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# *Committee Meeting*

of

## SENATE JUDICIARY COMMITTEE

*The following nomination(s) will be interviewed:*

To be an Associate Justice of the Supreme Court

*“Fabiana Pierre-Louis, of Mount Laurel, for the term prescribed by law”*

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**LOCATION:** Committee Room 4  
State House Annex  
Trenton, New Jersey

**DATE:** August 24, 2020  
11:00 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

Senator Nicholas P. Scutari, Chair  
Senator Nellie Pou, Vice Chair  
Senator Paul A. Sarlo  
Senator Troy Singleton  
Senator Bob Smith  
Senator Brian P. Stack  
Senator Loretta Weinberg  
Senator Christopher “Kip” Bateman  
Senator Gerald Cardinale  
Senator Kristin M. Corrado  
Senator Michael J. Doherty



### **ALSO PRESENT:**

Senator Stephen M. Sweeney  
*Senate President*

David J. Lorette  
*Office of Legislative Services  
Committee Aide*

Alison Accettola  
*Senate Majority  
Committee Aide*

Sarah A. Fletcher  
*Senate Republican  
Committee Aide*

***Meeting Recorded and Transcribed by  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

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Nicholas P. Scutari  
Chair

Nellie Pou  
Vice-Chair

Paul A. Sarlo  
Troy Singleton  
Bob Smith  
Brian P. Stack  
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David J. Lorette  
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## NEW JERSEY STATE LEGISLATURE

### SENATE JUDICIARY COMMITTEE

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### COMMITTEE NOTICE

TO: MEMBERS OF THE SENATE JUDICIARY COMMITTEE  
FROM: SENATOR NICHOLAS P. SCUTARI, CHAIRMAN  
SUBJECT: COMMITTEE MEETING - AUGUST 24, 2020

*The public may address comments and questions to David J. Lorette, Committee Aide, or make bill status and scheduling inquiries to Nina Riccardi, Secretary, at (609)847-3865, fax: (609)292-6510, or e-mail: [OLSAideSJU@njleg.org](mailto:OLSAideSJU@njleg.org). Written and electronic comments, questions and testimony submitted to the committee by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request. This does not apply to information or remarks concerning the character or qualifications of any person nominated by the Governor which are brought to the attention of the committee considering the nomination. However, oral remarks delivered in a public meeting concerning a nominee are available to the public if recorded or transcribed.*

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The Senate Judiciary Committee will meet on Monday, August 24, 2020 at 11:00 AM in Committee Room 4, 1st Floor, State House Annex, Trenton, New Jersey.

Due to the public health emergency, the State House Annex remains closed to visitors and members of the public will not be allowed to attend the meeting in person, unless properly registered to testify on a bill or nomination under consideration. The public may monitor the committee proceedings on the New Jersey Legislature home page, at <https://www.njleg.state.nj.us/>. The Committee will take in person testimony on bills or nominations for those members of the public who properly register. If you are interested in registering your position with the Committee, please fill out the Registration Form located on the New Jersey Legislature home page under the applicable Committee heading. If you wish to testify, check the box 'Do you wish to testify?' on the form. The form must be submitted by 3:00 PM on 8/21/2020. Instructions for providing testimony will be forwarded to you.

The public is encouraged to submit written testimony electronically in lieu of oral testimony. Written testimony will be included in the record, but in the case of information concerning the character or qualifications of a person nominated by the Governor, such will remain confidential. Testimony should be submitted to [OLSAideSJU@njleg.org](mailto:OLSAideSJU@njleg.org).

The following nomination(s) will be interviewed:

TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT:

Fabiana Pierre-Louis, of Mount Laurel, for the term prescribed by law.

Issued 8/18/20

For reasonable accommodation of a disability call the telephone number or fax number above, or for persons with hearing loss dial 711 for NJ Relay. The provision of assistive listening devices requires 24 hours' notice. CART or sign language interpretation requires 5 days' notice.

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## TABLE OF CONTENTS

	<b><u>Page</u></b>
Fabiana Pierre-Louis, Esq. Nominee New Jersey Supreme Court	2
John T. Tomicki, Esq. Executive Director League of American Families	45
pnf: 1-32 mej: 33-59	

**SENATOR NICHOLAS P. SCUTARI (Chair):** Good morning, everyone, and welcome to the Senate Judiciary Committee -- today is August 24, 2024 -- for our 11 a.m. meeting.

Roll call, please.

MR. LORETTE (Committee Aide): Committee roll call.

Senator Cardinale.

SENATOR CARDINALE: Here.

MR. LORETTE: Senator Corrado.

SENATOR CORRADO: Here.

MR. LORETTE: Senator Bateman.

SENATOR BATEMAN: Here.

MR. LORETTE: Senator Stack. I see him in the room; he's here.

Senator Smith.

SENATOR SMITH: Here.

MR. LORETTE: Present; thank you.

Senator Pou.

**SENATOR NELLIE POU (Vice Chair):** Here.

MR. LORETTE: Chairman Scutari.

SENATOR SCUTARI: Here.

MR. LORETTE: Chairman, you have a quorum.

SENATOR SCUTARI: Thank you.

I would ask everyone to please check their cell phones and make sure that they're switched off to vibrate or silent for the duration of the meeting, the morning meeting. The sole reason -- it's our historic vote.

To be an Associate Justice of the Supreme Court, Fabiana Pierre-Louis of Mount Laurel.

Please come forward.

And because of you being far enough away from everyone, you are welcome to take off your mask so we can get a look at you while you're testifying.

Please remain standing and raise your right hand for the administration of the oath.

MR. LORETTE: Good morning.

Do you swear or affirm that the testimony you're about to give here today is true, correct, and complete to the best of your knowledge, information, and belief?

**FABIANA PIERRE - LOUIS, Esq.:** I do.

MR. LORETTE: Thank you.

SENATOR SCUTARI: Thank you; please be seated.

Ms. Louis, welcome.

And would you please address the Committee with your opening remarks?

MS. PIERRE-LOUIS: Yes.

Thank you, Mr. Chairman, and all the members of the Senate Judiciary Committee, for the privilege of appearing before you today in consideration of my nomination to be an Associate Justice of the Supreme Court of New Jersey.

I would also like to thank Governor Murphy for having the confidence in me to nominate me to this extraordinarily important role.

I also want to thank my family, who are here with me today: my parents, my siblings, my husband Rob and our two sons. I also want to thank all my other family members, friends, and colleagues for all their support.

This nomination is truly the honor of a lifetime for me. I hold the Supreme Court of New Jersey, the finest Court in our nation, in extremely high regard.

I started my career as a law clerk to Justice John Wallace, and I have practiced in New Jersey my entire career. The fact that I sit here today with the opportunity to sit on the Court is beyond words.

I understand the importance and the magnitude of my nomination to the highest Court in the State. To be part of the Judiciary, one of the three co-equal branches that make our government work, is an important task. To act with integrity, independence, impartiality, and have a deep respect for the law and the Constitutions of this State and the nation, are all qualities I intend to bring to the Court if fortunate enough to be confirmed.

I believe that my experience and background have prepared me to take on this extremely important role in our State's Judiciary. As a law clerk to Justice Wallace, I had the invaluable experience of being exposed to the work of the Court early on in my career. I also gained a lifelong mentor in Justice Wallace, a jurist who is intelligent, fair, patient, collegial, and humble, all qualities I always admired and seek to embody.

I'm also proud to have the opportunity to sit in the same seat that he once occupied.

After clerking for Justice Wallace, I began working at Montgomery McCracken Walker and Rhoads. There the majority of my practice consisted of litigation matters involving a variety of subject matters, such as real estate disputes, consumer fraud cases, and personal injury cases. In addition to civil litigation matters, I worked on white collar crime defense

cases and government investigations. During my time at the firm, I was also an active member of the firm, and participated in the creation of the firm's first diversity newsletter as the Chair of the Diversity Newsletter Committee.

After a few years at Montgomery McCracken, I was fortunate enough to be hired as an Assistant United States Attorney, where I worked in all three offices in the District over the course of nine years, eventually becoming the Attorney-in-Charge of two of those offices, the first woman of color to hold both those positions.

As an attorney representing the United States, my goal was always to do the right thing, handle each case fairly, and ensure that justice was done.

In 2010, I began working in the Office's General Crimes Unit in Newark, where I handled a varied caseload that included bank robberies, firearms offenses, child exploitation cases, and narcotics offenses. I then moved on to the Organized Crime and Gang unit, where I worked on matters that involved investigations of traditional organized crime organizations, as well as investigations into street gangs.

In 2012, I transferred to the Trenton branch office, where my caseload of matters expanded to include a wide variety of cases, such as white collar crime offenses, national security matters, and public corruption investigations.

In November of 2016, I was honored to be appointed the Attorney-in-Charge of the Trenton branch office. In that role, I supervised all aspects of criminal matters handled by the Trenton office, including criminal trials, investigations, and prosecutions of large-scale drug trafficking

organizations; complex mail and wire fraud offenses; healthcare and government fraud matters; and violent crimes.

I had end-to-end supervisory authority of all the criminal cases handled by the Assistant U.S. Attorneys in that office, including case intakes; collaboration with Federal, State, and local law enforcement agencies; and determinations regarding whether the office would pursue and charge certain cases, or decline to do so. It also included the review and approval of nearly all documents that left the office, including search warrants, wiretap applications, criminal complaints, indictments, plea agreements, sentencing memorandums, motions, correspondence with the court, and more. I was also the Office Administrator and supervised all the office staff.

