

Statement of

The Honorable Sheldon Whitehouse

United States Senator
Rhode Island
January 21, 2010

First of all Mr. Chairman, thank you for your support of the nomination of O. Rogeriee Thompson to the United States Court of Appeals for the First Circuit. I am grateful that you've given us this time and grateful that you held the hearing and allowed me to chair it. It was a hearing that I think left no doubt as to the merit of her nomination and I encourage my colleagues to support her nomination out of Committee today and to join me in seeking her prompt confirmation by the full Senate. There has been no opposition visible so far, and I just want to say a few words about the process.

Together with my senior Senator, Jack Reed, we had a very clear, public, thorough, careful process of reviewing candidates as a result of which Justice Thompson became apparent as the best possible choice and both Senator Reed and I are delighted that President Obama has recognized her experience and good judgment and I thank him for nominating her to the First Circuit.

Although she was initially born and raised in South Carolina, she came to the state of Rhode Island as a young person and has succeeded greatly. She is not only a graduate of Brown University but a trustee now of that great university. A graduate of Boston University School of Law, she has given our state 21 years of distinguished judicial service, first as an Associate Judge on the Rhode Island District Court and subsequently as an Associate Justice on the Rhode Island Superior Court. Her courtroom deservedly has come to be known as a place in which every party can expect a fair hearing, and I know that she will earn the same reputation for respect, fairness, and excellence as a judge on the First Circuit.

Her extensive experience on the Rhode Island bench prepares her well for the First Circuit. I don't need to tell my colleagues how important a practical knowledge of the trial courtroom is for those who must judge the conduct and proceedings in the trials below. As she explained in her hearing, she and other state judges frequently resolve questions of federal law. On any legal problem before her she has applied the skills of a careful and expert judge: thorough research, thoughtful analysis, and accurate application of the law to the facts of the case. In so doing, through this long career Justice Thompson has adhered scrupulously to the proper role of a judge: respecting the role of the legislature; deciding cases based on the law and the facts; not prejudging any case, but listening carefully to every party before her; respecting precedent; and limiting herself to the issues before the Court.

Now, after a lifetime of achievement, Justice Thompson is set to make history as the first African American, and only the second woman, to serve on the United States Court of Appeals for the First Circuit. This will not be the first barrier broken by Justice Thompson, as she was the first

African American woman on each of the Rhode Island courts on which she has served. These were great moments in the history of our state, ones we are proud of, and her confirmation will be a wonderful addition to the history of the First Circuit.

Of course breaking barriers is less important than her qualities, her personal characteristics of fairness and moderation and her professional excellence and long experience. Again I thank the Chairman for his recognition of Justice Thompson's excellence, for doing so much to advance her nomination. I thank Senator Reed for his active support of her, his testimony in her favor and his allowance of me to participate in the process and I look forward to working with you Mr. Chairman as this nomination proceeds to confirmation for an excellent candidate we can all be proud of.