

**Received(Date):** 14 MAY 2003 09:35:16

**From:** (b)(6) UNKNOWN ] )

**To:** Theodore W. Ulyot ( CN=Theodore W. Ulyot/OU=WHO/O=EOP@EOP [ WHO ] )

**Cc:** overton@mackinac.org ( overton@mackinac.org [ CEQ ] ), mark.chenoweth@usdoj.gov ( mark.chenoweth@usdoj.gov [ UNKNOWN ] ), Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] ), tjipping@cwfa.org ( tjipping@cwfa.org [ UNKNOWN ] ), viet.dinh@usdoj.gov ( viet.dinh@usdoj.gov [ UNKNOWN ] ), matt.strawn@mail.house.gov ( matt.strawn@mail.house.gov [ UNKNOWN ] )

**Subject:** : AG Cox Speaks out on Judicial Nominations (fwd)

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: (b)(6) UNKNOWN ] )

CREATION DATE/TIME: 14-MAY-2003 09:35:16.00

SUBJECT: AG Cox Speaks out on Judicial Nominations (fwd)

TO: Theodore W. Ulyot ( CN=Theodore W. Ulyot/OU=WHO/O=EOP@EOP [ WHO ] )

READ: UNKNOWN

CC: overton@mackinac.org ( overton@mackinac.org [ CEQ ] )

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CC: mark.chenoweth@usdoj.gov ( mark.chenoweth@usdoj.gov [ UNKNOWN ] )

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CC: tjipping@cwfa.org ( tjipping@cwfa.org [ UNKNOWN ] )

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CC: matt.strawn@mail.house.gov ( matt.strawn@mail.house.gov [ UNKNOWN ] )

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----- Forwarded Message: -----

From: Stu Sandler (b)(6)

To: (b)(6)

Cc: mnewton@letica.com

Subject: AG Cox Speaks out on Judicial Nominations

Date: Mon, 12 May 2003 09:23:53 -0700 (PDT)

Mara,

Attorney General Cox wanted me to forward this article about the current state of judicial appointments to you. The Attorney General will soon be writing an editorial piece on this issue. Hope you are doing well.

Sincerely,

Stu

MI Cox-Judges,390

Cox calls for changes in judicial nominating process

WASHINGTON (AP) Michigan Attorney General Mike Cox was at the White House Friday to support President Bush's call for changes to

the process of confirming federal judges.

Bush criticized Senate Democrats for holding up his judicial nominations during a brief appearance in the Rose Garden. He wants the Senate to require confirmation votes on each judicial nominee, rather than using tactics to delay voting.

“The judicial confirmation process is broken, and it must be fixed,” the president said. “While senators stall and hold on to old grudges, American justice is suffering.”

Democrats have said Bush's nominees are too conservative, and point out that Republicans did the same thing to former President Clinton's nominees.

Cox, a Republican, said four vacancies on the 6th Circuit Court of Appeals are hurting Michigan. The Cincinnati-based 6th Circuit handles appeals from federal district courts in Michigan, Kentucky, Ohio and Tennessee.

Bush has nominated four Michigan judges to fill the vacancies, but Democratic U.S. Sens. Carl Levin and Debbie Stabenow are delaying votes because Senate Republicans never granted hearings to Clinton's 6th Circuit nominees.

Cox said the Senate needs to adopt a system that is fair to both parties.

“It really has to stop,” Cox said. “You see the day-to-day erosion in justice when there are so many vacancies.”

For example, Cox said, the 12 judges on the 6th Circuit ruled last month that Michigan's welfare drug-testing program is unconstitutional. The decision was evenly split among the judges and might have been different if the court had 16 judges, Cox said.

Cox added that the judges from Michigan have

bipartisan support.

The United Auto Workers union, which traditionally leans Democrat, has supported Bush nominee and Michigan Court of Appeals Judge Henry Saad in two elections, Cox said.

"None of them are controversial," Cox said.  
"They're well-known. They're not wacky."

Cox supports Bush's proposal, which would require judges to give one year's notice before they retire. The president would have six months to nominate a replacement, and the Senate would be required to hold a confirmation vote in the six months after that.

"That would have helped the Clinton judges, and it would certainly help the current appointees," Cox said.  
"If you don't like them, vote them down."

AP-CS-05-09-03 1325EDT  
:SUBJECT: MI  
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Received By NewsEDGE/LAN:Fri May 09 13:42:49 2003

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