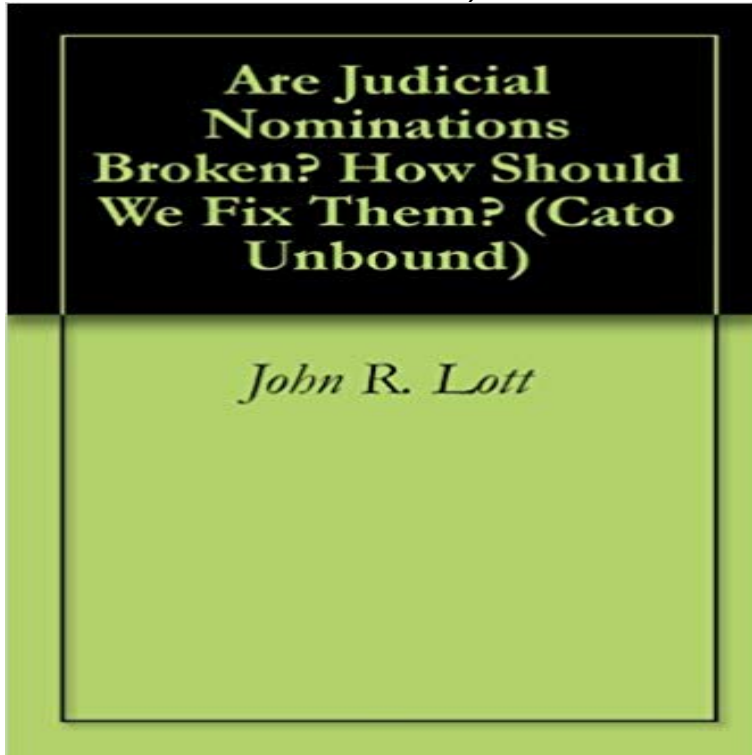


Are Judicial Nominations Broken? How Should We Fix Them? (Cato Unbound Book 201401)



Members of both the major U.S. political parties complain that judicial nominations are more of a problem than ever. Nominees wait for weeks and months to be confirmed, and sometimes they never are. Charges of ideological bias and unfairness pass back and forth between Congress and the White House, and at times both branches seem engaged in a destructive game of tit-for-tat. Meanwhile, the judiciary's backlog of cases grows, and justice delayed is justice denied. How did things come to such a state? Which party or parties are to blame? What should we do if we want a nominations process that works smoothly and produces qualified federal judges? Will the November 2013 elimination of the Senate's judicial nomination filibuster do anything to help? Our lead essayist this month, John R. Lott, Jr., argues that the problem has a deep underlying cause: We fight over judicial nominations because judges control far more of our lives than ever before. Drawing on his new book *Dumbing Down the Courts: How Politics Keeps the Smartest Judges Off the Bench*, Lott argues that the problem is pervasive and not solely the fault of either party. One of its consequences, he suggests, is that the federal judiciary suffers from a very unfortunate brain drain. Not only are the judges running more and more of our lives, but they're doing it less and less intelligently. Here to discuss with him this month are political analyst Professor Michael Teter of the University of Utah, Clint Bolick of the Goldwater Institute, and John O. McGinnis of Northwestern University, each of whom will share thoughts on the judicial nominations process, followed by a roundtable discussion.

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