



The National Voice of the Hispanic Legal Community.

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**The HNBA Renews Its Request to Meet With
U.S. Supreme Court Nominee Judge John G. Roberts
and Seeks Answers to a Number of Questions and Concerns**

(Washington, DC—September 3, 2005)—The Hispanic National Bar Association (HNBA) today renewed its request to meet with U.S. Supreme Court Nominee Judge John G. Roberts, Jr., to gain additional and more recent insights into his views and to ensure that the HNBA position on his confirmation is one based on a thorough and fair review of his current positions.

An objective of the HNBA is to achieve positive growth and development of the U.S. legal system in a manner that maintains inviolate the bedrock principles grounded in the Constitution, including respect for the rule of law and equal justice for all. In addition, the HNBA works to facilitate the professional growth and development of U.S. Hispanic legal professionals. Those two objectives are governed by the HNBA's mission to respond to the legal needs of the U.S. Hispanic community.

Because of the forgoing considerations, the HNBA's evaluation of Judge John G. Roberts raises a dilemma. On the one hand, the HNBA recognizes Judge Roberts for his excellent advocacy skills, his learned pen, and his justified reputation as an outstanding practitioner and widely respected lawyer. If the evaluation criteria were based solely on credentials, legal aptitude and reputation, the HNBA would likely move swiftly to endorse Judge Roberts. But those are not the sole criteria.

The HNBA has a duty to examine whether Judge Roberts's seat on the Supreme Court would benefit the positive development of the U.S. legal system, ensure equal justice, enhance the professional growth of the U.S. legal Hispanic community, and not negatively impact the U.S. Hispanic community. In sum, will Judge Roberts's ascension to the U.S. Supreme Court bode well for all the people of the United States?

The HNBA has carefully examined what sparse information that is publicly available on Judge Roberts, the bulk of which consists of memoranda written when he

was a young attorney working for the Reagan administration. Legitimate questions exist as to whether those memoranda form an appropriate basis to evaluate Judge Roberts today, in particular with respect to the criteria the HNBA must use to evaluate his suitability for the Supreme Court.

While the portrait of Judge Roberts as revealed by the memoranda raise serious concerns, there are also countervailing factors such as his *pro bono* work which leave open the possibility that Judge Roberts's views may have changed as he has matured both personally and professionally. As a result, the HNBA has requested to meet in private with Judge Roberts to gain additional and more recent insights into his views and to ensure that the HNBA position on his confirmation is one based on thoroughness and fair play. Unfortunately, Judge Roberts did not respond to the requests, and so the HNBA uses this public forum to renew its request and to seek clarification on the following positions important to the Hispanic community:

1. Does Judge Roberts continue to hold the view that the United States should create a national identity card to prove American citizenship?
2. What are Judge Roberts's views on the educational rights of undocumented immigrant children in the United States?
3. Does Judge Roberts believe that immigration is a threat to our social fabric?
4. Does Judge Roberts believe that the United States government and private institutions should take affirmative steps to remedy past discrimination?
5. Does Judge Roberts believe that the High Court engages in judicial activism when it chooses to remedy a broad societal injustice on constitutional grounds?
6. As a young lawyer, Judge Roberts urged the Reagan Administration to take positions that would limit full and equal economic participation of women in our society, and that would limit the ability of minorities to have full and unrestrained participation at the ballot box. Does he continue to hold those views?

The HNBA is a non-profit, national association representing the interests of over 27,000 Hispanic American attorneys, judges, law professors, law graduates, law students, legal administrators, and legal assistants or paralegals in the United States and Puerto Rico. Its continuing mission: To improve the study, practice, and administration of justice for all Americans by ensuring the meaningful participation of Hispanic Americans in the legal profession.

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