

**Introduction of Judge John Mendez
at Judicial Nominations Hearing
February 21, 2008**

I am pleased to introduce today's nominee for the district court in the Eastern District of California: Judge John A. Mendez.

Let me begin by explaining the urgency of filling this judgeship. Simply stated, the Eastern District of California is in a crisis. In 2005 and 2006, the district had the highest number of case filings in the nation. In 2007, the district ranked second out of all 94 Federal judicial districts in the number of new cases filed.

Regrettably, the bench in the Eastern District has been understaffed throughout this period of heavy case filings. A temporary judgeship in the district expired in 2004 because the Senate failed to extend it. As a result, average caseloads in the Eastern District increased by 18 percent from 2004 through 2006, even as average caseloads nationwide declined.

In this Congress, I am pleased to be a co-sponsor of S. 1327, which would recreate the temporary judgeship in the Eastern District. The bill has already passed the Senate and is currently pending in the House.

In addition to re-creating the expired temporary judgeship, we clearly need to fill the judgeships that already exist in the Eastern District. Judge John Mendez is the nominee for a seat that was vacated in June 2007.

Judge Mendez is a native Californian and is currently a judge on the Sacramento County Superior Court. He was born in Oakland and graduated with distinction from Stanford University, with a degree in political science. He went on to earn a law degree at Harvard Law School.

After law school he returned to California and worked in private practice in San Francisco from 1980 to 1984. From February 1984 through July 1986, Judge Mendez served as an Assistant United States Attorney in San Jose. He was assigned to the Criminal Division in the U.S. Attorney's office, and became a specialist in criminal law and procedure.

In 1986, Judge Mendez moved to Sacramento and returned to private practice. He focused on civil litigation and business litigation and rose to become a partner at the law firm of Downey, Brand, Seymour & Rowher.

Judge Mendez was appointed as United States Attorney in San Francisco in 1992, the final year of George H.W. Bush's presidency. He served as U.S. Attorney for one year and was personally involved in major civil litigation and a criminal appeal in the Ninth Circuit Court of Appeals.

After leaving the U.S. Attorney's office, Judge Mendez was Of Counsel to the law firm Brobeck, Phleger & Harrison in San Francisco from 1993 to 1995. In the summer of 1995 he returned to Sacramento and joined the firm of Somach, Simmons & Dunn as a shareholder. His practice included complex commercial and environmental litigation and white-collar criminal defense work, as well as counseling clients on regulatory compliance.

Governor Gray Davis recognized his potential as a judge in 2001 and appointed him to the Sacramento County Superior Court. Judge Mendez was elected to retain that position in 2002 and continues to serve as a Superior Court Judge today.

In addition to his service to the State of California, Judge Mendez has served the legal profession through leadership positions in the Hispanic National Bar Association and the Sacramento Chapter of the Federal Bar Association.

In California we have developed a bipartisan process for selecting Federal district court nominees. Under this system a committee of lawyers known as the Parsky Commission, which includes Democrats and Republicans, recommends qualified applicants to the President.

I am proud of this system, and pleased to report that Judge Mendez was recommended unanimously by the Parsky Commission to be nominated as a Federal district judge. By all accounts, he would make an excellent addition to the Federal bench in Sacramento.

I thank the Chairman for holding today's hearing and I urge my colleagues to move quickly in confirming Judge Mendez to the Federal district court.