

The Honorable Harry Reid  
522 Hart Senate Office Building  
Washington, DC 20510

The Honorable Mitch McConnell  
361-A Russell Senate Office Building  
Washington, DC 20510

February 15, 2011

Dear Senators Reid and McConnell:

The undersigned organizations, who represent the interests of everyday Americans, strongly urge you to work to ensure that judicial nominees are given timely confirmation votes in the Senate during the 112<sup>th</sup> Congress.

In the 111<sup>th</sup> Congress, filibuster threats, anonymous “holds,” and the failure to hold regular votes created a troubling backlog of judicial nominees, resulting in widespread unfilled vacancies on the bench that are hindering the important work of our judicial branch - particularly in the many areas of our nation that now face judicial emergencies. We cannot tolerate a repeat of these obstructionist practices, as they led to the lowest percentage of a president’s nominees being confirmed at this point in his presidency than any president in American history.

Since taking office, President Obama has worked with home state Senators on a bipartisan basis to select extraordinarily well-qualified judicial nominees who could easily be confirmed by wide margins and begin serving the public, if their nomination were only brought to a vote before the full Senate. Yet a troubling number of these nominees, many of whom were cleared by the Committee on the Judiciary in the 111<sup>th</sup> Congress with little or no opposition, were blocked from up-or-down confirmation votes for reasons that defy explanation. Indeed, many of President Obama’s judicial nominees languished for many months on the Senate floor, raising significant doubts about the legitimacy of the ongoing delays in confirmation proceedings. This is not the way nominations have been treated by prior Congresses.

Due to arcane floor procedures that allow a single member to impede the important business of the Senate, our judicial branch has reached a state of crisis. Out of 875 federal judgeships, 101 are currently vacant, with 44 of those vacancies now characterized as “judicial emergencies” in which courts are being overwhelmed by filings. As a result, a growing number of Americans, from all walks of life and across all economic strata, are finding it increasingly more difficult to assert their legal rights and to have their fair day in court.

We write to you at a time when our nation faces numerous challenges that cry out for bipartisan cooperation, including major economic challenges and continued international threats. We strongly believe that the continued obstruction of nominations would further

poison the political atmosphere, needlessly heighten partisan tensions, and make it far more difficult for the federal government to serve the public interest.

For these reasons, as the 112<sup>th</sup> Congress gets under way, we strongly urge you to continue to work together in a bipartisan fashion to proceed with prompt confirmation votes on judicial nominees who have been approved by the Committee on the Judiciary. Floor votes should be taken on nominees shortly after they have been reported out of committee, so that the process can work in a regular manner.

Thank you for your consideration.

AIDS United

Alliance for Justice

American Association of People with Disabilities

American Association of University Women (AAUW)

American Constitution Society

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

American Rivers

Asian American Justice Center, a member of the Asian American Center for Advancing Justice

Asian Pacific American Legal Center, a member of the Asian American Center for Advancing Justice

Brady Campaign to Prevent Gun Violence

Business and Professional People for the Public Interest

Campaign for America's Future

Center for Inquiry

Center for Law and Social Policy (CLASP)

Coalition to Stop Gun Violence

Communications Workers of America (CWA)

Consumer Action

Defenders of Wildlife

Earthjustice

Environmental Working Group (EWG)

Equal Justice Society

Friends of the Earth

Hispanic Federation

Hispanic National Bar Association

Hispanics for a Fair Judiciary

Human Rights Campaign (HRC)

Interfaith Alliance

Jewish Reconstructionist Federation

Judge David L. Bazelon Center for Mental Health Law

Justice at Stake

Lambda Legal Defense and Education Fund

LatinoJustice PRLDEF

League of Conservation Voters

League of United Latin American Citizens (LULAC)  
Legal Momentum  
Mexican American Legal Defense and Educational Fund (MALDEF)  
National Asian Pacific American Bar Association (NAPABA)  
National Association for the Advancement of Colored People (NAACP)  
National Black Justice Coalition (NBJC)  
National Center for Lesbian Rights  
National Council of Jewish Women (NCJW)  
National Council on Independent Living  
National Disability Rights Network  
National Employment Lawyers Association  
National Fair Housing Alliance  
National Gay and Lesbian Task Force Action Fund  
National Health Law Program  
National Latina Institute for Reproductive Health (NLIRH)  
National Native American Bar Association  
National Organization for Women  
National Partnership for Women and Families  
National Senior Citizens Law Center  
National Urban League  
National Women's Law Center (NWLC)  
Natural Resources Defense Council  
Open Society Policy Center  
People For the American Way  
Planned Parenthood Federation of America  
Progress Michigan  
Project Vote  
Public Advocates, Inc.  
Public Citizen  
Sargent Shriver National Center on Poverty Law  
Secular Coalition for America  
Service Employees International Union  
Sierra Club  
TASH  
The Advocacy Fund  
The Brennan Center for Justice at New York University School of Law  
The Lawyers' Committee for Civil Rights Under Law  
The Leadership Conference on Civil and Human Rights  
The Wilderness Society  
Tides  
Union for Reform Judaism  
Voices for Progress  
Women's Law Project