

# DEMOCRACY AT STAKE

Protecting Fair and Impartial Courts For Florida

## Games belong on the playground courts, not our judicial courts

By Alex Villalobos

Approx. 600 words

Part of the American ideal of fairness is the right to have “your day in court.” Every person in our country should have timely access to courts staffed with qualified judges to hear their disputes. But today, record numbers of judicial seats are empty because of unprecedented obstruction in Washington, placing the American right to a speedy trial in peril. This kind of gamesmanship belongs on a basketball court but certainly not in our federal courts.

A dysfunctional Senate has left us with a large number of judicial vacancies on our federal courts, some of which have sat empty for more than 1,200 days, making it impossible for most Americans to have their case heard in a timely manner. It's a disservice to taxpayers for Senators to play political games with our judicial system and leave vacancies that literally stretch on for years.

Even before the government shutdown, our nation's courts had already felt the drastic and harmful impact of the sequester – Congress's \$1.2 trillion across-the-board budget cuts. Many public services have suffered, including the entire third branch of government, the federal judiciary. Under the sequester, 5.3 percent of the federal judiciary budget has been cut. That's about \$323 million below the 2012 funding level.

The sequestration cuts and ensuing shutdown continue to slow and put a greater strain on an already overburdened justice system. Our federal courts hear cases on many issues, and since criminal defendants have a constitutional guarantee to a speedy trial, criminal trials could move forward while civil trials would not. Civil cases on a variety of issues would slow or come to a halt, including hearings on Social Security benefits, immigration, employment and civil liberties.

If all this weren't enough, the judicial nominating process has slowed to a crawl thanks to political bickering in the Senate. Currently judicial nominees have been waiting far longer for a vote than at any other time in our nation's history. In the last year alone, more than 195 million Americans lived in a community with a federal courtroom vacancy. The result is a backlog of cases that undermines our system of justice and makes it difficult for most Americans to have their cases heard in a timely manner.

In South Florida, Judge William Thomas of the Miami-Dade criminal court has

been nominated for a vacancy in the Southern District that has been open for more than 600 days. Despite endorsements from the American Bar Association, the Dade County Police Benevolent Association, the Broward County Police Benevolent Association and the League of Prosecutors, his nomination remains on hold amid partisan squabbling in the Senate. Apparently our senators believe pushing a political agenda is more important than our government and our courts running efficiently. The Senate must fulfill its Constitutional duty to get the courts running at full capacity.

Judicial nominees deserve a simple yes or no vote. Here in Florida, we must let Senators Nelson and Rubio know that we are aware of the judicial vacancy issue, that the judges who sit on our courts matter, and that we won't stand for continued political obstruction in the Senate.

No matter the issue — from civil and voting rights to health care and immigration — our federal courts play a vital role in the lives of all Americans. It's past time for our Senators to put aside the political games, get rid of the anonymous 'holds' on judicial appointments, and fill these critical vacancies so Americans can have their day in court.

*Former Florida state senator and majority leader Alex Villalobos serves as president of Democracy at Stake, a non-partisan, non-profit organization working to defend fairness and impartiality in Florida courts.*