75 PENNSYLVANIA NEWSPAPER EDITORIALS:
FILL FEDERAL JUDICIAL VACANCIES

Compiled By Glenn Sugameli, Senior Attorney, Defenders of Wildlife Tel: 202-772-0204 gsugameli@defenders.org from Judging the Environment website (4/28/2016)

Links & Excerpts to Senator Statements from PA Senators ALL


75 PENNSYLVANIA EDITORIAL BOARD OPINIONS FROM 18 NEWSPAPERS

**Erie Times-News**

*EDITORIAL: Our view: Senate blows chance to bolster Erie court* *(Erie Times-News [PA], 04/28/16)*

"U.S. District Magistrate Judge Susan Paradise Baxter is not an ideological abstraction. Neither is the criminal and civil caseload in Erie's U.S. District Court. ... None of that apparently matters in the U.S. Senate, where those elected to do the job have delayed a critical constitutional task, seating a candidate to fill the vacancy created nearly three years ago .... President Barack Obama nominated her in July to fill McLaughlin's seat, with support from both Democratic Sen. Bob Casey and Republican Sen. Pat Toomey. Baxter breezed through a Dec. 9 hearing before the Senate Judiciary Committee.... On Tuesday, ... Senate Democrats in Washington sought to gain confirmation on 11 noncontroversial judicial nominations, including Baxter's. Senate Republicans blocked the move. Senate Majority Leader Mitch McConnell, R-Ky., invoked math: Obama already had more judicial confirmations than President George W. Bush did at this stage in his presidency. Granted, both sides have played the obstruction game. But that still seems to us a meaningless number, because the vacancies confronting Obama, including Erie's, have been more numerous. Justice is supposed to roll like water, not be counted out like beans. The Senate needs to do its job."

*Our View: Pa.'s senators champion bipartisanship* *(Erie Times-News [PA], 02/05/13)*

"President Barack Obama's Cabinet appointments grab the headlines, but [Sen.] Toomey mentioned several lesser-known examples of bipartisan cooperation. The Senate has made progress to fill federal judiciary vacancies in Pennsylvania, he said."

**Harrisburg Patriot-News/PennLive**

*Free Pa's federal judicial nominees from Senate limbo: Editorial* *(PennLive [PA], 04/15/16)*

"The Senate's Republican majorities have made an absolute fetish of blocking President Barack Obama's judicial appointments – an obstructionist posture that has burdened benches across the nation, particularly in Pennsylvania.... Even before they held the majority, Senate Republicans routinely blocked movement on the president's nominees, filibustering mercilessly and delaying, sometimes for more than a year, even those judges who were eventually approved all but unanimously. Laughably, when the president offered nominations to fill three vacancies on the D.C. Circuit Court of Appeals in June 2013, GOP leaders accused him of trying to "pack the court." ... some 50 judicial nominees are currently hanging fire .... the Senate has approved just 17 judicial nominations since Republicans took control in 2015. That's fewer than half the 40-plus circuit and district court nominees approved by the Democratic-controlled Senate during a similar period during George W. Bush's presidency.... 34 judicial districts face emergency shortages .... Also nominated by Obama ... Rebecca Ross Haywood for the U.S. Court of Appeals for the Third Circuit
.... Toomey is urging fellow Republican Sen. Charles Grassley of Idaho, Judiciary Committee chairman, to advance Colville and Younge out of committee and on to a floor vote. His advocacy is commendable, but that Toomey continues to simultaneously (and heartily) block the president's Supreme Court nominee is an irony that is hard to ignore.

Editorial: The president's judicial nominees should get approval (Patriot News [Harrisburg, PA], 12/02/12)

"Republicans in Washington like to deny accusations that during Barack Obama’s first term as president they have played the role of obstructionists But it is hard not to come to that conclusion when you look at federal court bench vacancies. ... Given that 14 of the 19 nominees waiting Senate approval received no real opposition from the Judiciary Committee it is hard to understand what the holdup is if it is not pure politics. Now that the election is over, however, the Senate needs to confirm the pending nominees. ... The president also should be praised for providing a list of nominees that represents the most diverse group of potential federal judges in history as 44 percent of the appointees are women and 37 percent are minorities."

Editorial: Senate's obstructive tools need to be buried (Patriot News [Harrisburg, PA], 01/30/11)

"The changes made are good ones but hardly go far enough."

Pittsburgh Post-Gazette

EDITORIAL: Hold up: The Senate deserves a vote on the FDA nominee (Pittsburgh Post-Gazette [PA], 01/29/16)

"A hold is a maneuver permitted by Senate rules that allows a single lawmaker to block a measure from receiving a floor vote. It is often used as a partisan weapon, in which a senator from one party can hold hostage the appointment of a president from the other party. Last month, no fewer than 28 Obama nominees — for judgeships, ambassador posts, terrorism finance specialist and high-level State Department positions — were on ice in the Republican-led Senate, some of them via holds. The holds on this nomination aren't partisan payback, but they're just as insidious because they deny the full Senate a chance to vote."

