

Janice Rogers Brown's Nomination to the DC Circuit— A Clear Threat to the Rights of Working Families

- President Bush has nominated California Supreme Court Justice Janice Rogers Brown to a lifetime appointment on the powerful U.S. Court of Appeals for the District of Columbia Circuit—the second most powerful court in America.
- If confirmed, Brown will hear and decide cases involving working families' fundamental rights and protections, such as the freedom to form unions and the right to safe workplaces.
- The D.C. Circuit hears more labor law cases than any other federal circuit court. *69th Annual Report of the National Labor Relations Board, Table 19-A*
- The D.C. Circuit Court hears challenges to workplace safety rules and other important protections. The court's decisions have national reach and affect the lives of tens of millions of workers and their families.
- Janice Rogers Brown has a dangerous and extreme legal philosophy that is completely at odds with working families' interests and values.
- She calls programs such as Social Security “cannibalization” by senior citizens who are looking for “free stuff” from the government. *“Fifty Ways to Lose Your Freedom,” Speech to the Institute for Justice, Washington, D.C., Aug. 12, 2000*
- She compares enactment of New Deal legislation such as the minimum wage and the 40-hour workweek to a “socialist revolution.” *“Fifty Ways to Lose Your Freedom,” Speech to the Institute for Justice, Washington, D.C., Aug. 12, 2000*
- She compares “big government” to “slavery” and an “opiate.” *“Fifty Ways to Lose Your Freedom,” Speech to the Institute for Justice, Washington, D.C., Aug. 12, 2000*
- She says the First Amendment protects racial harassment in the form of slurs in the workplace. *Aguilar v. Avis Rent-a-Car, 980 P.2d 846 (1999)*
- She says leased employees shouldn't ask the courts to find them eligible to participate in their employer's pension plan because they represent a “new labor paradigm” that is “simply a matter of personal choice and private agreement” in which the courts should not interfere. *Metropolitan Water District of Southern California v. Superior Court of Los Angeles County, 32 Cal. 4th 491 (2004)*
- Working families cannot risk having a judge like Janice Rogers Brown deciding cases on the U.S. Court of Appeals for the D.C. Circuit. Her nomination must be stopped.