



ACS's Fredrickson, Stone Blast Senate Obstruction of Liu Nomination

MEDIA ADVISORY

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CONTACT: Nicole Flatow
(202) 393-6187
nflatow@acslaw.org

The Senate voted this afternoon 52-43 to reject cloture, blocking a vote on the confirmation of UC Berkeley associate dean and law professor Goodwin Liu to the U.S. Court of Appeals for the Ninth Circuit. Following the vote, the American Constitution Society released the following reaction statements from ACS Executive Director Caroline Fredrickson and ACS Board Chair and University of Chicago Law Professor Geoffrey Stone.

ACS Executive Director Caroline Fredrickson:

With today's failed cloture vote, some senators have signaled that they are willing to abrogate their duty to advise and consent on judicial nominees for the sake of petty partisanship. Goodwin Liu was nominated more than a year ago to a seat on the U.S. Court of Appeals for the Ninth Circuit considered a "judicial emergency." And for more than a year, senators have let this seat and countless others sit empty, choosing to hold our justice system hostage and subject Liu to an unnecessarily grueling confirmation process. Majority Leader Harry Reid challenged these senators to, at long last, make their opposition known by casting an up-or-down vote and moving the confirmation process forward. Those senators who voted against cloture are ushering in an era of unprecedented obstructionism, and threaten to bring our system of justice to a grinding halt. Nothing short of an immediate vote on every pending nominee is necessary to forestall a crisis on our courts.

ACS Board Chair and University of Chicago Law Professor Geoffrey Stone:

The Republican senators who today voted to continue their meritless obstruction of Goodwin Liu's confirmation have breached their constitutional responsibility to advise and consent on judicial nominations. As a record-high rate of vacancies on our federal courts persists, Republican senators must recognize that allowing a straight up-or-down vote on qualified judicial nominees is not a choice, but a responsibility. There can be no question about the qualification of Goodwin Liu, who received the highest possible rating from the American Bar Association and has been widely praised by experts from across the political spectrum as extremely talented, thoughtful, responsible, and qualified. Since President Obama took office, some Republican senators have made an art of delaying votes on qualified nominees who have broad bipartisan support, thus

threatening the capacity and integrity of our system of justice. Such conduct reflects a fundamental disdain for the Senate's constitutional responsibilities, and is already creating a serious, completely unprecedented and unnecessary crisis in our federal judiciary that will damage our nation's justice system for decades to come.

To speak with Fredrickson or Stone, please contact Nicole Flatow at (202) 393-6187 or nflatow@acslaw.org. For more information about judicial nominations and to follow developments, visit ACS's comprehensive web resource, JudicialNominations.org.

The American Constitution Society for Law and Policy is one of the nation's leading progressive legal organizations, comprised of lawyers, judges, students and policy makers committed to promoting the vitality of the Constitution and the fundamental values it expresses. For more information about ACS, visit www.acslaw.org.