EDITORIAL: Well-staffed court: Casey and Toomey must push the choices forward (Pittsburgh Post-Gazette [PA], 08/10/15)

"It's easy to dismiss the necessity of well-staffed, high-functioning courts — until you need one. But the wheels of justice turn more slowly when a judge's chair is empty. As of Aug. 6, 67 judicial vacancies were pending in federal courts. Look ahead to future retirements already scheduled and the system will see another 16 judges depart by next July.... One casualty of the hostile relations between Democratic President Barack Obama and the Republican-controlled Congress has been the inability — sometimes unwillingess — to approve qualified judicial nominees before they become hostages in unrelated political battles. Pennsylvanians got a taste of that with the case of U.S. Judge Luis Restrepo. His nomination by Mr. Obama to the 3rd U.S. Circuit Court of Appeals languished for eight months until the Senate Judiciary Committee in July moved it in position for a floor vote. Last week the president named three candidates to fill long-standing vacancies ... To get this far, the nominees have already been vetted by a selection committee set up jointly by Pennsylvania's senators, Republican Pat Toomey and Democrat Bob Casey. Together they should keep any political shenanigans at bay and push the nomination process forward."

EDITORIAL: Unjust delay: Toomey is to blame for a stalled nomination (Pittsburgh Post-Gazette [PA], 05/10/15)

"In November, Sen. Pat Toomey applauded the nomination of L. Felipe Restrepo to the 3rd Circuit
Court of Appeals, saying he would make a “superb addition” to the Philadelphia-based court. Six months later, Mr. Restrepo is not only unconfirmed, but has yet to appear before the Senate Judiciary Committee for an interview, and Mr. Toomey appears to be the reason.... Mr. Restrepo, a federal judge for the Eastern District of Pennsylvania since 2013, is well qualified for the post and the 3rd Circuit needs him. Its judges hear appeals from three states — Pennsylvania, New Jersey and Delaware — and the district has been declared a “judicial emergency” because of its backlog of cases.... Enough with the games. The 3rd Circuit needs confirmation this month."

**EDITORIAL: Congress returns: And there may be cause for cautious optimism** *(Pittsburgh Post-Gazette [PA], 01/08/15)*

"Although many Washington political players are pondering what Americans should expect of this Congress, it can be summed up fairly simply: The legislators, who are paid by the public, need to do their jobs. For senators, an important part of that is to act on presidential nominations. It is up to Mr. Obama to propose capable professionals as judges, Cabinet heads, ambassadors and other important officials, avoiding controversial nominations that will provoke serious opposition. It is then the Senate’s duty to act quickly on the appointments."

**Editorial: Majority rule: It's time for the Senate to revive common sense** *(Pittsburgh Post-Gazette [PA], 11/21/13)*

"Republican minority’s latest use of a filibuster to obstruct three more judge nominations, ... Ninety-two vacancies exist among 850 federal judge positions on U.S. district and appellate courts across the country. That means nearly one in nine seats is empty. Some 38 of these are on courts that are overburdened in their caseloads. Even Supreme Court Chief Justice John G. Roberts Jr., appointed by Republican President George W. Bush, has urged the Senate to act expeditiously on the nominations, given the courts’ dilemma. ...cutting off a filibuster on these nominations with 51 votes — is more than justified by the country’s need for judges and the speedier justice they can bring all citizens."

**Nuke 'em, Harry: Reid should break the minority's filibuster grip** *(Pittsburgh Post-Gazette [PA], 06/05/13)*

"One of the worst areas in which the Senate has shut itself down is judicial nominations. Many nominees have not been confirmed a year or more after the president sent their names to the Senate. The motive is simple: Republicans do not want more liberal judges on the federal bench. But instead of insisting on moderation, as they claim, they are simply refusing to fill vacancies....what is happening now is an unprecedented power grab....This president, like others, deserves to staff his administration. Courts cannot do justice with empty benches."

**Editorial: Hollow judiciary; Obstructionist senators are hobbling the courts** *(Pittsburgh Post-Gazette [PA], 03/15/13)*

"Once again Congress, in not doing its job -- this time, on the confirmation of judges ... The most recent example of Republican obstruction was the case of former New York State Solicitor General Caitlin J. Halligan ... Today there are 17 vacancies at the 13 federal appeals courts. Four of the openings are on the 11-seat District of Columbia circuit ... the legislative branch is disabling the judiciary in its ability to function, hobbling it by blocking the confirmation of judges to fill vacancies."

**Editorial: Out of order: Vacancies in federal courts can't be further delayed** *(Pittsburgh Post-Gazette [PA], 11/24/12)*

"Filling judicial vacancies is crucial in keeping the legal system running efficiently for the good of the
nation. Add judicial vacancies in the lower federal courts to the long list of subjects where compromise must prevail and the public's business must be done.

**Editorial: Reform the Senate: Lawmakers have a chance to fix their rules today** *(Pittsburgh Post-Gazette [PA], 01/05/11)*

The key will be what it does, if anything, about the misuse of two traditional practices: the filibuster and secret holds by senators on legislation and presidential nominations. Both must be reformed.... Secret holds allow a single senator to tie up legislation or a presidential appointment that requires Senate confirmation, without having to give a reason or even identify himself or herself. Such holds are responsible for vacancies in dozens of judgeships and more than 100 executive-branch positions.

