



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** R2016-261  
**Type:** Resolution                      **Status:** Adopted  
**File created:** 4/13/2016              **In control:** City Council  
**Final action:** 4/13/2016

**Title:** Call for Senate hearing regarding nomination of Judge Merrick Garland to Supreme Court

**Sponsors:** Moore, Joseph, Curtis, Derrick G., Foulkes, Toni, Scott, Jr. Michael, Dowell, Pat, Sadlowski Garza, Susan, Quinn, Marty, Austin, Carrie M., Laurino, Margaret, Pawar, Ameya, Harris, Michelle A., Sawyer, Roderick T., Sposato, Nicholas, Mitts, Emma, Villegas, Gilbert, Hairston, Leslie A., Munoz, Ricardo, Silverstein, Debra L., Osterman, Harry, Cappleman, James, Beale, Anthony, Mendoza, Susana A., Ramirez-Rosa, Carlos, Arena, John, Mell, Deborah, Willie B. Cochran, Tunney, Thomas, Santiago, Milagros, Lopez, Raymond A., Smith, Michele, Reboyras, Ariel, Solis, Daniel, Reilly, Brendan, Taliaferro, Chris, Maldonado, Roberto, Burnett, Jr., Walter, Thompson, Patrick D., O'Connor, Patrick, Hopkins, Brian, Burke, Edward M., O'Shea, Matthew J., Moreno, Proco Joe, King, Sophia D., Zalewski, Michael R., Ervin, Jason C., Waguespack, Scott, Brookins, Jr., Howard, Moore, David H.

**Indexes:** UNITED STATES GOVT.

**Attachments:** 1. R2016-261.pdf

Date	Ver.	Action By	Action	Result
4/13/2016	1	City Council	Rules Suspended - Immediate Consideration	
4/13/2016		City Council	Adopted	Pass

### Type: Title:

### Committee(s) Assignment:

King (4) Zalewski (23) Ervin (28) Waguespack (32) Brookins (21) Moore (17) Resolution

Call for Senate hearing regarding nomination of Judge Merrick Garland to Supreme Court

### Resolution Calling for Senate Hearings Regarding the Nomination of Judge Merrick Garland to the Supreme Court of the United States

WHEREAS, The Constitution of the United States provides that the Senate shall provide advice and consent for appointments to the Supreme Court of the United States; and

WHEREAS, The Senate's constitutional duty to advise and consent on judicial nominees is one of its most important and solemn responsibilities; and

WHEREAS, The Senate has confirmed more than a dozen Supreme Court justices in presidential election years, including five in the last 100 years; and

WHEREAS, The Senate has confirmed justices in presidential election years in which the executive and legislative branches of government were divided between two political parties, including Justice Anthony Kennedy's confirmation in 1988; and

WHEREAS, The Senate Judiciary Committee has never denied a Supreme Court nominee a hearing since it began holding public confirmation hearings; and

WHEREAS, If the Senate refuses to consider a Supreme Court nominee until after the next President is sworn into office, it will result in the longest Supreme Court vacancy caused by Senate inaction since the Civil War; and

WHEREAS, The Supreme Court serves an essential function resolving critical questions of law that affect our community, its economy, and its citizens; and

WHEREAS, The President has nominated Merrick Garland, Chief Judge of the U.S. Court of Appeals for the District of Columbia Circuit, who "has earned a track record of building consensus as a thoughtful, fair-minded judge who follows the law;" and

WHEREAS, Judge Garland is well-qualified and has more judicial experience than any Supreme Court nominee in history; and

WHEREAS, Forcing the Supreme Court to function with only eight justices risks creating numerous instances in which the Court is evenly divided on the outcome of a case, preventing the Court from resolving conflicting interpretations of the Constitution among different regions of the Nation and thereby undermining the Supreme Court's role as the final arbiter of the law; and

WHEREAS, Every Supreme Court nominee who was not withdrawn by the President has received an up-or-down vote within 125 days of President's nomination announcement; and

WHEREAS, The Supreme Court vacancy caused by the death of Justice Antonin Scalia occurred on February 13, 2016, 269 days before the 2016 presidential election, and since 1975, the average number of days from nomination to confirmation vote for a Supreme Court nominee has been 70 days; now, therefore

BE FT RESOLVED, That we, the Mayor and Members of the City Council of the City of Chicago, assembled this thirteenth day of April, 2016, do hereby urge the Senate of the United States to perform its constitutional duty to provide advice and consent on the President's Supreme Court nominee by promptly scheduling a hearing in the Senate Judiciary Committee for Judge Merrick Garland; holding a confirmation vote on the Senate floor, with opportunity for debate on Judge Merrick Garland's nomination; and filling the vacancy on the Supreme Court without undue and unnecessary delay; and

BE IT FURTHER RESOLVED, That the City Clerk b/ directed to provide suitable copies of this resolution to

Senators important issue.

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