

Testimony of

The Honorable Orrin Hatch

January 24, 2002

I am pleased that we are considering today the nominations of six exceedingly well qualified candidates for the federal bench. The convention of this hearing on the first full day of the new congressional session is a step in the right direction. Moreover, our consideration of six judges at this hearing represents the most judges we have considered at a single confirmation hearing during this Congress, which is another positive step.

I sincerely hope that we maintain this pace at future hearings, because we have plenty of work to do. There are 101 vacancies in the federal judiciary, a vacancy rate of nearly 12%. Yesterday, the White House submitted 24 new nominations to the Senate for confirmation. Since we have 38 nominees still pending from last session, we now have a total of 62 nominees awaiting action from the Senate.

In 1994, the second year of President Clinton's first term, the Senate confirmed 100 judicial nominees. I am confident that Republicans and Democrats can work together to achieve, or even hopefully exceed, this number in 2002, particularly the many circuit court nominees that are pending to fill emergency vacancies in appellate courts around the country. To do this, however, we must keep up the pace of hearings and confirmation votes so that we do not fall further behind in filling the vacancies that plague our federal judiciary. I look forward to working with my Democratic colleagues to accomplish this goal.

As I stated earlier, today's hearing is a step in the right direction. We have the privilege of considering six outstanding lawyers to be federal judges. Our only circuit nominee on the agenda is Michael Melloy, who has been nominated to be a judge on the U.S. Court of Appeals for the Eighth Circuit. Judge Melloy has already sat by designation on the Eighth Circuit in his present capacity as a federal district court judge in Iowa, so he comes to this hearing with more than a passing familiarity of what his future role will require.

Robert Blackburn has been nominated to be a District Court Judge for the District of Colorado, and he will bring a great deal of legal experience to the Federal bench. Judge Blackburn has practiced law for 13 years in private practice, served as a Deputy District Attorney for 6 years, as a County Attorney for 8 years, as a Municipal Judge for 3 years, and as a state court judge since 1988.

Our next nominee is James Gritzner, who has been nominated to the District Court for the Southern District of Iowa. Although Mr. Gritzner began his legal career in a general litigation practice, it really exploded - so to speak - when he began specializing in cases concerning catastrophic fires and explosions. From his office in Des Moines, he has handled such cases in 23 states and, in the process, developed a national reputation. He is also known as an expert in legal

ethics, having prosecuted over 100 attorney disciplinary cases before the Grievance Commission of the Iowa Supreme Court.

Next, Cindy Jorgenson is the nominee for the District of Arizona. Judge Jorgenson's legal experience includes serving as a deputy county attorney, an Assistant U.S. Attorney, and as a Superior Court Judge - all in the State of Arizona. She supervised the felony sex crimes and child abuse prosecution unit in Pima County for several years. Then, as an Assistant U.S. Attorney handled both criminal and civil cases. Since 1996, Judge Jorgenson has served with great distinction on the state trial court bench in Tucson, Arizona.

Richard Leon has been nominated to be a district judge in the District of Columbia. Mr. Leon has had a remarkable career that has spanned both public service and private practice. He has served as a judicial law clerk, as counsel to U.S. House committees and task forces, and as a Deputy Assistant Attorney General at the U.S. Department of Justice. Despite the present demands of his private practice, he teaches a class on congressional investigations right up the street at Georgetown University Law Center.

Jay Zainey is today's nominee for the district court in the Eastern District of Louisiana. Mr. Zainey has maintained a successful private practice and has garnered the respect of his colleagues, as reflected in his election as President of the Louisiana State Bar Association. One remarkable achievement during his tenure as president was the creation of the first state bar committee in the nation to provide legal referral services for the disabled.

I welcome each of our nominees to the Committee this afternoon, and commend the President on his choices for the federal judiciary. I look forward to working with my Democratic colleagues to ensure your swift confirmation.