**Pocono Record Stroudsburg**

**Editorial: U.S. Senate needs to quit stalling judicial appointments** *(Pocono Record [PA], 09/22/15)*

"[J]ustice is not served when you can’t get a date to hear your case — when the backlog of cases is so huge that it could be months or even years before a judge hears your argument. That is the situation in the nation’s federal courts, where the vacancy rate is high, case loads are high, yet the pace of judicial appointments has fallen to a 60-year low.... This is not for lack of qualified candidates, mind you; it’s sheer politics in the U.S. Senate. Take Pennsylvania, which has six vacancies in the federal court and five nominees pending. One of them, Luis Felipe Restrepo of the U.S. District Court, has the support of both Democratic Sen. Robert Casey and Republican Sen. Pat Toomey for his nomination to the Third Circuit Court of Appeals. Yet he waited nearly seven months before the Senate Judiciary Committee — unanimously — to advance his nomination to the Senate floor. More than two months have passed and nothing more has happened... As a Republican himself, Sen. Toomey should chastize his colleagues for playing politics and remind them of their obligation to appoint judges."

**Wilkes-Barre Citizens Voice**

**EDITORIAL: Time to move judicial nomination forward** *(Citizens Voice [Wilkes-Barre, PA], 05/12/15)*

"No one has suggested that U.S. District Judge L. Felipe Restrepo of the Eastern District of Pennsylvania is anything other than highly qualified for a seat on the 3rd Circuit Court of Appeals. Yet, in another testament to the Senate Republican majority’s willingness to use highly qualified nominees as political pawns, Restrepo’s nomination has gone nowhere in the six months since President Barack Obama submitted his name.... No one has suggested that U.S. District Judge L. Felipe Restrepo of the Eastern District of Pennsylvania is anything other than highly qualified for a seat on the 3rd Circuit Court of Appeals. Yet, in another testament to the Senate Republican majority’s willingness to use highly qualified nominees as political pawns, Restrepo’s nomination has gone nowhere in the six months since President Barack Obama submitted his name."

**Editorial: Casey, Toomey should keep up good work** *(Citizens Voice [Wilkes-Barre, PA], 12/19/13)*

"Even before Senate Democrats changed the filibuster rule to ease the confirmation of judicial and executive branch nominees, Pennsylvania’s two senators had managed to find common ground. Democrat Bob Casey and Republican Pat Toomey established a process to vet nominees ... Yet vacancies remain in the state’s two other federal court districts that diminish the public’s ready access to justice.... Casey and Toomey agreed in August on two nominees - attorney Gerald McHugh and..."
Judge Edward Smith - but the confirmation process has stalled and there has been no movement toward nominations for the other five seats.... Casey and Toomey agreed in August on two nominees - attorney Gerald McHugh and Judge Edward Smith - but the confirmation process has stalled and there has been no movement toward nominations for the other five seats.”

**Editorial: Fill federal court vacancies in a timely manner** *(Citizens Voice [Wilkes-Barre, PA], 05/21/12)*

"Pennsylvania's senators and the White House have taken their sweet time in nominating judges for an array of vacancies that have delayed and, therefore, denied justice in the federal courts - a situation that has been rendered even worse by the infamously obstructionist Republican minority in the U.S. Senate.... Casey and Toomey should move quickly to fill other federal court vacancies in Pennsylvania. Meanwhile, there remain 75 federal court vacancies nationwide and 32 judicial emergencies, where justice is delayed and denied. Candidates for federal offices should make the failure to fill those seats a major issue in the fall campaign."

**Editorial: Obstruction is unacceptable** *(Citizens Voice [Wilkes-Barre, PA], 08/06/11)*

"Due to obstruction by minority Republicans, the Senate failed to confirm 20 of 24 federal judicial nominees who had been approved, without opposition, by the Senate Judiciary Committee. ... Mariani's nomination was one of three in Pennsylvania that were held up despite public-spirited cooperation by the state's senators, Republican Pat Toomey and Democrat Bob Casey, in supporting all three.... By this point in President George W. Bush's first term, the Senate had approved 40 percent more judicial nominees than during the Obama administration. When President Obama took office there were 55 federal judicial vacancies. Today, there are 88. Many of those seats have been vacant so long that 38 have been declared judicial emergencies by the Administrative Office of the U.S. Courts."

**Editorial: Fill judicial vacancies now** *(Citizens Voice [Wilkes-Barre, PA], 10/05/09)*

**Philadelphia Inquirer**

**Inquirer Editorial: Place limits on filibustering** *(Philadelphia Inquirer [PA], 12/12/12)*

“[A]buse of another parliamentary maneuver, the "silent hold," has blocked judicial nominations and made a backlog in the federal courts worse. … without debate, the merits of a bill or a nomination aren't heard....Give the minority sufficient time to make its points in debate, but don't allow abuse of that privilege to thwart an up-or-down vote.”

