

## RESOLUTION ON FEDERAL JUDICIAL VACANCIES

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Summary: Excessive vacancies on the federal bench have caused a significant backlog of cases, delaying justice to many and eroding the perception of our judiciary to act fairly. This resolution focuses on the process of vetting judicial nominees and duty of the U.S. Senate in either confirming or denying nominees, based on timely consideration and examination of qualifications, while putting partisan politics aside. This resolution seeks to reinforce the principles outlined in the 2002 Judicial Nominees resolution and underscore the importance of a nominee's experience, judicial temperament, and commitment to the rule of law, the Constitution, and Bill of Rights. This resolution was submitted just after the Plenum 2017 draft resolutions were circulated to member agencies.

1 "The world rests on three things: justice, truth, and peace" (Avot  
2 1:18). Both our tradition as a Jewish community and American  
3 values see justice as a critical element in our society. The judicial  
4 branch is responsible for the administration of justice through  
5 conducting civil and criminal trials and handling appeals, playing a  
6 critical role in interpreting our laws and deciding whether they are  
7 constitutional. Our cohesion as a nation depends in great part on  
8 our joint acceptance of the legitimacy and fairness of our judiciary.  
9 For this reason, it is essential that nominees to the federal bench  
10 receive proper scrutiny by the Senate, and that only those  
11 committed to the rule of law, and protecting justice for all, as set  
12 forth in the Constitution and the Bill of Rights, be confirmed.

13 While our judiciary was designed to be independent and insulated  
14 from partisanship; in recent memory both parties have played  
15 politics with court appointments. Currently, there are over 100  
16 judicial vacancies on the federal bench, including one very

17 important empty seat on the Supreme Court. These vacancies have  
18 delayed justice for countless Americans (and justice delayed is  
19 often justice denied). While it is important that these vacancies be  
20 filled as soon as possible, confirmation should only come after  
21 adequate hearings and examination of a full record. Nominees who  
22 have a record of ruling against the quintessential American value  
23 that all individuals are created equal, and endowed with certain  
24 unalienable rights, should not be confirmed to serve on our  
25 nation's highest courts.

26 **The Jewish Council for Public Affairs believes that:**

- 27 • The administration of justice through the judiciary branch  
28 is a cornerstone of American democracy and vacancies on  
29 the federal bench should be filled by well vetted, qualified  
30 individuals, committed to upholding the rule of law,  
31 Constitution, and Bill of Rights.  
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- 33 • The Senate should give timely consideration of all  
34 presidential appointments to fill vacancies on the federal  
35 bench; and should confirm those nominees with appropriate  
36 experience and judicial temperament, and who are  
37 committed to, the rule of law and the protection of  
38 individual, civil, and human rights.

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40 **The community relations field should:**

- 41 • Educate the community on the essential role of the courts in  
42 our justice system and advocate for a process which will  
43 result in appointment to federal judgeships of individuals  
44 dedicated to upholding the Constitution and our nation's  
45 body of laws.

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- Work in coalition with state and local partners to review the

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experience, judicial temperament, judicial bias, writings

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and opinions, and public record on and off the bench, of

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nominees to fill positions in your circuit or district, and

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express any concerns or questions you may have regarding

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a nominee to JCPA and your Senators.