

Why Courts Matter. FLORIDA

Federal judges make decisions that impact the lives of Floridians every day. When laws pass that infringe on civil rights, harm the environment, or put corporate interests above individual rights, the federal courts are often the last or only resort. Right now, due to a large number of federal court vacancies and a Senate that continues to obstruct qualified nominees, there are not enough judges to hear important cases in Florida. Floridians can play a role in the judicial nominations process – ensuring that current and future vacancies in Florida are not only filled immediately, but with judges who are fair and diverse.

 **THE CRISIS IN FLORIDA:** Florida's courts are in crisis. Currently, there are four vacancies on Florida's district courts, with two more seats to open within the next year. On average, these spots have remained vacant for more than 358 days – nearly an entire year. President Obama has nominated outstanding candidates for two of these seats, but these candidates have been held up by the Senate. When fewer Florida district court judges are on the bench, civil cases stack up, our criminal justice system slows down, and fewer ordinary people have access to justice and their right to a day in court.

 **DIVERSITY ON THE FEDERAL BENCH:** A diverse federal bench improves the quality of justice and instills confidence that judges understand the real-world implications of their decisions. Florida is a diverse state: more than half of the state's population is women, 17 percent is African American, 23 percent is Latino and 3 percent is Asian American. Yet of the 33 active federal district court judges in Florida, only 14 (42 percent) are women, four (12 percent) are African American, only five (15 percent) are Latino and none are Asian American.

Judicial Vacancies in Florida as of August 15, 2013

Circuit/District	Emergency	Current/ Future	Length of Vacancy	Nominee	Nomination Date
Middle District	Yes	Current	73	No	-
Middle District	Yes	Current	607	B. Davis	1/4/2013
Middle District	-	Future	Will open 3/31/2014	No	-
Southern District	Yes	Current	272	No	-
Southern District	Yes	Current	547	W. Thomas	1/4/2013
Southern District	-	Future	Will open 12/15/2013	No	-

Why Courts Matter. FLORIDA



FEDERAL COURTS PROTECT THE RIGHTS OF FLORIDA'S IMMIGRANTS: The

Constitution guarantees equal educational opportunity for all children. The federal courts are often the only way to ensure that children of immigrants have these opportunities. For years, Florida had a policy in place that denied low tuition rates and financial aid to U.S. citizens who are children of undocumented immigrants. In some cases, before these students could even apply to a university, they had to show proof that their parents are legal residents. In 2012, five students in Florida, all born in the United States, filed suit against Florida education officials in the **U.S. District Court for the Southern District of Florida**, arguing they had the right to the same benefits afforded to all other American students. The court ruled that the Florida policy was unconstitutional because it created “a second-tier status of U.S. citizenship.”

Ruiz v. Robertson



FEDERAL COURTS CAN PROTECT THE RIGHT TO VOTE: The right to vote continues to be under attack in Florida and the federal courts are the last line of defense in ensuring that minorities, the elderly, the disabled, and students are not pushed out of the electorate. Federal judges that were appointed by Democratic presidents have ruled to protect voters while Republican appointees have supported voting restrictions that make it harder for certain populations to vote.

- **Strict rules on third-party voter registrants:** In 2012, Florida passed a law that put restrictions on third-party voter registrants which prevented groups, such as the League of Women Voters, from registering voters in minority communities. Judge Robert Hinkle on the **United States District Court for the Northern District of Florida** struck down this law in *League of Women Voters of Florida v. Browning*. Hinkle is a Bill Clinton appointee.
- **Law limiting early voting:** When Florida passed a law limiting early voting days (which would have mostly impacted minority voters) Judge Timothy Corrigan of the **U.S. District Court for the Middle District of Florida** upheld the state's decision in *Brown v. Detzner*, to limit early voting.” Judge Corrigan is a George W. Bush appointee.
- **Voter Purge:** In 2012, the state of Florida announced that it would ask those the state suspected to be non-citizens to prove they were citizens within 30 days or otherwise be “purged” from the voter rolls. In April 2012, Florida's Secretary of State Ken Detzner sent election supervisors lists of more than 2,600 potentially ineligible voters flagged by matching driver's license records with the state's voter registration database. More than half of those on the list had Latino-sounding names. A lawsuit was filed in June 2012 asking the **U.S. District Court for the Southern District of Florida** for an injunction to stop the purge. The injunction was denied by Judge William Zloch, a Ronald Reagan appointee, in *Arcia v. Detzner*. The case is now on appeal before the **11th U.S. Circuit Court of Appeals**.