

## Confirmation Hearings: A Timeline That Is Fair To Senators, And Fair To The Nominee

Hearings to consider the nomination of Judge Sonia Sotomayor to be an Associate Justice of the United States Supreme Court will begin on July 13, 2009. This schedule follows the timeline of confirmation proceedings to consider Chief Justice John Roberts' nomination to be an Associate Justice of the Supreme Court.

**FACT:** Unlike much of John Roberts' record when he was nominated, **Judge Sotomayor's record is public**. She is a former district attorney, and has spent 17 years on the Federal bench. In fact, even before May 1, when Justice David Souter announced his intent to resign from the Court, many of Judge Sotomayor's opinions were available publicly online.

**FACT:** In 2005, Senate Democrats agreed to a hearing schedule for the nomination of then-Judge Roberts **before** the Committee had received the bipartisan questionnaire and background check from the FBI, let alone access to the over 75,000 pages from his time in the Executive branch, many of which came in on the eve of his hearing. On the contrary, Judge Sotomayor's questionnaire was **returned to the Committee five days before** the announcement of the hearing.

**FACT:** Senate Republicans threatened to schedule hearings on the Roberts nomination to begin **less than six weeks** after the designation was announced, unless Senate Democrats agreed to waive the right to hold over for one week a Committee vote on the nomination, to submit written questions for the record within 24 hours of the conclusion of the hearing, and to allow a Committee vote just 6 days after the conclusion of the hearings. It was only after Senate Democrats made this agreement that Senate Republicans scheduled the hearing for September 6 – 48 days after the designation.

**FACT:** **Chief Justice John Roberts was confirmed 72 days** after his designation, despite a one-week delay in the start of the hearings due to Hurricane Katrina, the passing of Chief Justice Rehnquist, and his re-nomination to be Chief Justice. **Seventy-two days from the date of Judge Sotomayor's designation is August 6 – before the Senate recess for August.**

### John Roberts (2005)

**DAY 1** – Designation (July 19)

**DAY 8** – Questionnaire Sent (July 27)

**DAY 13** – Questionnaire Returned (Aug. 1)

**DAY 48** – Hearing Set to Begin (Sept. 6)

*\*Delay due to passing of Chief Justice Rehnquist and Hurricane Katrina*

**DAY 72** – Senate Confirmation

*\*17 days after hearing*

### Sonia Sotomayor (2009)

**DAY 1** – Designation (May 26)

**DAY 2** – Questionnaire Sent (May 27)

**DAY 9** – Questionnaire Returned (June 4)

**DAY 48** – Hearing Set to Begin (July 13)

**DAY 72** – August 6