

JUDICIARY: Democrats pushing for judicial confirmations

Senate Democrats increased pressure on the Republican leadership over stalled judicial nominations yesterday in the hope that a slew of nominees can be confirmed before the end of the lame-duck session of Congress.

The latest round of rhetorical attacks on the GOP's delaying tactics came on the same day the Senate Judiciary Committee approved another 11 nominees -- swelling to 34 the number awaiting a floor vote.

Of those, eight are circuit court nominees, and 26 are district court nominees.

Those familiar with the fight over nominees expect some kind of agreement before the end of the session later this month that would allow a number of nominees to be confirmed, including the 26 who were approved by the committee without any Republican opposition.

Senate Majority Leader Harry Reid (D-Nev.) yesterday said he was "trying to work something out" with Minority Leader Mitch McConnell (R-Ky.) regarding judges. "We have numerous judges that need to be taken care of," he said during remarks on the Senate floor.

Reid spokesman Jim Manley said Democrats want "to get as many nominations, including judges, confirmed as possible" before the end of the session.

Judiciary Chairman Patrick Leahy (D-Vt.) also took to the floor yesterday to vent his frustration at the lack of progress.

"I hope before the year is out this may change," Leahy said.

A spokesman for McConnell said discussions are ongoing but declined to offer further details.

McConnell and his Republican colleagues did not indicate they were in a conciliatory mood yesterday, sending a letter to Reid saying they would not cooperate over any legislative issues until the Senate takes up various tax and budget issues. The letter did not mention nominations.

Even if a deal is reached on nominees with bipartisan support, it remains unclear what will happen regarding those who have attracted vocal opposition from Republicans, the most high-profile being 9th U.S. Circuit Court of Appeals nominee Goodwin Liu, a University of California, Berkeley, law professor.

Glenn Sugameli, who tracks judicial nominations for Defenders of Wildlife, predicted a deal in which noncontroversial nominees are bundled together and approved en masse. More controversial nominees could face individual votes, he suggested, and Reid might have to file a procedural motion ending debate in order to get an up-or-down vote on Liu.

The 11 nominees approved by the Judiciary Committee yesterday included two circuit court nominees: James Graves, an African-American state judge earmarked for the New Orleans-based 5th U.S. Circuit Court of Appeals, and Susan Carney, currently the deputy general counsel at Yale University, who has been nominated for a seat on the New York-based 2nd U.S. Circuit Court of Appeals.

All 11 -- with the exception of Carney, who was approved 16-3 -- were voted out of committee without objection.

There are 110 vacancies in federal courts overall. So far, 41 Obama judicial nominees have been confirmed, plus two Supreme Court nominees.