**Inquirer Editorial: At least agree on judges** *(Philadelphia Inquirer [PA], 12/04/12)*

"Unfortunately, the Senate has a bad case of the slows on nominees, even those with bipartisan support. The Alliance for Justice reports that 46 judicial nominations are currently pending. The delays have a whiff of partisanship to them. President Obama has seen only 73 percent of his judicial appointments confirmed at this point in his presidency - less than either President Bill Clinton (84 percent) or George W. Bush (90 percent), according to the alliance. Though the president's fellow Democrats have a slight majority in the Senate, any senator can put a "hold" on a nominee. Any nominee can be filibustered - requiring a supermajority of 60 votes just to bring the nomination to the Senate floor. The bipartisan support that Toomey and Casey offer is no guarantee of success. Two of their nominees for the Middle District of Pennsylvania, Matthew Brann and Malachy Mannion, have awaited full Senate action for four months, despite near-unanimous approval by the Judiciary Committee. That court has been in a state of "judicial emergency" since 2009....One way to show good faith with the people would be to act swiftly on good judicial nominees who have bipartisan support."
**Editorial: Stop sitting on judges** *(Philadelphia Inquirer [P.A], 09/12/10)*

"The Senate Republican leadership should stop its delaying tactics on President Obama's judicial nominees. And Obama needs to assert himself more if he's to fill a glaring number of vacancies on the federal bench."

**Editorial: Empty benches** *(Philadelphia Inquirer [P.A], 09/26/09)*

"The slow pace of filling federal judgeships is building to a crisis. ... Republicans are doing everything they can to slow down Obama's nominations, including threats of filibusters and anonymous "holds" on nominees" "The Senate GOP isn't even adhering to its own alleged principles on judicial nominations. Republicans told Obama they would accept a nominee only if he or she had the blessing of the Republican senator in the candidate's home state. But they are stalling the nomination of Judge David Hamilton, who has the approval of Sen. Richard Lugar (R., Ind.) for a seat on the Seventh Circuit Court."

**Observer-Reporter** Washington, PA

**EDITORIAL: Toomey needs to explain himself regarding judge** *(Observer-Reporter [P.A], 05/14/15)*

"It's not uncommon for a member of the U.S. Senate to put a temporary block on a judicial nominee over philosophical or political differences. Pennsylvania Republican Sen. Pat Toomey is doing that right now with President Obama's nomination of Luis Felipe Restrepo to the U.S. Court of Appeals for the 3rd Circuit. And on whose recommendation did the president make this nomination? Why, it was none other than Sen. Pat Toomey. We kid you not. Toomey is throwing a roadblock in front of his own judicial choice.... An aide to the senator said Toomey “hopes it gets done this year.” This year? It's only May. One would hope that Restrepo’s nomination advances well before the end of 2015, considering that he already has been cooling his heels since last November."

**Intelligencer Journal-Lancaster New Era Lancaster**

**In Our View: How to end gridlock** *(Intelligencer Journal [P.A], 11/12/12)*

"This past summer, Senate Republicans used the threat of a filibuster to halt passage of a student loan bill, campaign disclosure requirements and judicial nominations."

**Bench vacancies: Intelligencer Journal: In Our View** *(Intelligencer Journal [P.A], 12/30/11)*

"The opposition party needs to stop blocking judicial appointments as a way to score political points."

**Editorial: Bust filibusters** *(Intelligencer Journal [P.A], 01/05/11)*

"No one has to hold the floor and talk a bill to death. Instead, all members of the minority party need to do is raise an anonymous objection that requires a 60-vote supermajority. Republicans have used this trick for the past two years. The result: No budget, a backlog of executive level and judicial nominees seeking confirmation and gridlock that has come to characterize Washington.... Former U.S. Sen. Arlen Specter's view that the Senate disallow filibusters or holds on judicial and executive office nominees provides common ground for both parties."

**Unfilled jobs: Intelligencer Journal: In Our View** *(Intelligencer Journal [P.A], 09/24/10)*

"Pennsylvania currently has six federal judicial vacancies ... if Obama is to be criticized for nominating fewer judicial candidates, Republicans merit criticism for obstructing those nominations whenever possible. ... There is no reason the Senate should delay voting on judges — especially those who have received the full support of the judiciary committee."
**Reading Eagle**

**Editorial: Limiting debate won't end animosity between parties** *(Reading Eagle [PA], 12/03/13)*

"Judicial nominations are another matter. Because they are lifetime appointments, they deserve more scrutiny. Even then, however, each nominee deserves an up-or-down vote within a prescribed time, say three or four months. Any chance of that happening at this point, however, is minuscule."

**Our Opinion: Schmehl an excellent choice to serve on federal bench; It is a perfect choice to fill the vacant courtroom in downtown Reading.** *(Reading Eagle [PA], 12/02/12)*

"We trust his confirmation by the Senate will be quick ... Schmehl, a Republican, was nominated by Obama, a Democrat, along with two other candidates, Philadelphia Judges Nitza I. Quinones Alejandro and Luis Felipe Restrepo, to fill three vacancies in the Eastern District ... It is important for Reading to have a federal judge in that courtroom, not as a matter of prestige or tradition but as matter of convenience and efficiency. A Berks-based judge provides attorneys, principals and witnesses in this community easy access to the federal judiciary."

