

March 14, 2016

The Honorable Charles E. Grassley
U.S. Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Patrick Leahy
U.S. Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, D.C. 20510

RE: Filling the Vacancy on the Supreme Court of the United States

Dear Chairman Grassley and Ranking Member Leahy:

We the undersigned fifty-four (54) national, state, and local Asian Pacific American bar associations have a long history of supporting judicial nominees from both Democratic and Republican presidents. Our bipartisan organizations represent the interests of Asian Pacific American attorneys across the country.

As professional legal membership organizations and representatives of Asian Pacific American attorneys, we have consistently maintained that it is both the President and the Senate's constitutional responsibility to ensure that our courts are fully functioning.

The President has the constitutional right to nominate Article III judges—including U.S. Supreme Court Justices—"by and with the Advice and Consent of the Senate," under Article II, Section 2 of the U.S. Constitution.

Article II, Section 2 of the U.S. Constitution further makes it clear that the Senate fulfills *its* constitutional responsibility to ensure the effective functioning of our courts by giving that nominee fair consideration on the merits and a timely up or down vote.

The Constitutional obligations of the President and the Senate hold true irrespective of who is in the White House, the identity of the individual nominee, or the political affiliation of any individual Senator.

As attorneys, we are deeply concerned about the effect and impact that the current rhetoric and stated positions will have on the effective operation of the judiciary, and on public perception of the American justice system. A full complement of Supreme Court Justices is critical to ensuring the smooth functioning of the judiciary and our legal system. The mere prospect of two terms of the Court without a full bench opens the door to uncertainty in the legal system. Any actuality of an incomplete Court will hamper the administration of justice. The Court must be able to resolve questions of constitutional and statutory importance and resolve disagreements between the lower courts to ensure uniformity of federal law. It needs a full Court to be able to do so effectively. Delay in the Supreme Court's ability to fulfill its duties by intentionally leaving it incomplete will have a direct impact on the legal rights of Americans, individuals and businesses of all backgrounds, across the country, and further erode public confidence in our legal system and in the functioning of our democracy.

We strongly urge the Senate to uphold its Constitutional duty by holding a fair hearing and timely vote on any Supreme Court nominee to ensure the effective operation of our judicial system.

Sincerely,

National Organizations

National Asian Pacific American Bar Association
National Filipino American Lawyers Association
South Asian Bar Association of North America
Thai American Bar Association

State and Local Bar Associations

Asian American Bar Association of the Greater Bay Area (California)
Asian American Prosecutors Association (California)
Asian Bar Association of Sacramento (California)
Asian Pacific American Bar Association of Los Angeles County (California)
Asian Pacific American Bar Association of Silicon Valley (California)
Filipino American Lawyers of San Diego (California)
Filipino Bar Association of Northern California
Korean American Bar Association of the Northern California
Orange County Asian American Bar Association (California)
Pan Asian Lawyers of San Diego (California)
Philippine American Bar Association (California)
South Asian Bar Association of Northern California
South Asian Bar Association of Southern California
Vietnamese American Bar Association of Northern California
Vietnamese American Bar Association of Southern California
Asian Pacific American Bar Association of Colorado
Connecticut Asian Pacific American Bar Association
Asian Pacific American Bar Association – Tampa Bay (Florida)
Asian Pacific American Bar Association of South Florida

Greater Orlando Asian American Bar Association (Florida)
NAPABA – Hawaii
Asian American Bar Association of Greater Chicago (Illinois)
Chinese American Bar Association of Greater Chicago (Illinois)
Filipino American Lawyers Association of Chicago (Illinois)
Indian-American Bar Association of Chicago (Illinois)
Korean American Bar Association of Chicago (Illinois)
Asian Pacific American Bar Association of Indiana
Louisiana Asian Pacific American Bar Association
Asian American Lawyers Association of Massachusetts
Asian Pacific American Bar Association – Maryland
Michigan Asian Pacific American Bar Association
Minnesota Asian Pacific American Bar Association
Asian American Bar Association of Kansas City (Missouri)
Missouri Asian American Bar Association
Asian Pacific American Lawyers Association of New Jersey
Asian American Bar Association of New York
Korean American Lawyers Association of Greater New York
Asian American Bar Association of Ohio
Asian Pacific American Bar Association of Central Ohio
Asian Pacific American Bar Association of Southwest Ohio
Oregon Asian Pacific American Bar Association
Asian Pacific American Bar Association of Pennsylvania
Tennessee Asian Pacific American Bar Association
Asian American Bar Association of Houston (Texas)
Austin Asian American Bar Association (Texas)
Dallas Asian American Bar Association (Texas)
Asian Pacific American Bar Association of Virginia
Asian Bar Association of Washington
Filipino Lawyers of Washington
South Asian Bar Association of Washington