



Powered by Clickability

[SAVE THIS](#) | [EMAIL THIS](#) | [Close](#)

## President names first Hispanic high court nominee

By Joan Biskupic, USA TODAY

WASHINGTON — President Obama's historic choice of appeals court judge Sonia Sotomayor would give the nation's highest court its first Hispanic voice, a second female perspective and, for the first time in nearly two decades, the experience of an individual from a truly humble background.

Sotomayor, 54, from a Puerto Rican family, was raised in a housing project in the Bronx. Her father died when she was 9. Her mother worked six days a week as a nurse to support her daughter and son, now a doctor in Syracuse, N.Y. Sotomayor won a scholarship to Princeton and then attended Yale Law School.

Obama, at the White House with Sotomayor at his side, called her an "inspiring woman who I believe will make a great justice."

**REACTION:** [Comments following nomination span spectrum](#)

**THE OVAL:** [Democrats happy, GOP not so much](#)

**FAITH & REASON:** [What might sixth Catholic mean for high court?](#)

**FINALISTS:** [Sources say Obama had narrowed it down to four](#)

"My heart today is bursting with gratitude," Sotomayor said. "I stand on the shoulders of countless people." She singled out her mother as her "life aspiration."

"I am all that I am because of her, and I am only half the woman she is," Sotomayor said as her mother looked on from the front row.

Obama noted that the legal career of Sotomayor, who would succeed retiring Justice David Souter, includes tenure as a New York prosecutor, corporate litigator and trial judge (appointed by the first President Bush in 1992) before becoming an appeals court judge (elevated by President Clinton in 1998).

Obama said she has the depth of legal experience necessary for the high court.

"Along the way, she's faced down barriers, overcome the odds and lived out the American dream that brought her parents here so long ago," he said.

All nine of the current justices are former federal appeals court judges. As a sitting judge, Sotomayor would not break that pattern. Yet her distinct background would bring the kind of "quality of empathy, of understanding and identifying with people's hopes and struggles" that Obama has said he was seeking.

Not since the 1991 nomination of Clarence Thomas, born in poverty near Savannah and reared by grandparents, has a nominee overcome such personal odds.

Sotomayor would be the second woman on the court, with Justice Ruth Bader Ginsburg, and the third woman ever appointed. Justice Sandra Day O'Connor, who retired in 2006, was the first when she was named in 1981.

The nomination was praised by civil rights groups. "The Supreme Court should reflect the diverse population of the United States to ensure that our nation's highest court understands the unique circumstances of all Americans," said Brent Wilkes, national executive director of the League of United Latin American Citizens.

At the same time, critics quickly emerged. Roger Pilon of the libertarian Cato Institute said President Obama chose "the most radical of all the frequently mentioned candidates before him."

Critics cite a 2005 appearance at Duke University School of Law at which Sotomayor said, "The court of appeals is where policy is made." She quickly added, "I know this is on tape and I should never say that, because we don't make law, I know. Um, OK. I know. I'm not promoting it, I'm not advocating it."

Among Sotomayor's more controversial votes was for a decision pending at the Supreme Court that allowed the city of New Haven to throw out the results of a firefighter promotion test because blacks and Hispanics scored disproportionately low. The high court is considering whether the "reverse discrimination" case violated the rights of white firefighters who say they were denied promotions.

Sotomayor said Tuesday the rule of law is the foundation of basic rights. "I strive never to forget the real world consequences of my decisions on individuals, businesses and government," she said.

Much of Sotomayor's work as a trial judge and then on the New York-based U.S. Court of Appeals for the 2nd Circuit has involved business matters rather than incendiary social topics such as abortion and the death penalty.

As a trial court judge, she issued an order that helped end the baseball strike of 1994-95. "Some say the judge saved baseball," Obama said Tuesday.

Her nomination will go before the Senate this summer. The Senate Judiciary Committee is likely to begin hearings in mid-July. "She has been nominated by both Democratic and Republican presidents, and she was twice confirmed by the Senate with strong, bipartisan support," said Judiciary Chairman Patrick Leahy of Vermont. "Having a Supreme Court that better reflects the diversity of America helps ensure that we keep faith with the words engraved in Vermont marble over the entrance of the Supreme Court: 'Equal justice under law.' "

Several Senate Republicans said they might push for extra time to review Sotomayor's record. "Senate Republicans will treat Judge Sotomayor fairly," said GOP leader Mitch McConnell of Kentucky. "But we will thoroughly examine her record to ensure she understands that the role of a jurist in our democracy is to apply the law evenhandedly, despite their own feelings or personal or political preferences. Accordingly, we trust they will ensure there is adequate time to prepare for this nomination, and a full and fair opportunity to question the nominee and debate her qualifications."

Thomas Goldstein, a Washington lawyer who founded a Supreme Court website and has reviewed her opinions, said, "Our surveys of her opinions put her in essentially the same ideological position as Justice Souter. In the ideological cases where her rulings have been reviewed by the Supreme Court (including the pending New Haven case), her views have aligned with the left of the current court."

Cornell law professor Michael Dorf said Tuesday, "Her experience as a judge on the 2nd Circuit — with a large commercial and corporate docket — will bring an important perspective to a court that will increasingly face important issues regarding the regulation of the national economy."

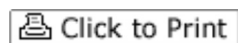
In her remarks Tuesday, Sotomayor noted that she had grown up in "very modest and challenging circumstances," yet considered herself quite rich in opportunity.

Cardinal Spellman High School, a Catholic school in the Bronx where Sotomayor graduated in 1972 was buzzing with the news Tuesday, said Jennifer Rivera, director of advancement.

"We're thrilled. She is still a good friend of the school," Rivera says. "It's been going around the school. Everybody knows that this is happening. It's a very exciting thing." Sotomayor, who was on the debate team and student government while at Spellman, spoke at Career Day at the school in 2006, and has hosted groups of students from the school for visits to her courtroom.

**Find this article at:**

[http://www.usatoday.com/news/washington/judicial/2009-05-26-obama-sotomayor\\_N.htm](http://www.usatoday.com/news/washington/judicial/2009-05-26-obama-sotomayor_N.htm)



[SAVE THIS](#) | [EMAIL THIS](#) | [Close](#)

Check the box to include the list of links referenced in the article.