**Scranton Times-Tribune** and [here](#) and [here](#)

**EDITORIAL: Confirm judge for 3rd Circuit** *(Scranton Times-Tribune [PA], 05/12/15)*

**Editorial: Fill judicial vacancies** *(Scranton Times-Tribune [PA], 12/19/13)*

"Democrat Bob Casey and Republican Pat Toomey established a process to vet nominees ... they have been able to end the "judicial emergency" of vacancies that long had plagued the Scranton-based U.S. Middle District of Pennsylvania. Yet vacancies remain in the state's two other federal court districts that diminish the public's ready access to justice....the Philadelphia-based Eastern District has seven judicial vacancies. Mr. Casey and Mr. Toomey agreed in August on two nominees - attorney Gerald McHugh and Judge Edward Smith - but the confirmation process has stalled and there has been no movement toward nominations for the other five seats. The Western District, Pittsburgh, has three vacancies, for which 40 lawyers and judges had applied before the deadline nearly a year ago, but no names have been forwarded to the White House. The change in the filibuster rule should produce more confirmations to help get the courts up to speed. Nationwide there are 88 vacancies and 20 announced retirements. It's more important that Mr. Casey and Mr. Toomey continue their good work, in public, to get qualified candidates into the process."

**Editorial: 59 percent good enough** *(Scranton Times-Tribune [PA], 12/10/13)*

"The Senate engaged in representative democracy Tuesday, voting 56-38 to confirm a sound candidate to the U.S. Court of Appeals for the District of Columbia. With 59 percent of the vote, attorney Patricia Millett will fill one of three vacancies on the powerful 11-member court ... rampant abuse of the filibuster rule had created a case of minority rule with no respect for majority rights.... Republicans who misused the filibuster to block confirmations claimed that the D.C. court is under-worked, that they acted for economy rather than to keep a conservative majority on the court. Yet the U.S. Judicial Conference's Standing Committee on Judicial Resources had reported to the Senate that the court's workload has been consistent for 10 years, during which the Senate confirmed three of President George W. Bush's nominees to the court. ... President Obama should use the restoration of democracy in the Senate to re-establish timely access to the U.S. district and appellate courts."

**Editorial: Ease federal caseloads** *(Scranton Times-Tribune [PA], 09/15/13)*

"According to the Judicial Conference of the United States, the median time for a federal civil case to proceed from filing to trial has increased by more than 70 percent since 1992, from 15 months to 25.7 months. Since 2000, the number of cases in the system that are more than three years old has
increased to 12 percent of the total federal civil docket, up from 5 percent between 1992 and 1999. Those kinds of delays can be life-altering for an individual in a dispute, or highly disruptive for a business involved in a commercial or proprietary property case. Less political obstructionism by Republicans holding up appointments to current seats would help, but the judicial conference and the Brennan Center for Justice at the New York University School of Law have calculated that, even if every existing seat were filled, judicial caseloads still would produce delays because new filings have increased by more than 40 percent since 1992. Congress should pass the Federal Judgeship Act of 2013 to ensure that Americans have timely access to justice through the federal courts."

**Editorial: No right to obstruction** *(Scranton Times-Tribune [PA], 07/13/13)*

"Using devices such as the ridiculous "hold," by which any senator can stop any appointment, and the filibuster, which has become an instrument of routine obstruction, Senate Republicans recently have blocked Cabinet appointments to the Environmental Protection Agency and the Department of Labor, several appointments to the National Labor Relations Board and a growing list of appeals court judges. The "hold" rule simply should be eliminated because it places far too much power in the hands of a single senator. Unless Mr. Reid and Mr. McConnell can reach some agreement on moving nominations, Mr. Reid should use his power to drive rule changes that produce debate and resolution rather than infinite paralysis."

**Editorial: Fill seats on key D.C. court** *(Scranton Times-Tribune [PA], 05/31/13)*

**Editorial: Nominations long overdue; fill benches** *(Scranton Times-Tribune [PA], 05/21/12)*

"The notion that justice delayed is justice denied is traceable all the way back to the Magna Carta. Yet Pennsylvania's senators and the White House have taken their sweet time in nominating judges for an array of vacancies that have delayed and, therefore, denied justice in the federal courts - a situation that has been rendered even worse by the infamously obstructionist Republican minority in the U.S. Senate. The question now is whether the senators' agreement will translate into speedy confirmations ... political obstruction has caused long delays in the Senate even for highly qualified, noncontroversial nominees. Casey and Toomey should move quickly to fill other federal court vacancies in Pennsylvania. Meanwhile, there remain 75 federal court vacancies nationwide and 32 judicial emergencies, where justice is delayed and denied. Candidates for federal offices should make the failure to fill those seats a major issue in the fall campaign."

**Editorial: Fill federal court seats** *(Scranton Times-Tribune [PA], 04/16/12)*

"One in 10 federal court seats is vacant and the problem in Pennsylvania is among the worst nationwide. There are six vacancies in the federal district courts. Two of those vacancies are in the Middle District of Pennsylvania, based in Scranton, where there is a judicial emergency. ... U.S. Sens. Patrick Toomey and Bob Casey should move aggressively to resolve the vacancies by recommending strong candidates to the president for nomination, and by working in concert to quickly bring about confirmation votes."

