgess  
Senior Judge  
Western District of Washington  
Appointed by Pres. Clinton 11/19/93

Susan Bolton,  
District of Arizona  
Appointed by Pres. Clinton 7/21/00

Anna J. Brown,  
District of Oregon  
Appointed by Pres. Clinton 4/22/99

Earl H. Carroll,  
Senior Judge  
District of Arizona  
Appointed by Pres. Carter 06/02/80

Sam Conti,  
Senior Judge  
Northern District of California  
Appointed by Pres. Nixon 10/7/70

John C. Coughenour,  
Senior Judge  
Western District of California  
Appointed by Pres. Reagan 8/11/81

Cormac Carney,  
Central District of California  
Appointed by Pres. G.W. Bush 1/7/03

David O. Carter  
Central District of California  
Appointed by Pres. Clinton 6/25/98

Audrey B. Collins,  
Central District of California  
Appointed by Pres. Clinton 1/27/94

Raner C. Collins  
District of Arizona  
Appointed by Pres. Clinton 5/11/98

Florence M. Cooper,  
Central District of California  
Appointed by Pres. Clinton 7/14/99

Carolyn R. Dimmick,  
Senior Judge  
Western District of Washington  
Appointed by Pres. Reagan 3/7/857

David Ezra,  
District of Hawaii  
Appointed by Pres. Reagan 11/18/87

Dale S. Fisher,  
Central District of California  
Appointed by Pres. G.W. Bush 5/1/03

Helen Gilmor,  
Chief Judge  
District of Hawaii;  
Appointed by Pres. Clinton 8/25/94

Chief Judge Irma E. Gonzalez,  
Southern District of California  
Appointed by Pres. G. Bush 4/9/92

Andrew Guilford,  
Central District of California  
Appointed by Pres. G.W. Bush 1/25/06

Terry J. Hatter,  
Senior Judge  
Central District of California  
Appointed by Pres. Carter 9/28/79

Thelton E. Henderson,  
Senior Judge  
Northern District of California  
Appointed by Pres. Carter 5/9/80

Russell Holland,  
Senior Judge  
District of Alaska  
Appointed by Pres. Reagan 3/6/84

Marilyn L. Huff,  
Southern District of California  
Appointed by Pres. G. Bush 5/14/91

Susan Illston,  
Northern District of California  
Appointed by Pres. Clinton 1/23/95

Martin Jenkins,  
Northern District of California  
Appointed by Pres. Clinton 7/24/97

Alan C. Kay,  
Senior Judge  
District of Hawaii  
Appointed by Pres. Reagan 7/3/86

Lawrence Karlton,  
Senior Judge  
Eastern District of California  
Appointed by Pres. Carter 6/5/79

Robert Kelleher,  
Senior Judge  
Central District of California  
Appointed by Pres. Nixon 12/15/70

William Keller,  
Senior Judge  
Central District of California  
Appointed by Pres. Reagan 9/11/84

Samuel P. King,  
Senior Judge  
District of Hawaii  
Appointed by Pres. Nixon 5/22/72

Robert S. Lasnik,  
Chief Judge  
Western District of Washington;  
Appointed by Pres. Clinton 5/11/98

Stephen G. Larson,  
Central District of California  
Appointed by Pres. G.W. Bush 12/15/05

Ronald Lew,  
Central District of California  
Appointed by Pres. Reagan 2/2/87

M. James Lorenz,  
Southern District of California  
Appointed by Pres. Clinton 3/8/99

Donald W. Molloy,  
Chief Judge  
District of Montana  
Appointed by Pres. Clinton 12/21/95

Consuelo B. Marshall,  
Central District of California  
Appointed by Pres. Carter 6/20/80

Ricardo S. Martinez,  
Western District of Washington  
Appointed by Pres. G.W. Bush 10/14/03

A. Howard Matz,  
Central District of California  
Appointed by Pres. Clinton 10/20/97

Susan Oki Mollway,  
District of Hawaii  
Appointed by Pres. Clinton 1/7/97

Margaret Morrow,  
Central District of California  
Appointed by Pres. Clinton 1/7/97

Barry T. Moskowitz,  
Southern District of California  
Appointed by Pres. Clinton 6/30/95