In my role, I had the privilege of also playing a role in the creation and participation in the *Trenton Reentry Court*, a program that assisted recently released Federal prisoners with succeeding in life after prison, something that I care very deeply about. I executed all those duties while continuing to manage my own individual caseload and prosecution of criminal matters.

In December 2018, I was appointed the Attorney-in-Charge of the Camden branch office. In Camden, as in Trenton, I supervised all criminal investigations and prosecutions handled by that Camden office.

Last year, I left the U.S. Attorney's Office and returned to Montgomery McCracken, a firm where people have always been like family to me. As a partner at Montgomery McCracken's White Collar and Government Investigations Practice Group, I represent clients who are targets or witnesses in State and Federal investigations.

I believe that the wide range of experience I have obtained throughout my career -- both in private practice and in public service -- has prepared me for this important role.

In addition to my work experience, I believe that my life experiences have also prepared me to look at issues and cases from a wide-ranging perspective.

In college, I was part of EOF, the *Educational Opportunity Fund* program, that provides assistance to students from educationally and economically disadvantaged backgrounds. I was very lucky to be an EOF student because that enabled me to participate in the Summer Institute for Pre-Legal Studies at Seton Hall Law School, during the summer before my junior year in college. The Pre-Legal program was designed to be a simulation of the first year in law school, and was open to EOF students considering a career in the law. At the time, that was me -- just considering going to law school, because I was not sure if that was the path I wanted to take.

During the program, I had the opportunity to take courses in property law, legal research and writing; and even drafted an appellate brief and delivered oral arguments before sitting judges. At the conclusion of the program, I was sold. I loved reading the law, writing about the law, and talking about the law. I am truly grateful to the Pre-Legal program for sending me on the path that has led me to this moment.

I would certainly say that I come from humble beginnings, and that has enabled me to stay humble throughout my life. My early childhood was spent with seven of us living in a small, two-bedroom apartment in Brooklyn. My family then moved to Irvington when I was eight years old. I am the daughter of immigrants from Haiti, so I'm a first generation American-

born citizen, and English was not my first language. My parents came to the United States from the poorest country in the Western Hemisphere in search of the American dream: a better life for themselves and their family.

I think they have done an extraordinary job of achieving that dream. To leave behind your family, friends, and the only home you have ever known, to go to a place where you don't speak the language and have no guarantee of success requires so much courage. They are two of the strongest, most selfless, and hardest working people I know, and they are the reason I am sitting here today.

My parents were not attorneys. My mother worked at St. Vincent's Hospital in Manhattan in patient transport, and my father owned his own New York City taxi cab. I learned from them that no matter what kind of work you do, it is important to work hard, take pride in your work, and always strive to do the best job possible. Watching them both work so hard and take so much pride in their work has been an inspiration for me in my professional life, and has made me the person I am today.

I want to, once again, thank my family for their love and support. My husband Rob has been my biggest supporter throughout my career, and my sons Robbie and Marc have allowed me to play my most important role of Mom every single day. They have certainly kept me grounded, to say the least.

Again, I am honored and humbled to be considered as a nominee to the Supreme Court of New Jersey, and I look forward to your questions.

SENATOR SCUTARI: Wonderful; thank you for that.

Before we get into the process, I want to note some notable people who are in the audience.

The nominee has brought several members of her family; I just want to recognize them.

Robert Reeves, her husband; her children, Robbie and Marc; Claire Pierre Louis; Joseph Pierre-Louis; Veronique Pierre-Louis; Randolph Desir; Irving Saget; Enide Saget; and Alyssa Saget.

So welcome to the family; congratulations on getting to this point.

First, I want to say thank you for coming to my office on our extensive -- a couple of interviews that we had. And congratulations on getting here to this point.

And I want to share a few of the things, before I get into the questions, that I thought; and I probably shared them, right away, with the nominee. And I want to say, first off, that I would have been wrong, probably, with the first thing that I said -- that I thought you were too young. And I say that about most people of your age who are looking to ascend to the bench, and that's just my knee-jerk reaction, quite frankly. And I believe I would have been wrong with that, because after our extensive interviews; the background; the interviews of not just yourself, but your colleagues, your adversaries, and jurists who you have been in front of -- that I believe that your experience belies your age. And the experience that you've had in your legal, as well as your personal life, I think brings you to this place, and very well prepared.

And I'll get into more of what we did; and today is *pro forma*, but the extensiveness in which our staff went through the nominee's background with respect to her qualifications to be here today -- I think she passed with flying colors.

So I want to congratulate you with that.

MS. PIERRE-LOUIS: Thank you, Mr. Chairman.

SENATOR SCUTARI: And I really appreciated the candor in our conversations.

And I'll say this for the members of the Committee. I haven't found one person to say one thing negative about this nominee. And that is hard. (laughter) I'm sure that everybody here -- me, mostly -- would have plenty of people saying negative things about them if we were on the other side.

So congratulations--

MS. PIERRE-LOUIS: Thank you.

SENATOR SCUTARI: --and you've had a heck of a career so far.

So I want to ask you a few questions.

You've served in the United States Attorney's Office; and you've practiced as an Associate, and now as a partner, in a law firm. And now you're nominated to be an Associate Justice. What lessons have you learned serving in those positions, and how do you believe that your prior legal experience will shape your tenure as a jurist?

MS. PIERRE-LOUIS: Thank you, Mr. Chairman.

I believe in those prior legal positions I've learned to conduct myself with integrity and to be fair. Certainly, my role at the United States Attorney's Office, handling cases that have a significant impact on the lives of everyone involved in our investigations, in our prosecutions, really showed me the importance of being fair and ensuring that justice is done.

So I believe that those experiences have really shaped who I am.

At the U.S. Attorney's Office, I was a Federal Prosecutor. However, when cases came to the office, I certainly viewed all those cases from all angles, and made determinations as to whether those were cases that should be pursued, whether those were cases that should be charged, or should not. So I believe that my experiences have certainly allowed me to see cases from a very wide-ranging perspective.

SENATOR SCUTARI: Now, just to stay on that point for a moment.

You've worked on dozens -- hundreds of cases throughout your career. Can you, maybe, describe some of the most challenging ones that you've had, and why were they difficult, and what did you learn from those experiences -- whether it was in private practice or your time at the United States Attorney's Office?

MS. PIERRE-LOUIS: So I would certainly say I've worked on some challenging cases throughout my career at the U.S. Attorney's Office. Although, when I started in the New York office I was in specific practice groups, when I moved to the Trenton office we were all generalists in those offices.

So as I noted in my opening remarks, the range of cases that I began working on expanded significantly. So, for example, at one point in the Trenton office, I became one of Assistant U.S. Attorneys for handling national security cases. So those are difficult cases with dense and complicated bodies of law. So, at that time, I had to educate myself and learn as much as I could so that I could effectively investigate and prosecute those cases.

So those cases were certainly significant; and anytime I had to learn a different area of law, that was something that was a challenge.

But again, I think my work ethic and my dedication to the job that I was doing enabled me to educate myself and supplement the information that I had in order to effectively prosecute those cases.

SENATOR SCUTARI: Now, you've noted in previous conversations that you think you bring a unique perspective to the Court; and I have a tendency to agree with you on that. Would you describe, for the Committee, the perspective that you'll bring, and the reasons why you think that you have a unique perspective that can be brought to the Court?

MS. PIERRE-LOUIS: Well, I certainly do think I bring a different perspective.

I am someone who-- You know, as I mentioned in my opening statement, I've lived in Irvington, I lived in Brooklyn in the 1980s, I've lived in all parts of the State of New Jersey, and prosecuted cases in all parts of the State of New Jersey. So I believe my personal background, and also my professional experience, certainly brings a perspective to the Court that I think would be an asset.

SENATOR SCUTARI: And I think -- and I could be wrong with my math -- but you're at least 20 years younger than the next person on the Court. Am I right in that? And knowing where we are in society and how things have changed just so drastically over the last decade -- in terms of communications and, in just this last year, in the way we conduct Court, and the way Court is conducted, the way that evidence is going to be proceeded with -- I would hope that that would actually be helpful to some of the other jurists who probably haven't had that experience that you have had.

I mean, one of the things in my office we always like to say is, if we have a computer problem, we try to find the youngest person in the office to try to resolve it. (laughter) So I would think that that would be helpful.

I want to talk to you a little bit about some cases, and if you believe the Supreme Court should overturn precedent. In other words, when would you cast aside the doctrine of *stare decisis*? Under what circumstances would you believe, just in general, when that might be appropriate?

MS. PIERRE-LOUIS: Thank you. Mr. Chairman.

I believe *stare decisis* is certainly an important principle to stand by cases that have been decided, and be guided by those cases that have been decided by the Court.

But I think it's difficult to answer that question in the abstract. You know, with each case that comes -- if I'm fortunate enough to be confirmed -- with each case that comes before the Court, it would certainly depend on the facts of that individual case, the law, and the circumstances with regard to that particular matter.

So I do believe *stare decisis* is an important principle, but I think it's difficult to answer that question specifically.

SENATOR SCUTARI: So let's talk about something a little bit more specific that is near and dear to my heart: the notion of *remittitur* in trials -- and that has been in front of the Supreme Court in more recent years -- and your understanding of where we are in our lifetime in terms of the *stare decisis* role, and what the Court has recently ruled in terms of its position on *remittitur*.