**Editorial: Fill Vacancies** *(Scranton Times-Tribune [PA], 01/14/12)*

"Sen. Bob Casey, a Democrat, and Sen. Pat Toomey, a Republican, attended Judge Mariani’s swearing-in. They said they are working on recommending nominees to the White House. They should stop talking about it and move to fill the vacancies. Mr. Toomey has a special role to play in urging less obstruction from his Republican colleagues. The Senate has confirmed far fewer of President Obama's nominees than at comparable points in the presidencies of George W. Bush and Bill Clinton. It's time to make the process more about justice than politics by letting the courts do their job."
Editorial: Obstruction ceiling high (Scranton Times-Tribune [PA], 08/06/11)
"Unless the Senate outlaws obstruction, the situation will worsen. The number of vacancies increased by 10 in July alone, and 11 judges have announced that they will retire by the end of the year. According to the Department of Justice, an average of 60 vacancies will occur each year for a decade. The Senate should adopt a rule requiring speedy up or down votes for all "consensus" nominees, those like the 20 now on hold who are approved by the Judiciary Committee. Senators then would be free to vote "no" if they choose, but not to obstruct the democratic process, and justice, for their own political purposes."

Editorial: OK U.S. judges, end emergency (Scranton Times-Tribune [PA], 02/07/11)
"A perfect test of that environment would be the early confirmation of scores of federal judicial nominees - the vast majority of whom are well-qualified and noncontroversial. The administrative office of the United States Courts classifies 49 of 102 federal judicial vacancies as "judicial emergencies," ... Two of those judicial emergencies are in the U.S. District Court for the Middle District of Pennsylvania ... During the Obama presidency, the Senate has had a dismal record of moving nominations, due largely to unwarranted minority obstruction. Sen. Harry Reid, the majority leader, should begin pushing as many nominations as possible as a test of the supposed bipartisan commitment to actually conduct business."

Editorial: Fix filibuster, outlaw 'holds' (Scranton Times-Tribune [PA], 01/05/11)

Editorial: Bob Mariani good choice; end delays (Scranton Times-Tribune [PA], 12/06/10)
"20 federal judges are due to retire, and the Congress has not acted on the request by the Judicial Conference of the United States to create 56 more judgeships in order to deal with a growing federal court case load. In effect, the actual number of vacancies, relative to the number of judges that are needed, is about 180....The current Republican minority in the Senate has taken that gamesmanship to a new low."

Editorial: End delays on federal judges (Scranton Times-Tribune [PA], 09/14/10)
"Using filibuster threats and the despicable device known as the "anonymous hold," the Senate Republican minority has produced the worst record in more than four decades for confirming judicial nominees by a first-term president. Only 40 of President Obama's 85 nominees have been confirmed....President Obama should pick up the pace of nominations, and put pressure on the recalcitrant Senate majority to relieve the backlog. Senators should refrain from filibusters and anonymous holds."

Editorial: Conduct vote on Vanaskie Fill judicial vacancies (Scranton Times-Tribune [PA], 02/27/10)
"Rather than challenging President Obama's judicial nominees on grounds of competence or even ideology, Senate Republicans simply have delayed them because rules allow them to do so. As reported by David Ingram of Law.com, the average time from nomination to confirmation for Mr. Obama's judicial nominees has been 213 days. During the comparable period of President George W. Bush's first term, the wait was 141 days... more votes on nominees. ...would call out the obstructionists and serve the administration of justice."

Editorial: Court vacancies delay justice (Scranton Times-Tribune [PA], 12/07/09)
"One of the oldest guiding principles of Western law is that justice delayed is justice denied. Politicians, unfortunately, rarely apply the adage to filling judicial vacancies. Scandal and politics have contributed to vacancies at several levels in Northeast Pennsylvania, which guarantee delays in some cases and create the prospect of justice denied for many litigants....Sens. Bob Casey and Arlen
Specter should work with the White House to expedite the nomination process for the district seats."

**Editorial: Fill court seats** *(Scranton Times-Tribune [PA], 10/04/09)*
"Sens. Bob Casey and Arlen Specter should turn to the task of recommending judicial nominees to President Obama, and urging him to quickly announce his nominations.... Both senators and the president should move to fill the open seats in the name of a responsive and efficient justice system."

*Easton Express-Times*

**Editorial: TURKEYS AND TROPHIES: Leeson a solid choice for federal judgeship** *(Express-Times [PA], 06/21/14)*
"TROPHIES: A worthy candidate: Bethlehem attorney Joseph F. "Jay" Lesson Jr. was nominated this week for a federal judgeship by President Obama. Leeson has served in many roles in local government, including Bethlehem city council and city solicitor, and has a wealth of community experience. If confirmed by the Senate, Leeson would fill the vacant U.S. District Court seat in Allentown. Combined with the recent appointment of former Northampton County Judge Edward Smith to a federal court position in Easton, the elevation of Leeson would go a long way in tackling the federal case backlog in the Lehigh Valley."