May H. Murguia,  
District of Arizona  
Appointed by Pres. Clinton 7/21/00

James S. Otero,  
Central District of California  
Appointed by Pres. G.W. Bush 1/7/03

Marilyn H. Patel,  
Northern District of California  
Appointed by Pres. Carter 5/9/80

Marsha J. Pechman,  
Western District of Washington  
Appointed by Pres. Clinton 3/27/99

Mariana Pfaelzer,  
Central District of California  
Appointed by Pres. Carter 8/8/78

Virginia Phillips,  
Central District of California  
Appointed by Pres. Clinton 1/26/99

Dean D. Pregerson,  
Central District of California  
Appointed by Pres. Clinton 1/26/96

Justin L. Quackenbush,  
Senior Judge  
Eastern District of Washington  
Appointed by Pres. Carter 5/9/80

Edward Rafeedie,  
Senior Judge  
Central District of California  
Appointed by Pres. Reagan 8/24/82

Manuel L. Real,  
Senior Judge  
Central District of Washington  
Appointed by Pres. Johnson 9/26/66

John Rhoades,  
Senior Judge  
Southern District of California  
Appointed by Pres. Reagan 9/27/85

James L. Robart,  
Western District of California  
Appointed by Pres. G.W. Bush 12/9/03

John W. Sedwick,  
Chief Judge  
District of Alaska  
Appointed by Pres. G. Bush 7/2/92

Alicemarie H. Stotler,  
Chief Judge  
Central District of California  
Appointed by Pres. Reagan 4/4/84

William W. Schwarzer,  
Senior Judge  
Northern District of California  
Appointed by Pres. Ford 6/2/76

George Schiavelli,  
Central District of California  
Appointed by Pres. G.W. Bush 6/20/04

James Selna,  
Central District of California  
Appointed by Pres. G.W. Bush 1/23/03

Edward F. Shea,  
Eastern District of Alaska  
Appointed by Pres. Clinton 9/4/97

Christina A. Snyder,  
Central District of California  
Appointed by Pres. Clinton 1/7/97

Robert M. Takasugi,  
Senior Judge  
Central District of California  
Appointed by Pres. Ford 4/14/76

Robert J. Timlin,  
Senior Judge  
Central District of California  
Appointed by Pres. Clinton 4/26/94

Robert H. Whaley,  
Chief Judge  
Eastern District of Washington  
Appointed by Pres. 5/24/95

James Ware,  
Northern District of California  
Appointed by Pres. G. Bush 8/3/90

Ronald Whyte,  
Northern District of California  
Appointed by Pres. G. Bush 7/16/91

Claudia Wilken,  
Northern District of California  
Appointed by Pres. Clinton 10/7/93

Thomas S. Zilly  
Senior Judge  
Western District of Washington  
Appointed by Pres. Reagan 2/16/88

Frank R. Zapata,  
District of Arizona  
Appointed by Pres. Clinton 3/29/93

**2. Individual Opposition:**

- Chief District Judge John Coughenour, United States District Court for the Western District of Washington, and Chair of the Ninth Circuit's Conference of Chief District Judges (Apr. 7, 2004)
- Chief District Judge Lynn Winmill, United States District Court for the District of Idaho (Sept. 19, 2006)

**iii. U.S. Bankruptcy Courts in the Ninth Circuit:**

- Judges of the U.S. Bankruptcy Courts in the Ninth Circuit: (signatories ordered as in letters):

May 10, 2004: (6 Judges); Chief Judge Elizabeth L. Perris; Philip H. Brandt; Christopher M. Klein; Dennis Montali; James M. Marlar; Erithe Smith.

July 27, 2006: (49 Judges):

