

In the News

O'Melveny's Hacker Comments on Robert Bork's Legacy in Reshaping Judicial Vetting in Law360



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O'Melveny & Myers LLP partner and chair of the Firm's Supreme Court and Appellate Practice Jonathan Hacker was quoted in the December 19, 2012, *Law360* article "Bork's Failed High Court Bid Reshaped Judicial Vetting." The article takes a look at the legacy of former solicitor general, federal judge and onetime US Supreme Court nominee Robert H. Bork, who recently passed away. *Law360* writes that Bork will best be remembered for "a failed confirmation process that dramatically shifted the way justices are vetted and set the stage for highly politicized confirmation hearings that continue today."

"Bork's confirmation process made clear that the previously narrow understanding of a judge's qualifications — such as whether the nominee was 'good on paper' — needed to more broadly include the understanding of the nominee's judicial philosophy and outlook," said Hacker.

"Before ... some people [said] that the nomination process should be about qualifications, such as, 'Did the nominee have a good job, had good grades, go to a good law school or serve on the right court?'" added Hacker. "But I think [Bork's] nomination process was — if not the first, then certainly the most prominent — in putting on the table broader questions of a potential judge's ideologies."