MS. PIERRE-LOUIS: So I certainly have an understanding of *remittitur* and *additur*, and I am aware of the Supreme Court's decision, in

2019 I believe, that changed the process by which the lower court judges can add or decrease jury awards.

So it's my understanding that, at this point in time, both parties need to agree to any increase or decrease, and other things noted in that decision. Certainly, if I'm fortunate enough to sit on the Court with any cases that come before the Court regarding remittitur or additur, the Supreme Court's body of precedent in that area will certainly be considered in applying the law to the facts of that particular case.

SENATOR SCUTARI: And, as you know, the State's Constitution -- and you noted it earlier -- sets forth three distinct branches of government: the Legislature, the Executive branch, and the Judiciary.

Could you describe your views on the role of the Judiciary, and the separation of powers doctrine as it would relate to the Court?

MS. PIERRE-LOUIS: Yes, Mr. Chairman.

So yes, Article III of the New Jersey Constitution sets forth very, very clearly that there are three distinct and co-equal branches of government. And no member of one branch of government should be playing a role that has been reserved for another branch of government. So certainly, the separation of powers is important, it's in our Constitution, and it is what makes our government work.

The role of the Judiciary, certainly, is to preside over cases and controversies; also to make determinations with regard to the constitutionality of laws that are passed. But always keeping in mind the fact that there is a separation of powers and there are matters that are reserved specifically for the other two branches of government, which I think is important.

SENATOR SCUTARI: And thank you for that.

And I want to close by saying that if the members had an opportunity to get to know this nominee-- Or if they didn't, they were missing something. Because she is much more than her résumé, although that is extremely impressive.

This nominee brings to the Court, I believe, a unique perspective. And not just that; just a wonderful personality. I really enjoyed getting to know the nominee, and I know that my staff did as well, in terms of what she will bring to the Court.

And so in terms of what I thought earlier about the person being too young -- I take that back.

MS. PIERRE-LOUIS: Thank you. (laughter)

SENATOR SCUTARI: I'll still think that, going forward, with other things; but not with you.

And although today is historic in terms of its relevance to the way in which the nominee appears, that's not the reason why I'm so 100 percent in favor of this nominee. It's because of the person who she is and the qualifications that she brings, and the amazing judicial temperament that she'll add to the Court. I'm very much looking forward to your time on the Court and what you'll do.

And I think that although-- I've discussed with you when I first got down here, and Sarlo and I were, by far, the youngest people-- I was sitting next to Sharpe James and Ray Lesniak who were, I don't know, 30 years older than we are. Well, 20, 25; something like that. But in no time, obviously, I believe you'll be a leader on the Court, given the amazing credentials that you have, and I think the way in which you're going to

approach this new job with vigor and with intellect, and with an unbiased opinion.

So I'm looking forward to that time; and I'm looking forward to the time after this hearing that we have an opportunity to vote for you, and congratulate you as someone who has been released and, hopefully, confirmed by the end of the week; so that, in a timely fashion -- as I promised Mr. Platkin and to the Governor's Office -- we get that done before the term begins.

So I want to say congratulations. It's been a real pleasure to get to know you and to review your credentials.

And I will yield the floor to questions. And I will go to our ranking member first, if he has any questions, Senator Cardinale.

SENATOR CARDINALE: Thank you, Mr. Chairman.

I want to thank you for spending so much time with me on the phone. I looked at the clock after we were finished, and I couldn't imagine that the time had been as much as it was.

MS. PIERRE-LOUIS: Thank you, Senator. I enjoyed our conversation as well.

SENATOR CARDINALE: And I believe we left off that conversation with me telling you that I had not gotten any negative contacts with respect to your nomination.

MS. PIERRE-LOUIS: Yes.

SENATOR CARDINALE: I am really heartened by the fact that that is still true. I haven't gotten any negatives, with respect to your nomination.

Nevertheless, there are some questions that I think are appropriate to ask.

We interview important nominations all the time. And I have always wondered -- I never asked this question -- would you consider that, once you give an answer here, that that has some kind of binding effect on your future actions as a Justice?

MS. PIERRE-LOUIS: Thank you for that question, Senator.

My concern would be that giving an answer to an issue here would make it appear as though I have some sort of bias or partiality to an issue before I've had the opportunity to review a case that comes before the Court pertaining to that issue.

As noted in the Code of Judicial Conduct, impartiality, independence, and viewing cases from a non-biased perspective are tantamount to the role of being a judge. And I would not want a statement with regard to an issue that is not in a case before me at the time to give the impression that I have a biased perspective prior to doing my due diligence -- which is what I would do, if fortunate enough to be confirmed -- in reviewing the facts, and reviewing the record, the briefings, and the law extensively, prior to rendering a decision.

SENATOR CARDINALE: Now, if that is so -- and I'm sure you believe it in your case -- then why is it that there is a reluctance (*sic*) on the part of judicial nominees -- Supreme Court nominees, in particular -- to couch their answers in terms that, "It may come before me, so therefore I can't give you my opinion"?

If there is no obligation created by your testimony here, then why do we get that answer, so often, from various candidates?

MS. PIERRE-LOUIS: Again, Senator, if I'm confirmed and I'm sitting on the Court, I would not want a case to come before me and the litigants before that case to have the impression that I already have a biased view of that particular area of law. Because if I give an answer in the abstract without having -- doing a careful review of a case, of the law that would be before the Court, that would give the impression that I'm partial to one particular side or another, or I have a biased view of that area of law. And I think it's important to maintain the confidence in the Judiciary -- that the justices and the judges within the state are always acting independently and from a non-biased perspective.

SENATOR CARDINALE: Okay, I understand that.

Now let's go onto another area.

It's generally conceded by all nominees -- and you did, too, with the Chairman's question -- that we have three co-equal branches of government. But the Court sometimes takes on the other branches of government. When the Court overturns a law that has been passed by the Legislature and that has been signed by the Governor-- Now, you have two, co-equal branches of the government that have approved a particular course of action, a particular public policy. The Court will sometimes come along and say, "Sorry, we disagree," and you change the law.

And there is no recourse, under our form of government, for the Supreme Court changing a law. There might be, if it's a constitutional question, that we could put a ballot question up and change the Constitution. But that's something that very infrequently would occur.

So why is it that the Court could feel that it has this superior knowledge of what's good for the people of the State of New Jersey and make decisions that overturn acts of the Legislature and Governor?

MS. PIERRE-LOUIS: Thank you, Senator.

So one of the roles of the Supreme Court of New Jersey is to determine the constitutionality of the laws in the state; so that is one of the roles that has been assigned to the Supreme Court of New Jersey. And so there might be occasion where the Court views a statute to not be constitutional.

As you mentioned, Senator, I think there is recourse in circumstances, such as those. If it's a statute or if it's a constitutional amendment that can be put forth to the voters, that's certainly something that can be done. But that is one of the roles of the Supreme Court of New Jersey.

SENATOR CARDINALE: I have looked at various decisions of the Court from time to time, and I have found them uniquely biased in terms of the knowledge of the Court and the judges, as opposed to the knowledge of others. And not necessarily on constitutional questions, but sometimes on constitutional questions.

There was a decision some time back -- I can't remember exactly when it was -- that overrode the authority of the Legislature, the authority of the county, in providing financing for Prosecutors' Offices. And the Court stepped in and said, "County, you haven't given enough money. We're going to appropriate more." This was a Bergen County case; there have been others around the state where that principle has applied.

Can you justify the Court taking over the appropriations process, which is set up in our various documents -- that govern whether it's a county, or a municipality, or the State -- that would give that authority to a different group of people?

MS. PIERRE-LOUIS: Well, Senator, I certainly was not on the Court when that particular decision was handed down. And as a nominee to the Court, I don't think it's appropriate for me to give my opinion with regard to that matter, since I'm not fully familiar with it, as the justices were, when they ruled in that case.

So I don't believe it's something that I should comment on. It certainly is something that could come before the Court at some point in time again.

SENATOR CARDINALE: Do you believe that Mount Laurel, the original Mount Laurel case--

MS. PIERRE-LOUIS: I'm sorry, Senator, I am familiar with the Mount Laurel line of cases. Again, I realize that those cases come before the Court often. So if I'm fortunate enough to be confirmed, that is something that I expect would come before the Court again, so I don't believe it's appropriate for me to comment on those lines of cases.

SENATOR CARDINALE: I was going to ask you some questions with respect to the history of that decision, and the ultimate impact and the wisdom with respect to whether we should allow the Court to continue to make decisions, like Mount Laurel, which had a huge impact on the various governmental bodies of the State, from the municipalities, to counties, and so forth.

You went to law school.

MS. PIERRE-LOUIS: Yes. (laughter)

SENATOR CARDINALE: And were you given courses in urban planning, or rural planning, or anything resembling that?

MS. PIERRE-LOUIS: I did not take any classes in urban planning.

SENATOR CARDINALE: Okay. Then it would seem that the planners, who are employed by municipalities or counties, would have a superior knowledge of the impact that those policies would make. However, the current status in New Jersey is that the Court has created judges to make zoning decisions, COAH-type decisions. How much housing should be provided? And they don't have the kind of background, knowledge, experience, with respect to the ultimate impact of those decisions on the people who are affected by it -- the residents of the community, how it affects property taxes, and how it affects the whole nature of the community. Mount Laurel in particular, going back to that decision, had made a determination that they did not want to have a lot of housing; that they wanted to be a farming community. That was their determination. They wanted to continue to be a farming community. And they would have--

SENATOR SCUTARI: Senator, if I could just interrupt for a second; I apologize.

But she did graduate *magna cum laude*. (laughter)

But is there a question? I know that I give wide latitude in statement-making and that. But is there going to be--

SENATOR CARDINALE: The question is, how can you justify subjecting the people of the State of New Jersey to what was, at the time, viewed as a questionable decision?