Gregg W. Zive  
Chief Nevada Bankruptcy Judge  
Reno, NV

Louise Decarl Adler  
San Diego, CA

Alan M. Ahart  
Los Angeles, CA  
Theodor C. Albert  
Santa Ana, CA

Peter W. Bowie  
San Diego, CA

Philip H. Brandt  
Tacoma, WA

Samuel L. Bufford  
Los Angeles, CA

Thomas E. Carlson  
San Francisco, CA

Ellen A. Carroll  
Los Angeles, CA

Peter H. Carroll  
Riverside, CA

Charles G. Case  
Phoenix, AZ

Sarah Sharer Curley  
Phoenix, AZ

Thomas B. Donovan  
Los Angeles, CA

Dorian J. Brett  
Fresno, CA

Randall L. Dunn  
Portland, OR

Robert J. Faris  
Honolulu, HI

Randolph Haines, Jr.  
Phoenix, AZ

Richard Neiter  
Los Angeles, CA

John J. Hargrove  
San Diego, CA

Randall J. Newsome,  
Oakland, CA

Alan Jaoslavsky  
Santa Rosa, CA

George B. Nielsen, Jr.  
Phoenix, AZ

Edward D. Jellen  
Oakland, CA

Karen A. Overstreet  
Seattle, WA

Meredith A. Jury  
Riverside, CA

Robin L. Riblet  
Santa Barbara, CA

Victoria S. Kaufman  
Los Angeles, CA

Linda B. Riegler  
Las Vegas, NV

Ralph B. Kirscher  
Butte, MT

Ernest M. Robles  
Los Angeles, CA

Christopher M. Klein  
Sacramento, CA

Herbert A. Ross  
Anchorage, AK

Frank Kurtz  
Yakima, WA

John A. Rossmeissi  
Spokane, WA

Bruce A. Markell  
Las Vegas, NV

Barry Russell  
Los Angeles, CA

James M. Marlar  
Tucson, AZ

John E. Ryan  
Santa Ana, CA

James W. Meyers  
San Diego, CA

Paul B. Snyder  
Tacoma, WA

Dennis Montali  
San Francisco, CA

Leslie Tchaikovsky  
Oakland, CA

Marilyn Morgan  
San Jose, CA

Kathleen H. Thompson  
Woodland Hills, CA

Geraldine Mund  
Woodland Hills, CA

Arthur S. Weissbrodt  
San Jose, CA

David N. Naugle  
Riverside, CA

Patricia C. Williams  
Spokane, WA

- 7 Judges of the U.S. Bankruptcy Court for the District of Arizona (Apr. 30, 2004): Chief Judge Sarah Sharer Curley; Redfield T. Baum; Charles G. Chase; Randolph J. Haines; Eileen J. Hollowell; James M. Marlar; George B. Nelson, Jr.
- U.S. Dist. Court for the Dist. of Nevada , Letter by Chief Judge Phillip M. Pro (Oct. 28, 2003)

## **B. ELECTED OFFICIALS**

- Pete Wilson, former Republican Senator and Governor of California (September 20, 2006)
- Senator Dianne Feinstein (D-CA): *Los Angeles Times* (November 12, 2005); (September 20, 2006)
- Senator Patty Murray (D-WA) Floor Statement (November 4, 2005)
- House Democratic Leader Nancy Pelosi (D-CA) (Nov. 3, 2005)
- Senators Reid, Baucus, Boxer, Inouye, Akaka, and others (published reports)
- Governor Janet Napolitano, Governor of the State of Arizona (D) (October 20, 2004)
- Eleven Republican Members of the House of Representatives (others switched their vote on the Floor under leadership pressure) and all but five House Democrats in an [October 5, 2004 vote](#)
- Representative Shelly Berkley (D-NV) (Oct. 5, 2004)
- Representative Howard Berman (D-CA) (Oct. 5, 2004)
- Representative Shelia Jackson-Lee (D-TX) (Oct. 5, 2004)
- Representative Zoe Lofgren (D-CA) (Oct. 5, 2004)
- Representative Adam B. Schiff (D-CA) (Oct. 5, 2004)
- Representative Mark Udall (D-CO) (Oct. 5, 2004)
- Representative Lynn Woolsey (D-CA) (Oct. 5, 2004)
- Governor Arnold Schwarzenegger, Governor of the State of California (R) (April 30, 2004)
- Gary Locke, former Governor of the State of Washington (D) (April 21, 2004)
- Senator Patrick Leahy (D-VT), Ranking Member, Senate Judiciary Committee, (April 7, 2004)

## **C. A WIDE RANGE OF PUBLIC INTEREST GROUPS:**

### **i. Joint Opposition:**

- Letter from 110 civil rights, women's rights, disability rights, labor, health, religious, conservation and other national, state and local groups opposing the bills seeking to split the Ninth Circuit (September 2006):

