Five-day fo



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The U.S. Senate should reform the process by which it confirms nominees to the federal judiciary.

too often blocks the filling of important positions in the federal judiciary.

The current impasse over the nomination of Miguel Estrada is evidence of the partisan b

On Tuesday, Democrats for the third time held off a Republican attempt to break the fili

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prevents Estrada's nomination from moving to a final vote. Sen. Chuck Nelson was a member of the unbroken Republican bloc that voted to end th Sen. Ben Nelson was one of only four Democrats who joined the Republicans.

The case is unusual in several respects. Appointments to the U.S. Circuit Court of Appea generate this much heat. A lower court nomination has never been blocked by filibuster is the use of a filibuster to force a nominee to provide information.

Senate Democrats believe Estrada is a stealth candidate with dangerously conservative possibly anti-abortion and anti-affirmative action. But Estrada has never taken a public either of those controversial issues.

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So Democrats want access to confidential memos Estrada wrote while he worked in the Department. Every living U.S. solicitor general, whether Democrat or Republican, has w opposition to the demand on the grounds the office deliberations must remain confident ability to vigorously defend U.S. interests.



Estrada emigrated from Honduras to the United States as a 17-year-old. By all accounts legal mind, Estrada carved out a stellar career including a stint as a clerk at the U.S. Su and 15 appearances before the court as an attorney.

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But in recent decades U.S. Senators have become too accustomed to creating gridlock c nominations. Republicans did it in the Clinton administration and Democrats are doing it payback on top of payback on top of payback," complained freshman Sen. Mark Pryor, I Currently the Judicial Conference of the United States, which oversees administration of has declared 29 of the 55 judicial vacancies have been open so long they are "judicial e

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What's needed is a process that sets timelines for hearings, committee votes and a vote Senate floor no matter who is in the White House. That might benefit Republicans now, benefit Democrats the next time the balance of power switches in Washington.

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