

Statement of
The Honorable John Cornyn

United States Senator
Texas
September 8, 2004

U.S. Senator John Cornyn
Judicial Nominations

Micaela Alvarez to be United States District Judge for the Southern District of Texas

Wednesday, September 8, 2004, 10 a.m.
Dirksen Senate Office Building Room 226

It is my pleasure to introduce to the committee Judge Micaela Alvarez, who has been nominated to serve as a U.S. District Judge for the Southern District of Texas. I want to thank the Chairman of the committee, Senator Hatch, for scheduling today's hearing.

Judge Alvarez has been nominated to fill the vacancy that will be created when Judge David Hittner takes senior status later this year. Judge Hittner serves in the Houston Division of the Southern District of Texas, and he has served his country admirably.

It would have been my preference, and that of the senior Senator, Senator Hutchison, that the President be given the opportunity to nominate an individual to serve in the Houston Division to succeed Judge Hittner. The Houston Division is one of the most important and active divisions in our entire federal judiciary, responsible for shepherding some of the nation's most complex commercial disputes and criminal prosecutions. Moreover, continuity of judicial service is important in any federal judicial division, because familiarity with the local community is an important asset to any federal district judge.

I am thus deeply disappointed that, according to the latest information available to my office, the vacancy that will be created in Houston by Judge Hittner's elevation to senior status is expected to be moved to Laredo, as the result of a decision by the Southern District to swap two judicial posts in Houston and Laredo.

Laredo deserves and needs continuity on its federal bench, especially due to its close proximity to the border and the substantial court docket that such geography brings. Accordingly, I introduced legislation, S. 1719, co-sponsored by Senator Hutchison, to redress precisely the problem presented by the Southern District's decision - and thus to ensure access to quality justice by ensuring continuity of judicial service throughout the state of Texas. But be that as it may, this is the situation that is before us, and I am pleased today to support the nomination of Judge Alvarez to fill this vacancy.

Judge Alvarez is a long-time resident of South Texas, and a graduate of the University of Texas, where she received both her undergraduate and law degrees. She is bilingual - a skill that will surely be of great benefit to those who would appear before her as a federal district judge in Laredo. Judge Alvarez is currently engaged in the private practice of law at Hole & Alvarez, L.L.P. She has also served on the President's Advisory Commission on Educational Excellence for Hispanic Americans, and she continues to serve as a board member for the State Office of Risk Management.

In 1995, then-Governor George W. Bush appointed Alvarez to serve on the 139th Judicial District Court in Hidalgo County. To Governor Bush, this was no ordinary appointment. As he wrote in his 1999 book, *A Charge To Keep*:

One of my favorite parts of the job is administering the oath of office to my new appointees. They invite family and friends. Their parents and children are bursting with pride. I always feel honored to look through this window into someone's life. I think of the day I traveled to Edinburg, in south Texas, to administer the oath of office to Micaela Alvarez . . . , the first Hispanic woman ever to serve as district judge in Hidalgo County. I listened as one of her lifelong friends spoke of Micaela's integrity, her love for her family, her fairness, and her conservative philosophy. I watched as her parents, husband, children, sisters, cousins, and nieces and nephews crowded around to have their pictures taken with her. They all wanted to participate in this glorious moment in the life of their family.

Micaela's parents were migrant farm workers who traveled from job to job on farms throughout Texas and the southern United States. For them, Micaela was not just a success story. She was living proof of what they had lived for and promised their children: that in Texas and in America, if you work hard, get an education, make good choices in life, you can be whatever you want to be. And I can assure you, when her mother held that Bible for Micaela to take the oath of office to serve the state of Texas as a district judge, there wasn't a dry eye in the packed house.

So the appearance of Judge Alvarez before this committee today is yet another inspiring example of the American dream becoming a reality. She deserves this committee's support. She was the "Highest Rated Judge" according to a survey taken by the Hidalgo County Bar Association, and the American Bar Association's Standing Committee on the Federal Judiciary has certified her as "qualified" for the federal bench.

I am pleased that the President has nominated Judge Alvarez to serve on the Southern District of Texas, and I look forward to today's hearing.