#### National:

Alliance for Justice  
American Federation of State, County and  
Municipal Employees (AFSCME)  
Americans for Democratic Action  
American Lands Alliance  
Center for International Environmental Law  
(CIEL)  
Clean Water Action  
Defenders of Wildlife  
Disability Rights Education & Defense Fund  
(DREDF)

Earthjustice  
Earth Island Institute  
EarthRights International  
Equal Justice Society  
Feminist Majority  
Friends of Animals  
Friends of the Earth  
Judge David L. Bazelon Center for Mental  
Health law  
Lawyers Committee for Civil Rights Under Law  
Legal Momentum



Living Earthjustice Love makes A Family, Inc.  
Mexican American Legal Defense and  
Education Fund (MALDEF)  
National Abortion Federation  
National Audubon Society  
National Center for Lesbian Rights  
National Council of Jewish Women  
National Gay and Lesbian Task Force  
National Health Law Program  
National Organization for Women (NOW)  
National Senior Citizens Law Center  
National Tribal Environmental Council  
Natural Resources Defense Council (NRDC)

The Ocean Conservancy  
People For the American Way  
Progressive Jewish Alliance  
Safe Food and Fertilizer  
Sierra Club  
Western Lands Project  
The Wilderness Society  
Wildlands CPR  
Woodhull Freedom Foundation  
Workman's Circle/Arbeter Ring  
World Stewardship Institute  
Xerces Society For Invertebrate Conservation

State and Local:

Alaska Coalition  
Alaska Conservation Solutions  
Alaska Rainforest Campaign  
American Wildlands  
Audubon Society of Portland  
The Bandon, Oregon Bill of Rights Defense  
Committee  
BARK  
Biodiversity Conservation Alliance  
Californians for Alternatives for Toxics  
California National Organization for Women  
California Native Plant Society  
California Wilderness Coalition  
California Women's Lawyers  
Center for Biological Diversity  
Center for Community Action and  
Environmental Justice  
Center for Environmental Law and Policy  
Center for Native Ecosystems  
Center on Race, Poverty, & the Environment  
Citizens for the Chuckwalla Valley  
Columbia Riverkeeper  
Committee for Judicial Independence  
Conservation Northwest  
Earth Day Network  
Endangered Habitats League  
Environmental Law Foundation  
The Environmental Protection Information  
Center (EPIC)  
Forest Guardians  
Forests Forever  
Friends of the Columbia Gorge  
Friends of the Panamints  
Idaho Conservation League  
Gifford Pinchot Task Force

Great Old Broads for Wilderness  
Kentucky Resources Council, Inc.  
Klamath Forest Alliance  
Klamath-Siskiyou Wildlands Center  
Kootenai Environmental Alliance  
The Lands Council  
NARAL Pro-Choice Arizona  
NARAL Pro-Choice California  
National Council of Jewish Women California  
Northwest Environmental Advocates  
Northwest Environmental Defense Center  
Okanogan Highlands Alliance  
Olympic Forest Coalition  
Oregon Center for Environmental Health  
Oregon Trout Unlimited  
Oregon natural Desert Association  
Oregon Natural Resources Council  
Oregon Toxics Alliance  
Pacific Environmental Advocacy Center  
Planning and Conservation league  
Public Advocates, Inc.  
Religious Campaign for Forest Conservation  
Save the Valley  
Siskiyou Project  
Sitka Conservation Society  
Soda Mountain Wilderness Council  
Southeast Alaska Conservation Council  
Trustees for Alaska  
Umpqua Watersheds, Inc.  
Valley Watch, Inc.  
WaterWatch of Oregon  
Western Environmental Law Center  
Wilderness Study Group at the University of  
Colorado

Workmen's Circle/Arbeter Ring Southern

California

**ii. Individual Opposition:**

- **AFL-CIO** (Oct. 25, 2005)
- **Leadership Conference on Civil Rights** (Nov.16, 2005)

**D. Tribes and Tribal Associations:**

- Affiliated Tribes of Northwest Indians (September 19, 2006)
- Inter Tribal Council of Arizona (Mar. 24, 2006)

**E. BAR ASSOCIATIONS:**

Click to Jump to: [National & Multi-State](#) // [State](#)// [Local](#)