**EDITORIAL: Smith a solid choice for U.S. District Court** *(Express-Times [PA], 08/04/13)*
"Smith’s confirmation would help address the appalling backlog of cases that has piled up in federal trial and appellate courts in the past decade, a breakdown that punishes litigants who deserve to be heard in a timely way. The jaundiced health of the feeder system to the federal courts reflects the antagonism between the White House and Congress, which in the Senate has reached new levels of obstructionism. ... Federal judgeships are still subject to filibuster, as well as the refusal by some senators to nominate candidates. The use of the filibuster hit historic highs in Obama’s first term. The vacancy rate in federal trial and appellate courts now hovers at 10 percent.... the functional breakdown in Congress hamstrings the third branch of government, which desperately needs a rebalancing of the nominating process"

**EDITORIAL: Easton's empty federal courthouse a waste** *(Express-Times [PA], 01/08/13)*
"The courtroom is important because it saves time and money for the lawyers and litigants from the Lehigh Valley who travel to Philadelphia to have their cases heard ... Northampton is the only county in the Eastern District Court without a resident on the federal bench ... Northampton County Bar Association President Stanley J. Margle is hoping the latest slate of nominees is approved and someone is assigned to Easton’s federal courtroom. But, given Senate gridlock on judicial appointees and the fact that the three nominees for the Eastern District are expected to be based elsewhere, it seems unlikely....Even if Obama's three Eastern District Court nominees are approved by the Senate, the district still would have three other vacancies. The local contingent, along with Pennsylvania’s two U.S. senators — Republican Pat Toomey and Democrat Bob Casey — need to push harder for a judicial appointment and reopening of the Easton courtroom."

**EDITORIAL: Revive Easton's federal judgeship, courthouse** *(Express-Times [PA], 01/17/12)*
"Earlier this month, the Northampton County Bar Association passed a resolution calling on President Barack Obama and Pa. Sens. Bob Casey and Pat Toomey to appoint a U.S. district judge from Northampton County. Members of Toomey’s staff recently toured the Easton courtroom and are reviewing the matter... . Toomey and Casey need to fight for this judicial appointment and reopening the Easton courtroom."
Wilkes-Barre Times Leader

Editorial: Senate should act to fill court seats (Times Leader [PA], 10/24/12)
"Pat Toomey, a Republican with tea party tendencies, and Bob Casey, the Democrat from Scranton, bridged the gap recently on at least one matter with serious implications for state residents: choosing two, mutually agreeable nominees to serve as federal judges.... however, Senate leaders have given the green light this year to dozens of other confirmations but not the pair ... Toomey recently drafted a letter to Senate leaders urging them to schedule a vote on the nominations for November. ...failing to act on matters as seemingly innocuous and routine as judicial appointments only solidifies this group’s rock-bottom reputation. For the sake of public confidence – and, more important, for the efficiency of our courts – the Senate needs to make these uncontested confirmations a priority."

Pottsville Republican-Herald

Editorial: Confirm judge (Pottsville Republican & Evening Herald [PA], 05/30/15)
"No one has suggested that U.S. District Judge L. Felipe Restrepo of the Eastern District of Pennsylvania is anything other than highly qualified for a seat on the 3rd Circuit Court of Appeals. Yet, in another testament to the Senate Republican majority’s willingness to use highly qualified nominees as political pawns, Judge Restrepo’s nomination has gone nowhere in the six months since President Obama submitted his name.... the Administrative Office of the U.S. Courts has designated the 3rd Circuit vacancy as a judicial emergency.... the Judiciary Committee, which strongly endorsed Judge Restrepo’s ascension to the district bench three years ago, should convene a hearing and move the nomination toward final approval."

Editorial: Fill judicial vacancies (Pottsville Republican & Evening Herald [PA], 12/21/13)
"Democrat Bob Casey and Republican Pat Toomey established a process to vet nominees,... Yet vacancies remain in the state's two other federal court districts that diminish the public's ready access to justice."

EDITORIAL: Civil litigants also deserve timely justice (Pottsville Republican & Evening Herald [PA], 09/16/13)
"Justice delayed is ... routine. Even though the legal maxim holds that justice delayed is justice denied, criminal defendants are the only people involved in the federal court system who can expect speedy access to the courts. ...The judicial conference, headed by Chief Justice of the United States John Roberts, has recommended the creation of 65 permanent and 20 temporary district court judgeships and five permanent and one temporary circuit appellate judgeships to relieve the backlog .... Congress should pass the Federal Judgeship Act of 2013 to ensure that Americans have timely access to justice through the federal courts."

Editorial: Nominations are long overdue; fill benches (Pottsville Republican & Evening Herald [PA], 05/27/12)
"The notion that justice delayed is justice denied is traceable all the way back to the Magna Carta. Yet Pennsylvania's senators and the White House have taken their sweet time in nominating judges for an array of vacancies that have delayed and, therefore, denied justice in the federal courts - a situation that has been rendered even worse by the infamously obstructionist Republican minority in the U.S. Senate.... The question now is whether the senators' agreement will translate into speedy confirmations ... political obstruction has caused long delays in the Senate even for highly qualified, noncontroversial nominees. Casey and Toomey should move quickly to fill other federal court
vacancies in Pennsylvania. Meanwhile, there remain 75 federal court vacancies nationwide and 32 judicial emergencies, where justice is delayed and denied. Candidates for federal offices should make the failure to fill those seats a major issue in the fall campaign."

**Editorial: Justice denied by obstruction** *(Pottsville Republican & Evening Herald [PA], 08/08/11)*
"This is not a case of equivalency, of it being the Republicans' turn to stonewall nominations by a president of the opposing party. By this point in President George W. Bush's first term, the Senate had approved 40 percent more judicial nominees than during the Obama administration. When President Obama took office there were 55 federal judicial vacancies; today there are 88. Many of those seats have been vacant so long that 38 have been declared judicial emergencies by the Administrative Office of the U.S. Courts."

