

## PREPARED STATEMENT OF ANGELA M. BRADSTREET

Senator Biden and distinguished Senators: I am deeply honored to be here on behalf of California Women Lawyers to express our strong support of President Clinton's nomination of Judge Ruth Bader Ginsburg as an Associate Justice of the United States Supreme Court.

California Women Lawyers is the largest women's bar association in the nation, representing the interests of over 30,000 women attorneys in the State of California. Our mission is the advancement of women in the legal profession and the eradication of all forms of gender bias in our society generally. We are privileged to currently be assisting Senator Dianne Feinstein in her tireless work on issues affecting women.

After a thorough and formal evaluation process involving a review of her legal opinions, cases argued, writings and interviews with respected peers, which examined her intellectual qualifications, judicial temperament, lack of bias and analytical skills, California Women Lawyers found Judge Ruth Bader Ginsburg to merit the highest legal rating possible to serve as an Associate Justice of the Supreme Court, that is, exceptionally well qualified.

Judge Ginsburg's contribution as a pioneer of women's rights cannot be overstated. For she won five of the most important sex discrimination cases that have ever been argued before the Supreme Court of the United States. Indeed, the case of *Frontiero v. Richardson* has been hailed as a landmark decision in establishing gender parity as a constitutional mandate in the workplace. When twenty years ago she persuaded a majority of the Justices that a law automatically allowing married men in the military, but not married women, medical care benefits for a spouse in essence denied a working woman equal pay to a working man, Judge Ginsburg forged not only a dynamic reinterpretation of the equal protection clause, but also a fundamental change in society's previous stereotypical attitudes towards women in the workplace.

Indeed her explicit recognition that "the shape of the law on gender based classification \* \* \* indicates and influences the opportunity women will have to participate as men's full partners in the nation's social, political and economic life" (*Some Thoughts on Autonomy and Equality in Relation to Roe v. Wade*, R. Ginsburg, 63 N. Carolina L.R., 375) is cause for great optimism that this nominee's presence on the Supreme Court will make a major difference in the achievement of complete gender equality for all.

Her prolific writings also clearly demonstrate that Judge Ginsburg recognizes, and will work earnestly to protect, a woman's right to choose. Her approach to choice, suggesting that a constitutionally protected sex-equality perspective should be adopted, rather than simply a due process privacy perspective, is a well reasoned one. For, the notion that we as women should be in control of our own destiny is crucial to our attaining an equal place in society.

It is, therefore, particularly apt that the appointment of one who has paved the way for women's equality all of her life as the second woman Justice on the Supreme Court of the United States should symbolize an historic departure from the tokenism that has traditionally existed in the appointment of women to positions of power. With still only 14.5 percent of Circuit Court positions and barely 13 percent of District Court positions filled by women today (U.S. Department of Justice), Judge Ginsburg's appointment to the highest court in the land will take this nation a giant step forward in shattering the legal glass ceiling.

In conclusion, California Women Lawyers applauds President Clinton for his outstanding nomination and I respectfully urge the distinguished members of this Committee to vote in favor of this nomination.

Thank you very much.

The CHAIRMAN. Thank you very much for your testimony.  
Mr. President. It has a nice ring to it, doesn't it?

## STATEMENT OF CARLOS G. ORTIZ

Mr. ORTIZ. It sounds OK.

Thank you very much, Chairman Biden and members of the Senate Judiciary Committee. I bring you greetings from the many thousands of Hispanic-American attorneys from around the country, many of whom are your constituents in your respective States.

On behalf of the Hispanic National Bar Association, I want to tell you that we are privileged to once again appear before your

committee. We have testified in four of the last five nominations, I believe, now, and we take it very seriously and consider it very important.

The CHAIRMAN. And we take your views very seriously.

Mr. ORTIZ. Thank you. Based upon the HNBA's investigation, Senator, and review of Judge Ginsburg's record, we support her nomination and we find that she is highly qualified to serve on the U.S. Supreme Court.

The HNBA is the only national organization that represents thousands of Hispanic American attorneys throughout this country. The HNBA has supported and opposed judicial nominees across the political spectrum. Therefore, we do not expect nominees to adhere to any particular ideology. Instead, we review a person's overall record, scholarship and philosophy. In each of these areas, Judge Ginsburg has an exceptional record, particularly in her path-breaking litigation on behalf of women victimized by discriminatory policies and practices.

