

# eliminating racism empowering women

ywca

## Judicial Nominations

Courts and judges across the country make many important and vital decisions that affect women and families. Judges have the ability to make landmark decisions that have national implications on laws affecting women's rights, civil rights, the rights of individuals with disabilities, workers rights, immigrant rights and more.

While most people know about the role of the Supreme Court and understand the importance of a Supreme Court judge, far fewer pay attention to the lower federal courts. Yet these courts can have an even greater effect on the law than the Supreme Court. While the Supreme Court typically hears fewer than 100 cases a year, the federal courts of appeal, which are the courts that are immediately below the Supreme Court, decide almost 30,000 cases a year. Further, federal judges are appointed for life and have the power to change the nation for decades to come.

### **VIEW POINTS**

Advocates on one both sides of the debate argue that it is important to pay attention to who is elected President because they will have the opportunity to propose individuals to serve as judges on the Supreme Court and the federal courts of appeal. The new President of the United States, for example, may have the opportunity to appoint at least one new member to the United States Supreme Court and the legislative philosophy of that individual will have an impact on important laws.

When it comes to making appointments, some argue that the President should support judges who will take a historical view of the law. These individuals maintain that the President should support judges who will uphold a strict interpretation of the law based on the understanding of the law at the time the United States Constitution was written. These individuals also believe that the judicial branch of government should not interpret the law in a way that makes public policy decisions. They argue that such a function belongs to the legislative branch.

Others argue that the President should not support judges who, when deciding cases, limit their analysis to how the laws were interpreted years ago. These individuals instead argue that the President should support judges and courts who will take a different approach to making court decisions. These individuals believe that a judge should look at the history of the issue and the intent of the elected officials who wrote the law, but also consider how the law works in modern day society and with modern day practices and policies.

### **YWCA POSITION**

The Judicial Branch of government plays an important role in protecting the civil rights, civil liberties women's rights and the rights of all. Being aware of the selection and appointments of individuals to judicial positions, especially to the US Supreme Court, and their positions on civil rights and civil liberties, is important to protecting the rights and well-beings of women, children and men in our country.