

Testimony of

The Honorable Orrin Hatch

May 8, 2003

Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on the Judiciary
Executive Business Meeting on

THE NOMINATION OF CAROLYN KUHL TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

The first nominee on today's agenda is Carolyn Kuhl, who has been nominated to fill a judicial emergency on the Ninth Circuit.

Judge Kuhl has an exemplary record that includes service as both a committed advocate and an impartial jurist. The American Bar Association has rated her Well Qualified for this position.

She is a cum laude graduate of Princeton University. She graduated from Duke University Law School Order of the Coif, and was editor of the Duke Law Journal. Judge Kuhl worked at the Department of Justice from 1981-1986 as a Special Assistant to the Attorney General; as Deputy Assistant Attorney General; and finally as Deputy Solicitor General. She was also a partner at the Los Angeles law firm of Munger, Tolles & Olson. Since 1995, Judge Kuhl has served as a judge on the Los Angeles County Superior Court.

The Committee has received many, many letters of support for Judge Kuhl's nomination. We received one letter from nearly 100 of her colleagues on the Superior Court. We received another letter from the officers of the Litigation Section of Los Angeles County Bar Association, which has more than 3,000 members. Yet another letter came from Thomas Girardi, whom many know as the trial lawyer for the plaintiffs in the famous Erin Brockovich lawsuit. As anyone who has seen the movie knows, this was a massive class action lawsuit based on terrible diseases that resulted from water contamination. Mr. Girardi writes of Judge Kuhl, "She is smart, she is fair and she is a terrific judge." He expressed his concern about the opposition to Judge Kuhl's nomination because it comes from people "who I admire [and] trust." Nonetheless, he concluded, "The appointment ... of Judge Kuhl is much more important than the political arena that surrounds many decisions. It is the right thing to do."

I will submit copies of these letters for the record, along with copies of other letters of support we have received for Judge Kuhl's nomination. All of these letters have a common theme: She is fair, impartial, and adheres to the law. I am confident that she will be a welcome addition to the Ninth Circuit.

#

Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on the Judiciary
Executive Business Meeting
on the Nomination of

JOHN ROBERTS FOR THE U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT

We will now turn to the nomination of John Roberts for the D.C. Circuit. I am delighted to see that Mr. Roberts will finally get a vote eleven years after he was first nominated for this seat.

As I said during his hearing, I genuinely believe that Mr. Roberts is one of the most qualified nominees I have had the privilege of voting for in my 27 years on this Committee. He is widely considered to be one of the premier appellate litigators of his generation. He easily exceeds any possible definition of qualification for this job.

Mr. Roberts graduated from Harvard College summa cum laude and received his law degree magna cum laude from Harvard Law School, where he was managing editor of the Harvard Law Review. Following graduation, he clerked for Second Circuit Judge Henry Friendly and for then-Justice William Rehnquist on the Supreme Court. His public service career included terms as Associate Counsel to President Reagan and Principal Deputy Solicitor General. He currently heads the appellate practice group for the prestigious D.C. law firm Hogan and Hartson, and has argued an astounding 39 cases before the U.S. Supreme Court. It is no wonder that the Committee received a letter endorsing Mr. Roberts's nomination from more than 150 members of the D.C. Bar, including such well-respected attorneys as Lloyd Cutler and Boyden Gray. Not surprisingly, the ABA awarded him its highest possible rating of Unanimously Well-Qualified.

Mr. Roberts will make an exceptional federal appellate judge, and I am proud to support his nomination.

#