Now, I think when we discussed this earlier I mentioned to you the reaction of the Governor at the time. Do you recall that?

MS. PIERRE-LOUIS: I do recall that in our conversation.

SENATOR CARDINALE: And the Governor said, "This is a communist idea."

Are you a Communist?

MS. PIERRE-LOUIS: No, Senator, I am not. (laughter)

SENATOR CARDINALE: Your record doesn't indicate that you would be, but you have gone along with this decision. So you disagree with the Governor.

MS. PIERRE-LOUIS: Again, Senator, I do not think it's appropriate, as a nominee to the Supreme Court, to comment on the--

SENATOR CARDINALE: Are you familiar with Professor Rose -- I believe he was from Rutgers Law School -- who went around this state, talking about the-- Let me rephrase it, so that the Chairman doesn't get angry at me.

SENATOR SCUTARI: Impossible; all right, maybe not impossible. (laughter)

SENATOR CARDINALE: Do you know the arguments that Professor Rose offered in contradicting the decision that the Court had made in Mount Laurel?

MS. PIERRE-LOUIS: I believe you spoke about that when we had our conversation.

SENATOR CARDINALE: Yes; and to put it on the record, what were those arguments?

MS. PIERRE-LOUIS: Well, Senator, I think you're in the best position to state what you mentioned during our call. I think you indicated that you had an opportunity to see that Professor speak during that time frame, so I think you're probably in the best position to put on the record what the arguments were that you noted.

SENATOR CARDINALE: Well, he said there was nothing in the Constitution that justified it. That was -- if you boil it down-- I mean, we can't go into his whole treatise here.

I thank you for your testimony here, and for the time that you spent with me on the phone.

MS. PIERRE-LOUIS: Thank you, Senator.

SENATOR CARDINALE: You were very generous with your time. And once again, I have heard no objection from the public to your nomination.

MS. PIERRE-LOUIS: Thank you, Senator.

SENATOR SCUTARI: Thank you, Senator Cardinale.

Anyone on this side? (indicates)

Senator Weinberg.

SENATOR WEINBERG: Thank you, and good morning.

MS. PIERRE-LOUIS: Good morning, Senator.

SENATOR WEINBERG: And thank you for the time that you spent in my office.

And just a little personal interchange -- it looks like you are going to get through before your big birthday. (laughter) We had a little funny conversation about that.

We talked, in particular, about a sexual assault case that you handled when you are a member of the U.S. Attorney's Office, because it was an incident that took place on an Army base, if I remember correctly.

MS. PIERRE-LOUIS: Yes.

SENATOR WEINBERG: It was a difficult case; you didn't win it. And you knew you were undertaking a difficult case.

Would you explain to the Committee a little bit about what that case entailed, and why you decided, in spite of the difficulty, to go ahead with the prosecution?

MS. PIERRE-LOUIS: Certainly, Senator; thank you.

The case that Senator Weinberg is mentioning is a case that I prosecuted -- a defendant -- for a violation of Title 21 (*sic*), United States Code Section 22-42 (*sic*), which is the sexual abuse, sexual assault statute.

As the Senator mentioned, this was a case that the U.S. Attorney's Office handled because the incident took place at Joint Base McGuire-Dix-Lakehurst, more commonly known as *Fort Dix*. The incident took place between New Jersey National Guardsmen. These New Jersey National Guardsmen were at Fort Dix for a training exercise during the summer of 2014, I believe. At the conclusion of the training exercise, they celebrated with a party; and during that party, throughout the entire day, there was a lot of alcohol consumed. And later that evening, the alleged victim -- she had consumed a significant amount of alcohol. That evening, one of her friends had to assist her -- physically assist her getting back to her room. When she arrived at her room, her roommate was there and had to also physically push her onto the upper bunk of her room because she was

unable to do so herself because she was so heavily intoxicated, according to the statement.

At that time, her roommate left; went to take a shower. Came back 10 minutes later, entered the room, and witnessed and observed that the alleged victim and the defendant were engaged in sexual activity.

At the time, the roommate was surprised, the activity stopped, the defendant left. And according to the roommate, the alleged victim seemed to be out of it and have no concept of what was taking place at the time.

So later on that evening, the alleged victim was unaware of what had transpired. And because she had been drinking so heavily, really did not have any understanding of what took place, really, most of that day.

So it was a very difficult case, number one, because we had an alleged victim who did not remember the incident and did not remember much of what had transpired during that day. So we had to rely very heavily on witnesses: the witnesses who were there; the people who were with her throughout the day, saw her drinking, saw what she was drinking, saw how much she was drinking; and her state -- the state she was in towards the end of the evening when the alleged incident occurred.

The case was made more difficult by the fact that all of those witnesses, who were New Jersey National Guardsmen -- they were at Fort Dix for that training exercise in advance of being federalized and deployed to Qatar in order to support U.S. military operations in that region. So by the time the case landed on my desk, all of my witnesses were halfway around the world, and they would not return to the United States until about a month before trial. So that made the case very difficult -- having to rely solely

on witnesses and their statements to show that, pursuant to the statute, the alleged victim was incapable of appraising the nature of the conduct and physically unable to decline participation in or communicate unwillingness to participate in the sexual act. Those are the elements of that offense that we had to prove. And so we had to rely, very heavily, on the witnesses to tell us what her state was at the time.

We also relied on an FBI expert, who was an expert in alcohol-facilitated sexual assault, to provide insight into what happens to the brain when you consume alcohol; why it is that some people black out, so to speak, and can't remember what has occurred during periods of time where they're drinking heavily. And he was also able to perform a calculation as to what the alleged victim's blood alcohol level may have been at the time of the incident.

Later, early the next morning, the alleged victim did go to the hospital and have a sexual assault examination conducted. At the time, her blood was taken; and so there was still alcohol in her blood, so there was a blood alcohol reading early the next morning. That expert was able to perform a calculation backward, and give an estimate as to what he believed her blood alcohol level may have been at the time of the alleged assault.

So it was a difficult case; the defendant was acquitted of the charge. I knew when the case landed on my desk that it was a difficult case. But when I was a Prosecutor, I was never afraid of taking on the difficult cases if I believed that it was the right thing to do. I believed the witnesses in the case, I believed the statements, I believed what they were telling me had occurred.

So again, I believed it was the right thing to do, and I still believe that it was the right thing to do -- to investigate and pursue that investigation.

SENATOR WEINBERG: Thank you.

And now you've spent the last -- how many years, working for the law firm where you were a partner?

MS. PIERRE-LOUIS: So it's been a little over a year. So I left the U.S. Attorney's Office in June of last year, and began at Montgomery McCracken in August.

SENATOR WEINBERG: Okay. So as a partner in a large law firm, I assume that you represented corporations, business interests, etc.?

MS. PIERRE-LOUIS: Yes; yes, I did. I represented a variety of clients in my current role at the firm. In the White Collar and Government Investigations Practice Group, I have primarily been involved in cases representing individuals who are under investigation; individuals who have small businesses that are under investigation by the U.S. Attorney's Office, or the New Jersey Attorney General's Office, or before the Securities and Exchange Commission.

SENATOR WEINBERG: So you were on the other side of the coin--

MS. PIERRE-LOUIS: Yes.

SENATOR WEINBERG: --at that point.

But, really, it's just been a year--

MS. PIERRE-LOUIS: It has been a year. I was previously at Montgomery McCracken prior to joining the U.S. Attorney's Office. So I was at Montgomery McCracken for three years prior to going to the U.S. Attorney's Office. But it's just been a year, more recently, as a partner.

SENATOR WEINBERG: So can you tell me, or share with the Committee, how that experience over the last year has shaped your outlook, as opposed to your years in the U.S. Attorney's Office?

MS. PIERRE-LOUIS: Certainly.

In the past year, I've been on the other side of the table. And my experiences, certainly, at the U.S. Attorney's Office have assisted me in assisting my clients with their role as targets or witnesses in investigations by the U.S. Attorney's Office or other Prosecutors' offices. Again, as I mentioned -- I think in response to one of the Chairman's questions -- it has enabled me to, once again, see cases from a different perspective. You know, as a Prosecutor, certainly I had the opportunity to do that. But once we made the decision to charge or investigate a case, I was advocating for the prosecution. Being on the other side as a defense attorney in similar cases has certainly shown me and enabled me the ability to be an advocate on the other side of cases that I had previously prosecuted.

SENATOR WEINBERG: Well, I guess as the second-oldest person here -- we talked about who the youngest ones were -- as the second-oldest person here, I think there's something to be said about having found somebody who is as young as you are, and yet as experienced, so that you'll bring a new generation outlook to the Supreme Court. I think that's a positive.

Obviously, you're an historic nominee as a Black woman. I am very proud that I have lasted on this Judiciary Committee to see that. I think that's a step forward; I think you're a great nominee.

MS. PIERRE-LOUIS: Thank you, Senator.

SENATOR WEINBERG: I'm glad that the Governor took the time to search and to find somebody who represents a new generation, and certainly a new experience to the Supreme Court. I think that's valuable, and I think your history -- as both a U.S. Attorney, and then, more limited, being on the other side of the table -- is also quite valuable.

So I am delighted that you will be appointed, undoubtedly, before your September birthday. (laughter) So you will be described as the *39-year-old* woman instead of the *40-year-old* woman. (laughter)

I'm looking forward to supporting you, and I'm looking forward to seeing your confirmation by the entire Senate.

Thank you, and thank you for the time you've spent with me, and with all of us.

