

Statement of
The Honorable Orrin Hatch

United States Senator
Utah
September 8, 2004

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

Susan B. Neilson
to be United States Circuit Judge for the Sixth Circuit;

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

Keith Starrett
to be United States District Judge for the Southern District of Mississippi; and

Raymond L. Finch
to be Judge for the District Court of the Virgin Islands

I welcome members of the Committee and express my appreciation for the cooperation exhibited yesterday as we confirmed three additional judges. I know there may be some resistance to continuing the work of the Committee, but we must do our duty to advise and consent on judicial nominations. I would repeat what I have stated on earlier occasions - our Constitutional duty is not on a mythical time clock.

The judicial nominations process does not shut down during presidential election years. For example, when Senator Thurmond chaired this Committee, during a presidential election year, the Senate confirmed six Circuit Judges after August 1st - one in August and five in October. In addition, twelve district judges were confirmed in September and October of that year.

I will continue to bring the President's nominees to the Committee for action and to the Senate for consideration.

On today's agenda are four nominees to various positions within the federal judiciary. I welcome each of them, their families and guests. We are also privileged to have with us home state Senators and members of the House of Representatives and we welcome each of you as well.

The nominees we will hear from today are Susan B. Neilson, nominated to be United States Circuit Judge for the Sixth Circuit; Micaela Alvarez, to be United States District Judge for the Southern District of Texas; Keith Starrett, to be United States District Judge for the Southern

District of Mississippi; and Raymond L. Finch, to be Judge for the District Court of the Virgin Islands for a term of ten years.

Judge Neilson is an outstanding candidate, who received a unanimous Well Qualified rating from the American Bar Association. She graduated with high distinction from the University of Michigan Honors College in 1977 and was elected to Phi Beta Kappa. Judge Neilson received her J.D. degree (cum laude) from Wayne State University School of Law in 1980 and was a member of its law review. Following her graduation, Judge Neilson began her legal career in 1980 as an associate at the Detroit law firm of Dickinson Wright PLLC, one of the oldest and most prestigious law firms in Michigan. She became a partner in the firm in 1986 and continued to practice there until 1991. While in private practice, Judge Neilson appeared in court on a regular basis and handled hundreds of cases at both the trial and appellate levels.

She was appointed to her current judgeship on the Third Judicial Circuit, the trial court bench in Michigan's state court system, in 1991 by Governor John M. Engler, and was reelected in 1992, 1996 and 2002. She presently is assigned to the criminal division of the Court. During her tenure on the Court has served in the civil and family divisions and on several Court administrative committees.

Micaela Alvarez, nominated to be United States District Judge for the Southern District of Texas, is an experienced attorney and trial judge. She began her legal career in 1989 as an Associate Litigation Attorney at the law firm of Atlas & Hall, L.L.P. in McAllen, Texas where she handled all types of litigation, but primarily insurance defense, employment defense, and wrongful discharge defense. Four years later, Judge Alvarez joined the Law Offices of Ronald G. Hole where she maintained her initial practice and expanded it to include medical malpractice defense and products liability. In 1995, Judge Alvarez served as the Presiding Judge to the 139th Judicial District Court, Hidalgo County, Texas. After a little more than a year on that court of general jurisdiction, Judge Alvarez rejoined the Law Offices of Ronald G. Hole, and was promptly made a partner. She has remained at the firm since 1997.

A majority of the ABA Committee has recognized this seasoned nominee with a qualified rating, and I look forward to hearing from her today. Judge Alvarez brings a wealth of experience to the federal bench and he will make an excellent addition to the Southern District of Texas.

Keith Starrett is our nominee for the U.S. District Court for the Southern District of Mississippi. Judge Starrett is an experienced and accomplished jurist, having served as a circuit court judge for the state of Mississippi since 1992. Since 1995, he has retained his seat on the bench via election. The American Bar Association unanimously gave him its highest rating of "Well Qualified." The Mississippi Bar Association awarded him with the Judicial Excellence Award in 2003. Undoubtedly, he will be a wonderful addition to the federal bench. We welcome him this morning.

Raymond Finch has been renominated to a second term as United States District Judge for the Virgin Islands. This Committee has seen few nominees with as much experience as Judge Finch. As an attorney, he tried approximately 200 cases to verdict or judgment. In addition to his litigation experience, he has been a judge for nearly thirty years, having first been appointed to the Territorial Court of the Virgin Islands in 1976. He was confirmed as a U.S. District Judge for

the Virgin Islands in 1994, and was promoted to Chief Judge of that District in 1998. The ABA has recognized the extensive experience of this fine nominee by awarding him a Majority Qualified/Minority Well-Qualified rating.

It is my privilege to welcome these distinguished nominees to the Committee, and I look forward to their testimony.