**National/Multi-State:**

- American Bar Association (Oct. 21, 2003); (September 20, 2006)
- Federal Bar Association (Apr. 20, 2004); (September 18, 2006)
- American Bar Association Director Robert D. Evans (Apr. 6, 2004) and statement of Patricia Lee Refo, Chair, ABA Section of Litigation
- Administrative Office of the U.S. Courts (May 14, 2004)
- Ninth Circuit Lawyer Representative Coordinating Committee (Apr. 21, 2004)
- Hispanic National Bar Association (May 9, 2006)

**State:**

- Alaska Bar Association (2006)
- State Bar Association of Arizona (Sept. 8, 2005); (Apr. 19, 2004); (Jun. 8, 2006)
- Litigation Section of the State Bar of California (Apr. 20, 2004); (Mar. 29, 2005)
- Hawaii State Bar Assn. (Apr. 28, 2005) (Apr. 21, 2004)
- State Bar of Montana (Sept. 16, 2005)
- State Bar of Nevada (Sept. 15, 2006)
- Oregon State Bar (April. 14, 2004)
- Washington State Bar Association (Apr. 28, 2005)

**Local:**

- Los Abogados Hispanic Bar Association (Aug. 31, 2006)
- Los Angeles County Bar Association (Apr. 15, 2004); (Feb. 16, 2005); (Aug. 17, 2006)
- Federal Bar Association, Northern District of California Chapter (Oct. 17, 2003); (Mar. 8, 2005)
- Orange County Bar Association (Mar. 3, 2005)
- The Bar Association of San Francisco (Feb. 24, 2005)
- Federal Bar Association, Orange County Chapter (Feb. 18, 2005)
- San Diego County Bar Association (May 14, 2004); (Feb. 15, 2005)
- Beverly Hills Bar Association (Apr. 22, 2004)
- California Public Defenders Association (Apr. 20, 2004)
- California Academy of Appellate Lawyers (Feb. 24, 2004)

- Santa Clara County Bar Association

#### **F. Law Professors:**

- **Over 375 law professors** from all 50 states opposing the split on non-partisan grounds (September 18, 2006), and (September 27, 2006)

#### **G. PROMINENT PRACTITIONERS:**

- William H. Neukom, Esq., Preston Gates and Ellis (September 20, 2006)
- Ronald R. Ward, President of the Washington State Bar Association (Apr. 28, 2005)
- William J. Caldarelli, Chairman of the Litigation Section of the State Bar of California (Mar. 29, 2005)
- Reed P. Schifferman, President, Washington Chapter of the American Board of Trial Advocates (Feb. 23, 2005)
- 15 prominent CA lawyers (both Democrat and Republican, including Eric M. George, Ronald I. Olson, Anthony P. Capozzi, Elizabeth J. Cabraser, Raymond P. Boucher, John W. Kecker, Jerome Braun, Maria Acker, Meryl L. Young, Joseph W. Cotchett, Thomas V. Girardi, James J. Brosnahan, Michael Traynor, M. John Carson, Charles H. Dick, Jr.) (Apr. 12, 2004)
- Leslie R. Weatherhead, Esq. (of Witherspoon et al.) (Apr. 21, 2004)

#### **H. EDITORIAL BOARDS:**

- *The New York Times* [NY] (Sept. 23, 2006)
- *The Register-Guard* [OR]: (Nov. 28, 2005); (Sept. 28, 2006)
- *San Francisco Chronicle* [CA]: (Nov. 20, 2005)
- *Honolulu Star-Bulletin* [HI]: (Jun. 21, 2005); (Nov. 18, 2005);
- *San Jose Mercury News* [CA]: (Nov. 17, 2005)
- *The Modesto Bee* [CA]: (Nov. 14, 2005)
- *Sacramento Bee* [CA]: (Nov. 11, 2005)
- *Seattle Post-Intelligencer* [WA]: (Jun. 21, 2005); (Nov. 9, 2005)
- *Juneau Empire* [AK]; (Oct. 16, 2005)
- *Sacramento Bee* [CA]: (Feb. 13, 2005)
- *Tucson Citizen* [AZ]; (Oct. 8, 2004)
- *Legal Affairs*: (Jan.- Feb. 2004)