MS. PIERRE-LOUIS: Thank you, Senator.

SENATOR SCUTARI: Thank you, Senator Weinberg.  
Senator Doherty.

SENATOR DOHERTY: Thank you, Chairman; and good morning.

MS. PIERRE-LOUIS: Good morning, Senator.

SENATOR DOHERTY: I hope it's still morning; maybe it's--  
Yes, 11:49.

MS. PIERRE-LOUIS: Okay.

SENATOR DOHERTY: Okay, so could you-- You have a very important role, potentially, as a member of the New Jersey Supreme Court. What are your thoughts, your general framework -- the role of the Constitution in New Jersey, our society, in the actions of government?

MS. PIERRE-LOUIS: Well, certainly, the 1947 New Jersey Constitution is a phenomenal document. It sets forth all the rights, responsibilities, and roles of the different branches of government. As I mentioned earlier, Article III is an extremely important Article. It sets forth, in very direct terms, the fact that all the branches are equal and separate. So certainly, the role of the Constitution in the way our government operates, the way the branches of government operate -- it certainly plays an important role.

SENATOR DOHERTY: Okay. Do you think that people in New Jersey have the right to change the Constitution, from time to time, if they deem fit?

MS. PIERRE-LOUIS: If constitutional amendments are put forth to the people of the State of New Jersey in a vote, certainly.

SENATOR DOHERTY: Okay.

Now-- So it's good to hear that you think that there are three branches of government in New Jersey. And I did hear you say they're all co-equal, correct?

MS. PIERRE-LOUIS: I'm sorry?

SENATOR DOHERTY: They're co-equal branches of government?

MS. PIERRE-LOUIS: Yes.

SENATOR DOHERTY: So there are three; there's not-- Okay.

Now, there were some statements made recently-- Well, I just want to ask you. Is the Constitution ever waived? Is it always in effect, or are there some times when you can say, "Well, the Constitution's really not in effect during this period."

What are your thoughts on that?

MS. PIERRE-LOUIS: Senator, I think that's a difficult question to answer generally. If we're talking about waiving a right to silence, or waiving a right-- I'm not sure which right in particular--

SENATOR DOHERTY: Oh, I'm talking about-- Let me clarify.

Can the government ever say, "Well, the Constitution doesn't apply during *this* period"? I'm not talking about an individual waiving their rights; I'm talking about the government, as an operating system -- does the government -- can it ever say, "Well, the Constitution doesn't apply now" -- during war time, during other situations? Or does it remain in effect during all time?

MS. PIERRE-LOUIS: The Constitution is the Constitution of this State. I think it's difficult to answer that question generally. There are constitutional provisions that detail exceptions to certain things, so I think it's a difficult question to answer in the abstract.

But yes, we're bound by the Constitution generally.

SENATOR DOHERTY: Okay. And so elected officials, when they enter office, they take an oath of office to uphold -- in New Jersey, at least -- the U.S. Constitution and the Constitution of the State of New Jersey. So do you think elected officials should recognize the Constitution as they make decisions?

MS. PIERRE-LOUIS: Yes, that's the oath that they take.

SENATOR DOHERTY: Okay. And so, you know, we've had a situation here, in the last few months, where there have been executive orders issued by the Governor, Governor Murphy. And many people feel that he hasn't really acknowledged or followed what the Constitution says on a lot

of the things. For example, he recently made sweeping changes to how we're going to conduct the election in November, even though the State Constitution clearly says that the Legislature has a role in establishing how the election is conducted. And the Federal Constitution, the U.S. Constitution states that the Legislature absolutely should be involved.

And so are you concerned when you have a Governor who, when he makes executive order decisions-- He was asked, "Why can people go to Walmart and why can people go to liquor stores and congregate there, yet they can't attend church?" And we have a Governor who said, "Well, I really didn't think about the Constitution, and it's above my pay grade."

Do you think that's what elected officials should be considering as they're issuing executive orders?

MS. PIERRE-LOUIS: Thank you for that question, Senator.

As a nominee to the Supreme Court, I don't think it's appropriate for me to comment on some of those issues. I'm certainly aware of what's been taking place in the state in the past few months, but I also realize that many of those issues might come before the Court. So if I'm fortunate enough to be confirmed, those might be matters that I might be deciding on the Court, so I don't think it's appropriate for me to comment.

SENATOR DOHERTY: So do you think an elected official should consider the Constitution when they make decisions?

MS. PIERRE-LOUIS: Again, Senator, I don't think it's appropriate for me to comment. I understand that the question is with regard to some of the issues that you just mentioned. Again, I think those issues might come before the Court, so I don't think it's appropriate for me to comment.

SENATOR DOHERTY: See, this is -- Senator Cardinale talked about it -- this is a little game that goes on. So it's just unbelievable to me that you-- I mean, it seems pretty common sense. You take an oath of office as an elected official to uphold the Constitution, and I'm asking you, after you take an oath of office to uphold and support the Constitution, should you consider the Constitution when you make any decision as an elected official? And you're telling me, "I can't tell you that."

SENATOR SCUTARI: Is that a question?

SENATOR DOHERTY: Yes, I--

SENATOR SCUTARI: I think it was more of a statement, quite frankly, Senator.

SENATOR DOHERTY: Well, you cannot tell-- So do you think elected officials should consider the Constitution as they exercise their powers, since you take an oath of office and you say you're going to uphold the Constitution. So do you think it's -- would you-- It's not appropriate?

So there is a question in there; there is a question in there. I'm still getting my oxygen back after having the mask on, so I apologize.  
(laughter)

But there is a question in there. You take an oath of office, you say you're going to support the Constitution. Do you think elected officials should look at the Constitution as they make decisions?

MS. PIERRE-LOUIS: Thank you, Senator.

I realize your question is being proposed in relation to the issues that you just described.

SENATOR DOHERTY: Not particularly.

MS. PIERRE-LOUIS: I believe it would be inappropriate for me to comment specifically with regard to the issues that you've discussed.

SENATOR DOHERTY: Okay, so we're not going to get an answer on that; okay.

So during your testimony, the reason you're not answering some of the questions, as you've stated, is that you don't want to give the appearance that you have a biased view of the law, and that it's not appropriate to comment on issues that may come before the Court, right? I'm sort of paraphrasing, but you said things along those lines?

MS. PIERRE-LOUIS: Yes, your honor. I mean, yes, Senator; sorry. I've been appearing in court too often. (laughter)

SENATOR DOHERTY: I know you have an impressive résumé and a lot of experience, but I'd like to ask you about-- You said you shouldn't comment on issues that may come before the court. So you were nominated, I believe, on June 5, 2020, by Governor Murphy. Is that correct?

MS. PIERRE-LOUIS: Yes; yes the Governor announce--

SENATOR DOHERTY: Okay. So I believe there was a press event announcing your nomination?

MS. PIERRE-LOUIS: Yes.

SENATOR DOHERTY: Okay; you were there?

MS. PIERRE-LOUIS: Yes.

SENATOR DOHERTY: And so from reading news accounts and looking at pictures, apparently during this event, orange ribbons were worn. Orange ribbons -- they were for this gun control organization. And Governor Murphy was touting it, and he was wearing an orange ribbon. And apparently this organization is called *Orange Ribbons for Gun Safety*. And they have a

website, and they wear orange ribbons, and they stand for certain things -- I got this off their website -- it says “support candidates who advocate for gun safety” aka gun control; “repeal liability--” So this organization is supporting certain candidates who have certain views on certain issues.

It says, “Repeal liability protections from gun manufacturers.” “Background checks for purchasing ammunition.” “Enhanced background checks.” “Advocate for certain gun control policies.”

So I have a question.

You were wearing an orange ribbon that day, as I recall, and as I saw in the photographs. Is that correct?

MS. PIERRE-LOUIS: Yes, Senator, I was wearing an orange ribbon. And that morning, it was my understanding -- I might be incorrect -- that that day was Gun Violence Awareness Day, and that ribbon symbolized awareness and remembrance for gun violence victims; that was my understanding. I didn't have any understanding with regard to any organization that that ribbon was a part of, or supported. That was my understanding -- that it was gun violence awareness, and awareness and remembrance of gun violence victims.

SENATOR DOHERTY: And whose idea was it to wear the ribbon?

MS. PIERRE-LOUIS: Senator, I can't recall; that was a very busy morning. I honestly cannot recall who handed me the ribbon. But it was given to me, and I was told that it was in remembrance and support of gun violence victims. That's my recollection.

SENATOR SCUTARI: It reminds me of the *Seinfeld* episode. Kramer refused to wear the ribbon at the event.

I apologize.

SENATOR DOHERTY: You totally ruined my train of thought here; maybe that was your plan. So I have to get my head back together--

SENATOR SCUTARI: I apologize (laughter).

SENATOR DOHERTY: Because I've been thrown off, I apologize.

So a judge, as I understand it-- You're going to be sitting on the Supreme Court possibly. They say a judge is not supposed to be an advocate; a judge is supposed to be more like an umpire calling -- the rules are the rules, and you're calling balls and strikes, not advocating for one side or the other.

What are your thoughts on that statement?

MS. PIERRE-LOUIS: I have heard that analogy; I think it simplifies the role of a judge. Maybe Trial Court judges -- that analogy might work better; but Appellate Court judges maybe would be more like the ones doing official review or replay.

But I think that that analogy simplifies matters. Because if you put 10 umpires and they look at the same close pitch, half might say it's a ball, half might say it's a strike. I don't know if it's as simple as that.

