House Joint Memorial 7

Sponsored by Representative EVANS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Urges Congress to increase number of United States Supreme Court Justices to 11 and also urges Congress to increase Circuit Courts of Appeal judges and District Court judges by proportionate number.

JOINT MEMORIAL

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Eightieth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas the United States Constitution directs the President to nominate qualified individuals to fill vacancies on the United States Supreme Court; and

Whereas the United States Constitution directs the United States Senate to provide advice and consent by rigorously examining the qualifications, fitness and suitability of individuals nominated by the President to fill vacancies on the Supreme Court; and

Whereas recent Supreme Court appointments have been seriously flawed by the Senate failing to provide advice and consent on one timely nomination and failing to conduct a rigorous examination of the qualifications, fitness and suitability of another nominee; and

Whereas as a result of the Senate’s failures, the Supreme Court’s current makeup does not reflect the reasoned deliberations of the executive and legislative branches of government when operating as the United States Constitution intended; and

Whereas the United States Constitution directs the President to nominate, and the Senate to provide advice and consent by confirming or rejecting nominations, to fill vacancies on United States Circuit Courts of Appeals and United States District Courts; and

Whereas the nomination and confirmation process for filling these lower court positions has been poisoned by excess partisanship and political maneuvering that denied a prior President the appropriate deference in nominating judicial vacancies; and

Whereas many lower court vacancies were not timely filled as a result of these delays and now does not reflect the collective wisdom of the American people as memorialized in their historical record of electoral support for a prior President; and

Whereas the United States Constitution permits the Congress of the United States to by law modify the number of Justices that serve on the Supreme Court; and

Whereas the United States Constitution authorizes Congress to by law fix the number of Court of Appeals and District Court judges; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

That we, the members of the Eightieth Legislative Assembly, urge the Congress of the United States to:

1. Increase the number of United States Supreme Court Justices to 11;

2. Increase the number of Circuit Courts of Appeal judges and District Court judges by proportionate number.

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

LC 1814
States to increase the number of Justices that serve on the United States Supreme Court to 11, in
order to restore the makeup of the Supreme Court to one that more closely approximates the de-
liberations of a fully functional presidential nomination process and a robust advice and consent
function performed by the Senate; and be it further

Resolved, That we also urge Congress to increase the number of positions among the Circuit
Courts of Appeal and District Courts by 22 percent, which reflects the same proportionate increase
as is urged for the Supreme Court; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to
the Senate Majority Leader, to the Speaker of the House of Representatives and to each member
of the Oregon Congressional Delegation.

______________