

Broderick, and then to Steve McAuliffe, and to you, Ms. Cooper, and we will do it in that order, if we may.

Congressman.

PANEL CONSISTING OF HON. CHUCK DOUGLAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW HAMPSHIRE; JOHN BRODERICK, PRESIDENT, NEW HAMPSHIRE BAR ASSOCIATION; STEVEN J. McAULIFFE, PRESIDENT-ELECT, NEW HAMPSHIRE BAR ASSOCIATION; AND DEBORAH COOPER, FORMER DEPUTY ATTORNEY GENERAL, STATE OF NEW HAMPSHIRE

STATEMENT OF CHUCK DOUGLAS

Mr. DOUGLAS. Thank you, Mr. Chairman.

In addition to representing the Town of Weare, I also was a colleague of Dave Souter's. From 1983 to 1985, we served together on the New Hampshire Supreme Court, in a former life I had before coming here and serving on House Judiciary. But I go back even farther than that in knowing Dave Souter, back into the early 1960's.

His father and my father both worked at the same bank in Concord. My sister Margaret dated David on occasion during a couple of summers when he was home from college. I had the chance to work with him when he was a trial judge and I was on the State Supreme Court and then, of course, in 1983 he came up and joined the rest of us on the New Hampshire Supreme Court.

What I wanted to do is just mention two things that I think are special strengths that Judge Souter will bring to the U.S. Supreme Court, and I say that as one who worked with him on a day-to-day basis for 2 years.

First, the way we conference cases in the Supreme Court of New Hampshire is unique, I think, among most appellate courts, because we actually sit down around a table and talk about the cases, line by line, and when you do that, that process that they still go through—even though David and I are no longer there, the process continues—it is very conducive to the fact that you will also be working with these folks on the next case and the next case and the next case. You do not personalize the interplay. You have your intellectual argument, you fight over the law, but then you know there is another case and you may be teamed up together for that next opinion, and I think that brings the law to the forefront and keeps personality disputes and feuds out of the process.

That is the experience. I always enjoyed working with Judge Souter and I know he will bring an open mind and an ability to work in a very good way with his colleagues at the U.S. Supreme Court.

The second thing that I know from my experience of sitting on the bench with him is his keen intellect that you all have obviously observed, but also the fact that he is an intense questioner, and in an appellate court that is very important. This is the apex of our judicial branch of Government.

You do not go any higher than the U.S. Supreme Court, and if there is a loose end or a point that has to be clarified or some argument that is shaky, key questioning from the bench is very, very

important, and Judge Souter is an aggressive questioner and I know he will do so, if he is approved by the Senate, which he should be, for service on the U.S. Supreme Court.

I am very proud to have known him and to work with him and I certainly can say nothing but that I know the hearing that he has been through would not have been dramatically different, if you had gavelled it in the morning after he was nominated. It is the same Dave Souter and the questions and the answers would have been handled the same way.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Congressman.

Mr. Broderick.

STATEMENT OF JOHN BRODERICK

Mr. BRODERICK. Thank you, Mr. Chairman and members of the committee.

My name is John Broderick and, as the chairman said, I am the current president of the New Hampshire Bar Association. On behalf of its members, acting through its Board of Governors, I am genuinely privileged to appear before this distinguished committee today to report the enthusiastic support of the New Hampshire Bar Association for Judge Souter's nomination to the U.S. Supreme Court.

The bar's 21-member Board of Governors recently passed, by unanimous vote, a resolution urging this committee to act favorably on Judge Souter's nomination and requesting confirmation by the U.S. Senate.

The board whose resolution I carry to this committee today has a diverse membership of men and women representing all geographic areas of the State of New Hampshire. The board also reflects the breadth and scope of the practice of law in New Hampshire.

Judge Souter has been a highly valued member of our bar association for almost 25 years. He has served with true distinction and vigor for the last 12 years on the Superior and Supreme Courts of New Hampshire. His service as attorney general of our State was exceptional and admired by those who worked with him and by the public which benefited from the professional leadership he provided.

Earlier this year, we were pleased to support his nomination and confirmation to the First Circuit Court of Appeals and were honored, as Judge Souter was, with the unanimous vote of the U.S. Senate, and we are not surprised that he has been nominated by the President of the United States for service on the Supreme Court.

Let me tell you a little something about my State. New Hampshire is a small State, with a bar of 3,400 lawyers and judges. We tend to know one another in New Hampshire, and because of our size and constant interaction, we are uniquely positioned to recognize quality.

Our bar is politically diverse and reflective of the demographics of our State. The quality of our membership is high and our practical approach to the practice of law is well respected. The people of my State are fiercely independent and we revere our individual lib-