SENATOR DOHERTY: Sure. Well, a trial judge -- I guess they would look at the case law precedent, and the law, and the Constitution. I would think even at the higher levels that the Appellate Division and the U.S. Supreme Court, New Jersey -- you still look at the Constitution, right? So there's still a guiding framework, right?

MS. PIERRE-LOUIS: Yes, Senator; absolutely.

SENATOR DOHERTY: So you apply the law and look at the Constitution. And is this constitutional, this law, in view of the Constitution and what the framers intended, right?

MS. PIERRE-LOUIS: Yes, Senator.

SENATOR DOHERTY: So I mean, do you-- So here you have -- you're wearing this orange ribbon. I mean, it goes to your judgement. I think you have good experience, but it just goes to your judgement, stepping into this role, and without knowing what this organization is all about. Somebody hands you a ribbon, and you make a statement. Maybe somebody was using you, maybe it was ill-advised. But you're getting nominated for the New Jersey Supreme Court. You've told me you haven't answered questions this morning because you don't want to comment on certain issues because you want to appear that you're not taking sides.

Do you realize when you put that orange ribbon on -- and it could have been any issue, it doesn't really matter what the issue is -- but don't you think you should have thought about what that organization was all about? It actually advocates supporting certain candidates who advocate for this group; supporting candidates, supporting people running for office. Don't you think you should have thought about that before you put that orange ribbon on?

MS. PIERRE-LOUIS: Again, Senator, it was not my understanding that I was taking any sides or taking any positions in putting on that ribbon. It was my understanding that it was in support of gun violence victims, and that was the information that I had at the time.

I have not had an opportunity-- I'm not familiar with this organization that you've mentioned; I haven't have the opportunity to

research the organization, so I was not and didn't intend to take any particular sides. I was told that it was in support of gun violence victims, and that was my understanding at the time--

SENATOR DOHERTY: So do you have--

MS. PIERRE-LOUIS: --and currently.

SENATOR DOHERTY: In retrospect, now that you know that this is an organization that advocates for certain changes in the law, that advocates for certain candidates, do you-- If you had to do it again, would you put that orange ribbon on?

MS. PIERRE-LOUIS: Well, again, I have not done any research with regard to the specifics -- specifically with regard to that ribbon, specifically with regard to that organization. So I can't say; I can't say.

SENATOR DOHERTY: I'm at-- Okay, so--

MS. PIERRE-LOUIS: I know you provided me some information, but I haven't done the research and done the due diligence to form a statement in that regard.

SENATOR DOHERTY: Do you think, in the future-- See, this is just -- this whole thing is sort of ridiculous, because you're now feigning behind-- You put on a ribbon for a certain issue advocating for electing candidates who are going to support certain passing of laws, and that's the fact.

You can look at the website -- I mean, if you want to take a break and look at the website -- but now you're telling me that you don't think that was unwise for somebody who was nominated to the Court to take a stand on an issue that there's-- You're showing -- I'll use your own words -- a *biased view*. You were commenting on certain issues that may come before the

Court. You commented on certain issues that may come before the Court when you took that action, whether you want to admit it or not. And you can review the website right now. It's very easy; I'll give you the address and you can see what they say.

So you've taken comments on issues that are going to come before the Court. Are you going to do that again? Are you going to-- Before someone gives you a ribbon or puts on some -- going to a certain event, are you going to consider these issues in the future, knowing that you may be taking a side on an issue?

MS. PIERRE-LOUIS: Again, that was not my understanding at the time -- that I was taking a side on an issue.

SENATOR DOHERTY: Since you've taken the orange ribbon and put it on, these are folks who want to enhance gun control laws, they want to support certain candidates. When these issues come before the Court now, now that you've taken a stand -- even though you didn't know it, you took a stand -- are you going to recuse yourself from these particular issues when they come--

SENATOR SCUTARI: Senator, I have to just object, just generally, that you're assuming she took a stand because she wore a ribbon. She hasn't admitted that she's taken any kind of stand. She did admit that she was wearing a ribbon, and you're making kind of a big assumption that she's taken a stand by virtue of wearing a ribbon. You can say that, but I don't think that's what she said.

SENATOR DOHERTY: Okay, Chairman. Well, generally, when you put a ribbon on, it's generally well-accepted -- I think I'm not out of bounds -- that you're actually supporting what they're all about.

SENATOR SCUTARI: But you think that prior to-- That happens to us when we walk in here all the time, people put stickers on us, buttons on us. I don't know about you, but--

SENATOR DOHERTY: I don't take it.

SENATOR SCUTARI: I don't generally do a full amount of research on every part of the organization before I put on one of those mementos. Maybe we should, quite frankly.

SENATOR DOHERTY: Sure.

SENATOR SCUTARI: But I don't think that there's absolutely -- because I've worn something, that I believe in every single premise that -- whatever that organization is advocating for. Because not only that, those advocacy groups change.

SENATOR CARDINALE: Senator, Senator, we are elected officials.

SENATOR SCUTARI: Agreed.

SENATOR CARDINALE: We are partisan; the judge is not supposed to be partisan.

SENATOR SCUTARI: And I'm not suggesting-- You're right.

SENATOR CARDINALE: And that's--

SENATOR SCUTARI: But I just don't think-- I think that's a big leap -- that someone wearing a ribbon supports every single aspect of an organization and/or should be recused--

SENATOR CARDINALE: And it is; and you're a very good attorney, but so is the candidate. And I think the candidate would answer for herself--

SENATOR SCUTARI: I'm going to let her speak for herself. I just want to clarify that that's not what's-- That's a big assumption.

SENATOR CARDINALE: And we are not here to hear your opinions; we are here to hear the opinions of the candidate.

SENATOR SCUTARI: I'm just clarifying the question, because it was said now that you have taken a position, now that you have worn a ribbon-- I don't agree with that.

You can continue.

SENATOR CARDINALE: With all due deference to the Chair.

SENATOR SCUTARI: You're right.

SENATOR DOHERTY: Thanks, Chairman.

So it's not even about this particular issue. I hope you realize as a Judge, you're stepping into a new role. And my opinion is, you got off to a bad start by allowing somebody to give you an orange ribbon without fully researching, and you have-- There are very few Supreme Court Justices, right? And they have to really govern their conduct; everything they do to maintain their integrity, their impartiality.

And you're correct; you said some of the things you just can't voice your opinion, right? And I would just hope that your judgement -- moving forward, you would use it as a lesson, or at least a guideline for how you would conduct yourself. That I think it was inappropriate for the Governor to combine your nomination with making a political statement on certain issues, and it was very unfortunate in the-- I'm sure you were very happy to be nominated.

You know, I think they sort of took advantage of you by foisting this ribbon out there, without really letting you have the opportunity to research the issue. And I don't think you can do that.

So if I was your advisor, I would say, "You can't." You have to be really, really careful. You have to live almost a monastic existence as a public official, especially as a judge. Because otherwise, you are taking stands, and you are-- You just can't do that.

So I was really sort of hoping that you would voice some kind of -- I'm not trying to browbeat you -- but at least some kind of learning lesson. We all make mistakes, we're all human beings. I make mistakes every day -- okay? And I hope to do better. And I would hope that you would say something along the lines of, "I would hope to do better and set a good example," but frankly, I'm not hearing that. I'm hearing that, "Well, I was ignorant of it when I put the ribbon on, so therefore it's okay and I'm not going to say I've learned anything from it." I mean, I think you should have learned something from it. Don't let people use you, and be extra careful in your role as a member of the Supreme Court.

But I didn't hear that, you know? I didn't hear it. And I'm a little disappointed that you're not big enough to say it.

That's all.

SENATOR SCUTARI: Thank you, Senator Doherty.

Senator.

SENATOR SINGLETON: Chairman, thank you.

I'm appreciative of this day; because unlike some of my colleagues, I've had the pleasure of knowing this nominee for many, many years.

I wasn't really going to speak; so I think, as the Chairman articulated, your résumé and legal acumen speaks for itself.

But I was listening to my colleague, Senator Doherty, walk through this conversation around this orange ribbon. And the reason why it struck me is because the history of the orange ribbon is far deeper than what my colleague articulated. And he might not know this; he might not know the story of Hadiya Pendleton out of Chicago, a 15-year-old girl who was killed. And all of her friends started the orange ribbon as an end -- to try and fight and end violence in their own way, and trying to get the community around it.

It may have morphed into what the Senator talked about; and I'm not going to dispute that, because there are reams of evidence that it has morphed into what he's talked about. But if we're going to be factual and be clear on the historical piece, I can say the reason you wore the orange ribbon is because you identify with Hadiya Pendleton: a young minority girl from an urban community whose life was snuffed out by the rigor and terror of gun violence.

So I could say you wore it just because of that. Because like he doesn't know what was in your head, I don't know what was in your head. And I'm not going to make an assumption you wore it because of violence associated with a movement that was born out of the death of a young girl in Chicago streets; a young girl who you may see be reflective of the young girl you once were.

So when we take a step back and we try and focus too much on motive behind some things, sometimes we get lost in that, and just realize that our obligation here as members is that one of the biggest and most

responsible-- The key responsibilities we have as members -- that I take incredibly serious as a new member to the Senate -- is our role in putting people on the Judiciary, and the painstaking process that each of my colleagues go through to try and make sure that we're making the best judgment of the individuals who are sitting before us-- I think is key.

What I won't do is try and guess what's in anybody's mind. I'm going to read what they've written, I'm going to ask them the questions that you and I have had conversations with. And again, I'm in a different position, because I know you away from the trappings of this building, right? I know the person you are, I know the heart which you have and what you will bring to this Judiciary. And I know how important representation matters to so many boys and girls in this state who will be able to point to you as a shining example. But more importantly, it's because you're damn well qualified to be in this role, to be at this table right now.