#### **I. COMMENTARY**

- Chief U.S. District Court Judges Robert S. Lasnik and Robert H. Whaley, *The Seattle Times*, “Northwest doesn’t need its own federal court circuit” (October 13, 2006)
- Richard Ruelas, *The Arizona Republic*, “Splitting court may leave Latino judges out of mix” (October 13, 2006)
- Tomas Healy, FindLaw, “Will the U.S. Court of Appeals for the Ninth Circuit Finally Be Split? If So, the Reason Will Be Politics, Not Caseload” (September 25, 2006)
- Daniel J. Meador, *Legal Times*, Split the Difference (Aug. 28, 2006)
- Carl Tobias, *Legal Times*, “Keep It Together” (Aug. 28, 2006); *The Washington Times* (Dec. 30, 2005); *The National Law Journal* (Nov. 21, 2005).

- Joel Connelly, *Seattle Post-Intelligencer* (May 15, 2006)
- 33 Ninth Circuit Court Judges: *Engage*, vol. 7 (Mar. 2006)
- Lloyd B. Miller and Kenneth J. Diemer, *Anchorage Daily News* (Mar. 23, 2006)
- Jim Kiser, *The Arizona Daily Star* (Dec. 2, 2005) and (Nov. 27, 2005)
- Mark Fiore, Animated cartoon about Ninth Circuit split and other issues in the House budget bill (Nov. 30, 2005)
- Patrick Cathcart, *The Daily Journal* (Nov. 25, 2005)
- John C. Yoo and Eric M. George, *San Francisco Chronicle* (Nov. 23, 2005) John C. Yoo is a law professor at UC Berkeley and formerly a Justice Department attorney in the George W. Bush administration. Eric M. George is a trial lawyer in Southern California and former legal counsel to the U.S. Senate Judiciary Committee and to Gov. Pete Wilson.
- Merrilee MacLean and David Burman, *Seattle Post-Intelligencer* (Nov. 23, 2005)
- Roxie Bacon and Don Bivens, *The Arizona Republic* (Nov. 21, 2005) The writers are former presidents of the State Bar of Arizona. Roxie Bacon served from 1991-92. Don Bivens served from 1998-99.
- Law Professor Erwin Chemerinsky, *Duke University Daily Journal* (Nov. 15, 2005) and *National Law Journal* (Oct. 7, 2002)
- Senator Dianne Feinstein (D-CA), *Los Angeles Times* (Nov. 12, 2005)
- Alan Schorr, *Juneau Empire* (Nov. 9, 2005)
- Joanne Cronrath Bamberger, *The Washington Examiner [DC]* (July 1, 2005)
- Wendy Holton, *The Montana Lawyer* (June/July 2005)
- Ninth Circuit Judges Alex Kozinski and Sidney R. Thomas, *The Wall Street Journal* (Nov. 14, 2004)
- Dahlia Lithwick, *Los Angeles Times* (Oct. 12, 2004)
- Scott R. Raber, Kathleen Morris, George M. Duff III, Brad Lewis, Chris Sullivan, Valerie Stewart, Stephen L. Schirle, Sharon L. O'Grady, and Jennifer S. Abrams, *The Recorder* (Apr. 18, 2003) The authors are present and former officers of the Northern District of California Chapter of the Federal Bar Association.

## **J. OPPOSING IMMEDIATE ACTION**

- [Letter from nine Western senators](#) (Daniel K. Akaka; Max Baucus; Barbara Boxer; Maria Cantwell; Dianne Feinstein; Daniel K. Inouye; Patty Murray; Harry Reid; Ron Wyden) opposing Ninth Circuit split language in House budget reconciliation bill (Dec. 8, 2005)
- Senate Judiciary Committee Chairman Arlen Specter (R-PA) and Ranking Member Patrick Leahy (D-VT) opposing inclusion of the Ninth Circuit split in any reconciliation package (Nov. 9, 2005)
- 7 Ninth Circuit judges who have served or will serve as Chief Judge in the foreseeable future have opposed any immediate action on dividing the Ninth Circuit (Sept. 2005): James R. Browning; Alfred T. Goodwin; J. Clifford Wallace; Procter Hug; Mary M. Schroeder; Alex Kozinski; Sidney R. Thomas.