**Williamsport Sun-Gazette**

**Editorial: Time past due for judge appointment** *(Williamsport [PA] Sun-Gazette, 08/20/12)*
"The U.S. Middle District of Pennsylvania covers 33 counties. Yet there is no sitting federal judge in the Williamsport federal court house. ... So there is a clear need for a sitting federal judge, yet none is in place. U.S. Sen. Pat Toomey, visiting the city last week, said he will push hard to change that. ... Toomey says both nominees are qualified, but the full Senate has to approve them to get them on the federal bench. ... We would hope the judgeship is approved during the Senate's fall session. There will be lots of important items put off due to the upcoming election, but this shouldn't be one of them."

**Editorial: Vacant federal bench here should be filled** *(Williamsport [PA] Sun-Gazette, 03/04/12)*
"Pennsylvania's two U.S. Senators, Bob Casey, a Scranton Democrat, and Pat Toomey, a Lionville Republican, take part in the confirmation process for judges nominated by President Obama. We would hope they would push to fill the vacancy here and take advantage of their positions to make it happen as soon as possible."

**Daily Review Towanda**

**Editorial: Keep up the good work** *(Daily Review [Towanda, PA], 12/19/13)*
"According to the Constitutional Accountability Center, the Philadelphia-based Eastern District has seven judicial vacancies. Mr. Casey and Mr. Toomey agreed in August on two nominees - attorney Gerald McHugh and Judge Edward Smith - but the confirmation process has stalled and there has been no movement toward nominations for the other five seats. The Western District, Pittsburgh, has three vacancies, for which 40 lawyers and judges had applied before the deadline nearly a year ago, but no names have been forwarded to the White House."

**Editorial: Justice delayed is ... routine** *(Daily Review [Towanda, PA], 09/15/13)*
"Congress should pass the Federal Judgeship Act of 2013 to ensure that Americans have timely access to justice through the federal courts."

**Editorial: Rep. Grassley should pack it in** *(Daily Review [Towanda, PA], 06/03/13)*
"The D.C. Circuit handles some of the most complex cases in the federal court system and should have its full complement of judges to do so."

**Editorial: Fill federal court seats** *(Daily Review [Towanda, PA], 04/18/12)*
"U.S. Sens. Patrick Toomey and Bob Casey should move aggressively to resolve the vacancies by recommending strong candidates to the president for nomination, and by working in concert to
quickly bring about confirmation votes. A certain amount of politics is inevitable in the nomination and confirmation process, but it should not be allowed to continue obstructing justice."

**Editorial:** OK U.S. judges, end emergency  *(Daily Review [Towanda, PA], 02/09/11)*

"During the Obama presidency, the Senate has had a dismal record of moving nominations, due largely to unwarranted minority obstruction. Sen. Harry Reid, the majority leader, should begin pushing as many nominations as possible as a test of the supposed bipartisan commitment to actually conduct business."

**Editorial:** Justice system held hostage by slow rate of nominations  *(Daily Review [Towanda, PA], 09/14/10)*

"Courts, and Americans seeking justice through them, have been held hostage long enough."

**Editorial:** Judicial seats should be filled as soon as possible  *(Daily Review [Towanda, PA], 10/05/09)*

**Lebanon Daily News**

**Editorial:** Filling the bench  *(Lebanon Daily News [PA], 05/19/09)*

"Obama has said he wants to name justices who have the “quality of empathy, of understanding and identifying with people’s hopes and struggles.” Scoffing voices were quickly raised. “Lady Justice doesn’t have empathy for anyone,” one critic said tartly. What a sad and wrong-headed judgment. The president understands what we all know: justice, and justices, are to be even-handed, not insensitive."

**News Item** Shamokin

**Editorial:** jeers to slow justice  *(News Item [PA], 09/16/13)*

"[D]elays can be life altering for an individual in a dispute, or highly disruptive for a business involved in a commercial or proprietary property case. Congress should pass the Federal Judgeship Act of 2013 to ensure that Americans have timely access to justice through the federal courts."

**Standard Speaker** Hazleton

**EDITORIAL:** Time to judge court nominee  *(Standard Speaker [Hazleton, PA], 05/12/15)*

**Editorial:** Justice will be served, eventually  *(Standard Speaker [Hazleton, PA], 09/18/13)*

"Congress should pass the Federal Judgeship Act of 2013 to ensure that Americans have timely access to justice through the federal courts."

**Editorial:** Nominations long overdue; fill benches  *(Standard Speaker [Hazleton, PA], 05/21/12)*

**Editorial:** Court vacancies long overdue; fill benches  *(Standard Speaker [Hazleton, PA], 04/18/12)*

**Editorial:** GOP obstruction holding up 20 judicial nominees  *(Standard Speaker [Hazleton, PA], 08/06/11)*

"Such emergencies are not theoretical. They adversely impact justice. In Arizona, the case backlog is so great that the federal six-month speedy trial rule has been waived. The average wait for adjudication of a civil case there is more than two years. In many other district courts, including in the Middle District, the priority of complying with the criminal speedy trial rule has resulted in lengthy backlogs on the civil side of the docket."

**Editorial:** Feds should fill court vacancies  *(Standard Speaker [Hazleton, PA], 10/05/09)*  ###