So my question to you is a simple question. And if you've answered it, because I was three minutes late, I apologize.

The role of the Judiciary and what you will bring to it -- how will you evaluate the issues that come before you? How will you use your life's experience to help guide the principles of law that you will swear an oath to uphold and make sure they meet constitutional muster. How will you use your experiences to do that?

MS. PIERRE-LOUIS: Thank you, Senator.

Yes, I've spoken a little bit about my experience thus far. And certainly I have a deep respect for the Constitution, for the law. I was a Prosecutor representing the United States every single day for over nine years. I certainly have a deep respect and understanding for the law.

So my experiences will certainly assist me in looking carefully and doing my due diligence with every case that comes before the Court. Taking the time to read through all the briefs, all the facts, the record below, and take a critical view of the law that applies, in applying it to every case that comes before the Court; and to act independently, impartially, independent of any societal issues or political issues, and to uphold the independence of the Judiciary. That is certainly my goal; and in the role of the Judiciary in the State, those are the qualities I seek to embody.

SENATOR SINGLETON: Thank you; thank you, Chairman.

SENATOR SCUTARI: Thank you Senator.

Any other questions? (no response)

There will be time for a statement at your vote, if you want to do it at that point in time -- unless you have questions.

Seeing none-- All right, outstanding.

So seeing no further questions at this time, will the nominee please rise and take a seat in the front row?

And we are going to have one person to speak in favor of the nomination.

Is John Tomicki here? Are you going to speak?

Do you want to come forward, Mr. Tomicki?

Mr. Tomicki, please remain standing and raise your right hand for the administration of the oath.

MR. LORETTE: Good afternoon, sir.

Do you swear or affirm that the testimony you're about to give here today is true, correct, and complete to the best of your knowledge, information, and belief?

**JOHN T. TOMICKI, Esq.:** I do.

**SENATOR SCUTARI:** Okay; thank you, sir.

Please be seated.

And what do you wish to tell the Committee about the nominee?

**MR. TOMICKI:** First of all, it's good to see all of you healthy. It's nice no longer to see somebody on a hologram on a Zoom.

I will try to be as concise as I can.

First of all, Mr. Chairman, thank you for running a good hearing.

There's a history that I have, because I've been here a little bit long; I almost want to say I'm now approaching my 90th year. Not that close, but getting there. So I've been here for an awful long time; and at least you've never done what former Senator Adler did, who said at one time that I was no longer allowed to speak. You allow open dialogue and discussion.

I was glad to see also today there's a Senate President who took the time at least to come here, because it is an important nomination.

**SENATOR SCUTARI:** Well, as you know, he's made it a habit of being here for Supreme Court nominees. Sometimes it's a different role. (laughter)

**MR. TOMICKI:** It's a worthy exercise. As a matter of fact, Senator Gormley, at one time, when I was challenging a particular decision -- he almost threatened to have me arrested if I continued to talk.

**SENATOR SCUTARI:** Well, fortunately, you and I have not had that type of dialogue.

**MR. TOMICKI:** Alexander Hamilton said, and warned, that he believed the Supreme Court -- he was talking Federally -- was the least dangerous. All right? The least dangerous. He saw all parts of government

are concerned about how this new country was going to go. He warned that we would have a judicial oligarchy.

Now, I took the time-- I don't know the nominee; I had a sort of an emotional compassion with her. Not only because of who she is and what she is, but it's what she's done. Because her involvement in human trafficking -- which I'm also involved with; never crossed her paths, wish we did -- how she has a concern with felons getting back into the community. This all speaks well.

When I took the time to listen to the press conference held by Governor Murphy introducing his nominee, if you listen to it carefully, it would almost be as he was talking about what he was hoping things would be; that it looked like he sees a super Legislature in the Supreme Court. Because when he runs through the things that he would hope would happen -- that there was going to be a situation called *socioeconomic justice*-- I don't want to debate what I think that means.

This nominee is coming to serve on a co-equal branch of government. I listened to her talk afterwards about how a former then-Assemblyman came and sponsored legislation so that she could get into a trial program, and she fell in love with the law. She likes reading about the law, she likes studying about the law, she likes to write about the law.

In the case of Governor Murphy, he was talking about the Bar Association. The Bar Association is not in the Constitution -- about what it should or should not do. What I was concerned about, where I think Senator Doherty was going, is how will this Justice-- She's going to have the nomination, she's going to be confirmed, the votes are here -- but what's going to drive her?

Justice LaVecchia sat in this room; when asked what was -- what did she think her job was she said to, quote, "Fill in the gaps." "Fill in the gaps" is not in the Constitution, and our Supreme Court has a bit of a record of filling in the gaps. Governor Murphy said that sometimes you will quibble with decisions. No, Justice Felix Frankfurter, you don't quibble; at times, all decisions of accord should be studied--

SENATOR SCUTARI: Mr. Tomicki, let's stay on the nominee, and not on your philosophy as to what the Supreme Court should do.

MR. TOMICKI: I think I'm getting to where Senator Doherty was, and Senator Cardinale was; I will be as concise as possible.

But I thank you again for all of your courtesies in the past.

But the issue was, you don't quibble, you sometimes debate; because that's where the Legislature comes forward to sometimes correct what the Court may have done.

In the Governor's Advisory Committee, one of the people on the justices was Justice Pollock. I don't know whether the nominee has ever read his essay and speech he gave at the Brennan Election Series where he talked about the *Art of Judging*. In effect, when you read it, he believes that there's a time that-- Judges are like artists depending on the legal landscape, what it should look like. The real words were that you have to recognize reality, that the Judiciary, particularly in hard cases, are unavoidably creative.

No, you are not to be unavoidably creative; that's for the Legislature to do. If the legislators fail to act clearly in one area, that's for the Court to put out.

What you were struggling with, to a degree Senator, was what's her position going to be on the Constitution. Well, most people don't know

our Bills of Rights, which we all (indiscernible) do, in the Second Amendment. The roots of that go back to 1688 and the Bill of Rights. Some people should read that because that can give us a better-- So what I would hope that this nominee, when serving on the bench -- will try to stay within the bounds of the Constitution and resist the temptation to legislate from the bench. We won't know. It was being probed.

Now, when I heard about the orange ribbon, Senator, I didn't know what it meant either. I thought it was the Leukemia Society; I don't know every group. Do I get offended by Governor Murphy violating his own order, to stand next to people down at the Shore who are wearing shirts that are really sad, to see about how that person felt about President Trump? There's nothing wrong in our culture to have vigorous discussion and debates, but there's a respect that we all have, one for the other. And I have tried to devote part of my life to repair the damage I did to the legal profession.

So I thank you, Senator, for being here. You're not ready for a 45-minute sermon, which I normally give, about what that's about.

I'm also very up on what gun violence does do. Because in the neighborhood in which I live, the crowd that was going into Walmart and Forman Mills almost got to my house. Was I scared? Yes. Did I pray? Yes. And that's one of the things that will come before the Court, I believe, is what the Governor's Executive Order regarding freedom of speech and freedom of religion will be eventually before this Court, and that's something that we should all pray for.

And I thank you, Senator, for the time and for the courtesy, and allowing me to expound a little bit, because most lawyers don't even bother reading Blackstone.

My last concern is, as we cut away more and more from our historical roots -- you cut away the roots of something, eventually the tree dies. And we all love this country, and we also understand most people don't read the opening paragraph of the New Jersey Constitution. "We are grateful to our Almighty God for the civil and religious liberties we have, and hope to repair it and pass them onto succeeding generations unimpaired." That's what we all do, each in our own way.

And I actually say thank you, and I really pray for each and every one of you every day.

SENATOR SCUTARI: Thank you Mr. Tomicki; I appreciate that.

Okay; will the nominee please re-join us at the front table?

Are there any questions in response to the statement by Mr. Tomicki? (no response)

Seeing none, I will move the nomination, and I will ask for a second.

SENATOR SINGLETON: Second.

SENATOR SCUTARI: Seconded by Senator Singleton.

And feel free to make a statement at your time of your vote.

Roll call.

MR. LORETTE: On the nomination;  
Senator Doherty.

SENATOR DOHERTY: Okay.

So, yes, I think the nominee is qualified, has a lot of legal experience, and is certainly a rather intelligent individual and I think is up to the role.

I still remain very concerned about this fictitious dancing-on-the-head-of-a-pin stuff -- about not commenting on certain issues.

I felt that it was pretty clear that elected officials should follow the Constitution. I don't know that I got a clear answer on that. And also-- Actually no, I don't think anything was learned from that experience with Governor Murphy, with the orange ribbon; and you can't be an appendage of Governor Murphy. You're stepping into a new role; Governor Murphy is not your boss.

And I just felt that there was an appearance -- we hear all the time about the appearance-- And I'm not even trying to get into your mind. I'm just saying there are people out there -- and this was brought to me by constituents who are concerned about your views on issues, such as the Second Amendment, because you made a clear statement in their mind, so this is not my *mens rea* -- what I'm thinking. This is -- people came to my office on this issue, and they're concerned about it. I think you need to be aware of that. You're stepping into a new role; you have to be independent of Governor Murphy. You can't have him giving you stuff and put it on at events that he's politicizing. It was very regrettable what Governor Murphy did, and he put you in a really bad spot.

