

# **Durbin, Duckworth warn of breakdown of bipartisan selection process for Federal Judicial & U.S. Attorney nominees under Shimkus**

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**WASHINGTON**—U.S. Senators Dick Durbin (D-IL) and Tammy Duckworth (D-IL) today called on U.S. Representative John Shimkus (R-IL) to honor the decades-long tradition of bipartisanship in the selection of U.S. Attorneys, U.S. Marshals, and Federal District Court Judges in Illinois. Rep. Shimkus has delayed reestablishing this bipartisan process in order to consult with the Trump Administration—a process that is more urgently needed since last Friday when Attorney General Jeff Sessions fired all sitting U. S. Attorneys, including the U.S. Attorney for the Northern District of Illinois, Zach

Fardon. By longstanding Senate practice, both U.S. senators in a state must give their consent, on a form called a blue slip, before federal nominees in that state will be considered by the Judiciary Committee.

**“It has now been nearly two months since President Trump’s inauguration and over one month since Attorney General Sessions was sworn in on February 9. We are prepared to continue our discussions with the goal of reestablishing a bipartisan process to identify and recommend candidates for whom we would be willing to sign affirmative blue slips,” the senators wrote. “We also note that you invited a representative of Governor Rauner to participate in our January 17 conversation. The Governor of Illinois has no authority when it comes to choosing federal prosecutors and judges. In fact, recent history suggests we should make every effort to avoid even an appearance of impropriety when it comes to the selection of federal prosecutors.”**

Full text of the senators’ letter:

March 14, 2017

The Honorable John Shimkus  
2217 Rayburn House Office Building  
Washington, DC 20515

Dear Representative Shimkus:

We write to follow up on our January 17<sup>th</sup> phone conversation with you regarding the process for nominating federal district court judges, U.S. Attorneys, and U.S. Marshals in Illinois.

During the call, we discussed the bipartisan approach we have followed for almost twenty years in recommending candidates to the White House. You informed us that you were not prepared to use this approach until you consulted with the Trump White House and the new Attorney General. We said we would give you more time.

It has now been nearly two months since President Trump’s inauguration and over one month since Attorney General Sessions was sworn in on February 9. We are prepared to continue our discussions with the goal of reestablishing a bipartisan process to identify and recommend candidates for whom we would be willing to sign affirmative blue slips. After President Trump’s firing last Friday of 46 U.S. Attorneys, including Northern District of Illinois U.S. Attorney Zach Fardon, there is a timely need to provide Illinoisans with clarity on how the process for recommending nominees will move forward.

We also note that you invited a representative of Governor Rauner to participate in our January 17 conversation. Although she is very familiar with this issue because of her previous service in the office of U.S. Congresswoman Judy Biggert, we believe her new position representing Governor Rauner raises serious issues about her continued participation. The Governor of Illinois has no authority when it comes to choosing federal prosecutors and judges. In fact, recent history suggests we should make every effort to avoid even an appearance of impropriety when it comes to the selection of federal prosecutors. Please clarify your position on this matter.

Thank you for your attention to this important issue. We look forward to working with you to reestablish a bipartisan process that serves the people of Illinois well.

Sincerely,

RICHARD J. DURBIN  
United States Senator

TAMMY DUCKWORTH  
United States Senator