

Testimony of

The Honorable Orrin Hatch

May 7, 2003

Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on the Judiciary
Hearing on the Nominations of

Consuelo Maria Callahan for the U.S. Court of Appeals for the Ninth Circuit;
Michael Chertoff for the U.S. Court of Appeals for the Third Circuit; and
L. Scott Coogler for the U.S. District Court, Northern District of Alabama

I am pleased to welcome to the Committee this morning three impressive nominees for the federal bench. Because I know that their home state senators have much to say about these outstanding nominees, I will keep my remarks brief.

Consuelo Callahan, our nominee for the Ninth Circuit, has had an exemplary legal career in California as a successful prosecutor and an esteemed jurist. During her ten-year career as a prosecutor, she handled more than 50 jury trials. She also has first-hand experience with breaking the gender barrier. In 1992, she was appointed to the Superior Court in San Joaquin County, where she was the first female and Hispanic to serve on that court. She was also the first female member of two local social and service organizations. In 1996, Justice Callahan became the first judge from San Joaquin County to be elevated to the California Court of Appeal in more than 73 years. The ten justices that serve with her on the Third Appellate District and work with her every day sent a letter to the Committee praising her skills as a jurist. They write, "Our only reservation in recommending her confirmation is that it will mean a significant loss to our court. We will miss Connie's energy and enthusiasm, her legal skills, and the positive way in which she fulfills her responsibilities as an appellate jurist." I will submit a copy of this letter for the record. Her colleagues' loss will be the federal judiciary's gain, as I have great confidence that the beleaguered Ninth Circuit will greatly benefit from her confirmation.

Michael Chertoff is our Third Circuit nominee. A native of Elizabeth, New Jersey, Mr. Chertoff has done it all: A Supreme Court clerkship, private practice, and government service. He won high marks from Democrats and Republicans alike for his pro bono service as counsel to the New Jersey state legislature during its investigation of racial profiling by the state police. He is a familiar face to us here in the U.S. Senate as a result of his service as Assistant Attorney General for the Criminal Division at the U.S. Department of Justice, and I personally know that many of my colleagues admire his intellect, legal skills, and commitment to the rule of law. I think the Bergen County (New Jersey) Record said it best when it endorsed Mr. Chertoff's nomination on March 11 of this year. The paper editorialized, "Mr. Chertoff is exactly the type of nominee the nation needs for federal judgeships," and concluded, "Mr. Chertoff is the type of smart, non-ideological high achiever whom presidents of both parties should consider for the bench." That's high praise and I, too, firmly believe that Mr. Chertoff will be an excellent federal appellate judge.

Our sole district nominee today is L. Scott Coogler, who has been nominated for a seat on the Northern District of Alabama bench. Since 1999, Judge Coogler has served on the Alabama Circuit Court, Sixth Judicial Circuit, so he brings depth and experience to this position. Prior to that, he maintained a successful private practice, handling a wide range of civil and criminal litigation cases, so he knows first hand the importance of maintaining a solid judicial temperament. I am particularly impressed that Judge Coogler has shared his expertise by teaching at his alma mater, the University of Alabama Law School, despite the demands of his judicial service.

I welcome each of our nominees to the Committee, and I look forward to hearing from them.

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