And you have to be independent in the future and realize that you are creating an appearance for all New Jersey residents; you know, some agree-- So I just think you needed to learn from that lesson; I hope you did, I'm not going to browbeat you on it anymore; the point has been made. But you have a special role to be impartial, and to not take a stand on these issues, especially since you agree with that, like you said, "I don't want to comment on issues that may come before the Court."

So yes, I think the nominee is qualified, and I think she probably did learn something from that lesson, that event, and won't allow it to happen again. So I'm confident that she will steer clear to those kinds of events.

I am going to vote "yes" on the nominee.

MS. PIERRE-LOUIS: Thank you Senator.

MR. LORETTE: Senator Corrado.

SENATOR CORRADO: Thank you.

Your résumé speaks for itself. You have accomplished so much in such a short amount of time, and I know that you're going to bring that work ethic, your professionalism, and your love of the law to the Supreme Court.

I also appreciate that you've sat on both sides. They are different, it's important; and I think you'll bring a unique perspective to the Supreme Court.

One of the things I wanted to point out-- When we spoke, you talked to me about learning to handle cases on the fly. There was a time in your career when an attorney had left the office and you had that four days to prep for trial, and you were able to do that, and get it done, and you became the expert in that area in your office. And that shows how capable you are.

And as a female attorney, as the only attorney on this Committee and as a practicing attorney, we want to see the best judges. Because the better the judge, the better the attorney, so it's a win for all of us.

I appreciate the time you took to speak with me. The best part of our conversation was learning your story and talking about your family, and it's wonderful to see all of them here today.

I am proud to vote “yes.”

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Cardinale.

SENATOR CARDINALE: Like all of the people who we interview, this candidate is not perfect, but she’s pretty close; she’s pretty close.

There’s a danger, always, when we confirm someone for a position on the Supreme Court that they perform differently than they testify. I think there’s less chance of that with this nominee than we usually experience. Because I am impressed with her sincerity, and I believe that she will do a great job on the Court. She’s very young, she’s going to be there a long time. But I think that it’s the best we’re ever going to do, and I’m very relieved to hear that she’s not a Communist. (laughter)

So I vote “yes.”

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Bateman.

SENATOR BATEMAN: First of all, let me apologize for leaving in the middle of the hearing. Senator Smith and I had a very important piece of legislation up in the Environment Committee.

I wanted to congratulate you and to say that I enjoyed our conversation, and I’m very impressed with your credentials, and I think you’re going to do an excellent job. You have a monumental task in front of you because you will be there a long time, and will be, I think, an integral part of the New Jersey Supreme Court.

And so I’m happy to vote for you, because I really do think that you have the background and credentials that we need on the Supreme Court.

I vote “yes.”

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Weinberg.

SENATOR WEINBERG: Thank you.

I can't help but comment on the certain amount of irony in your nomination moving through this Committee today, since you started your career at the law firm of former Supreme Court Justice John Wallace. So in a way, we've closed the circle.

So I am very proud to vote “yes” for a new generation, for a new balance in the Supreme Court of the State of New Jersey; and for someone who has the very varied experiences that you do, both in the law and as a daughter, bringing your own unique experience of your family.

And it would be nice if your parents would stand up so we can see the two of them behind their masks, to proudly be here at your back; and then, as a wife and as a mother.

So you are bringing all the right things to the table, and I am really glad to be able to vote “yes” on your nomination.

Thank you.

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Stack.

SENATOR STACK: I've been a supporter since your nomination was released, and I give you a lot of credit for what you've achieved in your life.

I agree with Senator Weinberg -- your parents should be very proud. You should be very proud, your entire family should be. You're going to do a great job on the Court, and thank you for your service.

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Smith.

SENATOR SMITH: Just pointing out the obvious, which is she may be the most qualified person for this position I've ever seen.

And I know she's going to do a great job, so an enthusiastic "yes."

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Singleton.

SENATOR SINGLETON: There's not much more I can add, so I won't belabor the point.

I'm a strong "yes."

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Sarlo.

SENATOR SARLO: Thank you, Mr. Chairman.

I too apologize for stepping out during the hearing. It's a busy day for us here in Trenton, especially on the Budget side.

I will tell you, this nominee-- When first nominated back in June, you reached out to me numerous times, and we just never connected. But I spent a lot of time just looking at your history. And, of course, your age stood out at first; but the more and more I read your résumé, and the things you've been involved in, and who you were--

We actually finally connected this past Friday, on August 21 we got to spend some time on the phone, having a conversation not so much about the three branches of government and how you would rule on certain things, but just about who you are and what you're about.

I will tell you this. Of course, your résumé speaks for itself; and of course, your parents came from, perhaps, a land where the law of the land

may not always hold true. You take that with you-- They came from a country where laws are not upheld sometimes the way we do here in our country. So they came here for the right reasons -- to leave places like that -- and I know you will never forget that.

I do agree with Senator Cardinale on the piece there -- the dangers when we approve somebody, what will happen when they leave here? Will they want to legislate from the bench? Will they want to become something much different than what we perceived over the last few months? But there's a gut check that takes over, and my gut tells me that's not you. You're going to have an amazing history on this bench. My gut tells me that you're not going to legislate from the bench, you're going to do what's right, and you are that next generational leader for our New Jersey Supreme Court.

So with great pride, I vote "yes" on your nomination.

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Senator Pou.

SENATOR POU: Thank you, Mr. Chairman.

First of all, let me just say that I, too, had to step out for just a moment. But I wanted to take this opportunity to be able to express some of the thoughts and some of the conversations that we had.

I know that many of your references that were highlighted, highlighted the importance of your life experience, both as the daughter of first generation immigrants and as a Black woman, and noted that you are extremely thoughtful, compassionate, and unwilling to pre-judge.

They also praised your integrity and your character, and noted that you treat everyone with respect. And I saw that, and I felt that as we

were speaking -- and some of the things that I just read and some of the other information that I shared with you during our conversation.

I'd like to also point out that this is a noteworthy, historical moment in our time -- right now, today, the vote that we're about to take -- because I think it's important and significant in your nomination, and I don't want to lose sight of that. I want to highlight that, actually, I want-- Of course, with all of your significant and impressive credentials, it was talked -- the Chairman talked about your judicial temperament and that certainly you have that ability to be able to provide that and have that available.

And it's also been mentioned and talked about -- the importance of making sure of your impartiality and independence in your decisions before the Court.

I absolutely want to make note of the fact-- I know that Senator Weinberg asked that your parents stand up to be recognized; and as they did, I know that in your bio it talked -- or some of the information that I've read -- talked about how your parents made the sacrifice of making sure they instilled and provided whatever help they could during their period of time, and making sure that you had the best possible education.

So those are so very important life experiences and things in our background that need to be always talked about and recognized.

So as a woman of color, let me just say I'm very proud to be able to vote in favor of your nomination. I think that you're going to really make a huge impact. As it's been pointed out, you'll be there for a very long period of time, just by virtue of where you are today in your life. We talked about that as well recently.

So again, my vote is “yes,” Mr. Chairman; and thank you for giving me the opportunity to speak and take a moment to talk about this incredible woman, who is before us for such an important vote. And being nominated and, soon, hopefully, to be confirmed by the Senate -- in the full Senate to serve as a member of the highest Court in our State.

So my vote is “yes.”

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: Chairman Scutari.

SENATOR SCUTARI: Thank you.

First, let me say thank you to the Governor’s staff -- Matt Platkin, Justin Braz, and Tim Hillmann -- for doing an outstanding job of getting this nominee ready, and giving us the necessary time that we need in order to do our job.

Most of the hard work -- and I’ve explained this -- is done before today. It’s not today; today is the formal hearing and the culmination of the months of hard work that our staff, jointly, and my staff, and Alison, and the guys did in getting this process together and getting this ready. So thank you to them for giving us the necessary amount of time to get that hard work done.

You know, I’ve heard people say about you -- your résumé speaks for itself. But I don’t think -- I don’t agree with that statement; I don’t think it does. I think you speak for yourself much better than a résumé ever could. People can put a lot of great things down on a piece of paper, but you are your best own advocate. I’m impressed with you as a lawyer, but I’m even more impressed with you as a person. And I believe that you’ll bring those qualities, those individual qualities -- more than just a lawyer, but as a human

being who has an amazing story to tell -- to a bench, to infuse a little bit of youth and vibrancy there, and bring a new perspective to a Court that's moved into the 21st century.

And so I want to congratulate you; but also your family for being here today, a really momentous and historical day, and a wonderful day. So enjoy it.

As I've said, this whole rollout process-- Really, you'll think back, and this is a really great time. Because by the end of the week, you've got to start doing all the hard work. It's kind of like the engagement phase, as I've said. You're engaged for all these months and then, Thursday, you're going to get married, and then you have to go to work. (laughter)

So you start the new job. So it's a wonderful day today for you and your family; it's the culmination of a really great career, and it's the culmination of a lot of hard work, I'm sure, for your family. Because it takes a village to raise a child and, obviously, based upon the support that you have here, they've done a wonderful job with you, and you've come to this day more than ready for the position, I believe.

I could not be in more support of your nomination. I wish you the best of luck and congratulate you. Our anticipation, I understand, from the President being here, is that we will confirm -- there will be a confirmation vote on Thursday.

And so with that, my vote is "yes."

MS. PIERRE-LOUIS: Thank you, Senator.

MR. LORETTE: The nomination is released.

SENATOR SCUTARI: Congratulations.

MS. PIERRE-LOUIS: Thank you. (applause)

SENATOR SCUTARI: Adjourned.

Congratulations, and best of luck to you.

MS. PIERRE-LOUIS: Thank you.

**(MEETING CONCLUDED)**