

The Free Lance-Star

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Letter to the Editor

Judicial nominee is not without problems

The Aug. 7 editorial ["Breaching the blockade"] did not reflect either the history of President Bush's judicial nominations or the scope of problems with Leslie Southwick's nomination to a lifetime seat on the 5th U.S. Circuit Court of Appeals.

President Bush has failed to nominate anyone for 22 of 48 court vacancies, including two 4th Circuit Virginia-based seats for which Sens. John Warner and Jim Webb jointly recommended five names.

He also has refused to nominate anyone to appeals court seats in other circuits despite recommendations from Republicans, including Sen. Arlen Specter and then-Sen. Lincoln Chafee.

When President Bush has submitted nominees, he has all too often ignored the Senate's constitutional "advise and consent" role.

A 4th Circuit Maryland-based seat has remained unfilled for almost seven years because Claude Allen, the only nominee President Bush submitted, did not live in the state (he later pleaded guilty to misdemeanor theft).

Recently, President Bush gave New Jersey's senators no input on their state's 3rd Circuit nominee, and only informed them after the selection was made.

The problems with Leslie Southwick's nomination go beyond the two decisions mentioned in the editorial. Senators' statements and many of the letters of concern and opposition collected at judgingtheenvironment.org cited his apparent pro-corporate tilt and his rulings against access to courts and workers' rights as a Mississippi Court of Appeals judge.

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