Many Hispanics, including many thousands of Hispanic women across the Nation, have been the beneficiaries of her legal reform efforts, which are in the finest American legal tradition. Judge Ginsburg enjoys a reputation as an extraordinarily intelligent student of the law. Her academic record is excellent, as you have already heard from numerous witnesses. Judge Ginsburg has a stellar record as a law professor and as a prolific scholar on women's rights, comparative law, and civil procedure, again, as you have heard from many speakers that have preceded us.

As an advocate, Judge Ginsburg played a pivotal role in women's causes. Judge Ginsburg has an exemplary record of advocacy for civil rights and equal protection of women in America, and it is therefore our hope that Judge Ginsburg will be equally committed to equal protection and justice for Hispanic Americans and other minorities who continue to suffer the abuses and indignities of racism and discrimination in America.

The discrimination Hispanic Americans experience is widespread and varied. For example, an anti-immigrant sentiment is growing throughout our Nation. It has been caused in part by the slowdown in the economy and threatens the civil rights of all Hispanics, as well as other minorities residing in this country.

Another example of the injustices suffered by Hispanic Americans is the same sort of employment discrimination suffered by Judge Ginsburg herself merely because of her gender when she attempted to enter the job market upon graduation from law school. Employment discrimination is a daily experience for many Hispanic Americans. The unemployment rate for Hispanic Americans nationally and in many of the States you represent, like Illinois, Arizona, California, Massachusetts, is tragically high, and even those Hispanics who have attained a college education are confronted with a glass ceiling barring their promotion and advancement.

To remedy these and other social ills afflicting Hispanics, the Hispanic community will be increasingly turning to the courts and ultimately to the Supreme Court for relief and for enforcement of our civil and constitutional rights.

As a jurist, Judge Ginsburg has had an equally outstanding career. Having carefully reviewed her opinions, the HNBA finds Judge Ginsburg to be fair and conscientious. Her opinions call for the equal treatment and advancement of all those who live within our country's boundaries. Judge Ginsburg has responded sensitively to the needs of our country's women and minorities. She has been on the side of change—change toward shared participation by all members of our society in our Nation's economic and social life. Her work has been devoted to a broad vision of participatory democracy.

The HNBA knows that Judge Ginsburg will bring to the Supreme Court her unique and sensitive life experiences. We hope that she is able to project her life experiences of gender and religious discrimination to the plight of discrimination against Hispanic-Americans in many forms, including education, employment, housing, voting rights, immigration, health, social services, et cetera, and the list goes on and on.

Other victims of discrimination share our high hopes for Judge Ginsburg as Justice Ginsburg also. They believe that, given her outstanding leadership in fighting gender discrimination, Judge Ginsburg would likely be sensitive to discrimination across-the-board.

On a related and important note, we urge you, the members of this committee, to remember that the Hispanic community today faces the same formidable barriers of neglect and opposition that Judge Ginsburg encountered in her early career. In your own judicial recommendations, nominations and confirmations, we encourage you to draw from among the talented pool of Hispanic-Americans throughout our country's legal communities.

We also ask you to pay particular attention to the pressing need for Hispanic-Americans to sit and serve with distinction on the Nation's Federal courts, especially in such States as Illinois and Massachusetts where significant populations of Hispanic-Americans have never had an Hispanic Federal judge. We hope you will continue to view the HNBA as a resource in helping to make our Nation a better place for all Americans.

Before concluding our statement, we must express our sincere hope that the next nominee to the U.S. Supreme Court who comes before the Senate Judiciary Committee will be an Hispanic-American. Just as we believe the Nation will benefit from the appointment of Judge Ginsburg, we also strongly believe that our Nation needs and would greatly benefit from an Hispanic American—actually, the first ever Hispanic-American Supreme Court Justice.

In closing, the HNBA finds Judge Ginsburg highly qualified to serve on the United States Supreme Court and we look forward to her distinguished service.

Thank you.

[The prepared statement of Mr. Ortiz follows:]

PREPARED STATEMENT OF THE HISPANIC NATIONAL BAR ASSOCIATION

Chairman Biden, members of the Senate Judiciary Committee:

The Hispanic National Bar Association (HNBA) is privileged to present testimony to this Committee. Based upon the HNBA's investigation and review of Judge Ruth Bader Ginsburg, we support her nomination and find that she is highly qualified to serve on the United States Supreme Court.