

Statement Of Senator Patrick Leahy (D-Vt.)
Chairman, Senate Judiciary Committee
On Judicial Nominations
April 10, 2013

Today the Judiciary Committee welcomes Sri Srinivasan. I thank Senator Coons for chairing this important hearing.

This hearing was originally planned for January, having been delayed from last year when this nomination was first made by the President. I agreed to an additional delay at the request of the Ranking Member in order to allow time for our staffs to better understand what, if any, role the nominee had in his current position as Principle Deputy Solicitor General of the United States in the events leading up to the City of St. Paul, Minnesota, withdrawing its petition before the Supreme Court in a case that had the potential to unravel 40 years of civil rights in housing law. I trust that having fully explored that issue we will be prepared to provide strong bipartisan support for this nominee. This hearing is to allow any Senator with questions about the nominee's qualifications or past actions to be able to raise them and afford the nominee a fair opportunity to answer them.

In the wake of the Republican filibuster of the nomination of Caitlin Halligan, the D.C. Circuit has just seven active judges and is burdened with four continuing vacancies. This is an important court that hears important cases. They are often complex cases, so raw caseload data does not fairly reflect the work of the judges on this Court. With respect to those caseload numbers, however, the Administrative Office of U.S. Courts indicates that the D.C. Circuit has a caseload per active judge of 188 pending appeals. This is similar to the caseload per active judge on several other courts to which the Senate has already confirmed nominees this year, including the First, Third, and Tenth Circuits. It is also higher than the caseload per active judge when Senate Republicans moved forward to confirm President Bush's nominations to the D.C. Circuit just a few years ago.

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