

June 19, 2009

## Ken Starr backs Sotomayor court bid

Posted: 03:30 PM ET

From CNN Political Research Director Robert Yoon

**LOS ANGELES, California (CNN)** — Although several prominent conservatives such as former House Speaker Newt Gingrich and talk show host Rush Limbaugh have been sharply critical of Sonia Sotomayor and her nomination to the Supreme Court, President Obama's first high court pick has won the support of at least one high-profile conservative legal figure: Kenneth Starr, the former federal judge who led the investigation that ultimately led to the impeachment and trial of President Bill Clinton.

"I'm very much an admirer of her, and I'm supporting the nomination," Starr said Thursday at a law and journalism conference at Loyola Law School in Los Angeles. "I think that's a very wise and sound nomination of our president."

Starr, the former independent counsel for the Whitewater and Monica Lewinsky investigations of the 1990s, told reporters after the event that he has voiced his support to at least two U.S. senators, whom he declined to name, but has not been asked to write an official letter of endorsement.

He also addressed comments that Sotomayor made in a 2001 speech at the University of California at Berkeley, in which she said, "I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn't lived that life."

"She has said some things, hasn't she, that suggest, well, we need to pause here, hit the pause button, and let's explore this," he said. "She said what she said, and so that very much merits examination. She didn't say that in a judicial opinion, and that's very important. Let's see what she did in her judicial work, right? What was her formal work as opposed to what does she say in an important setting at Boalt Hall at Berkeley, University of California Berkeley, wherever she may have said this."

Asked by CNN to comment on Sotomayor's 2005 statement that the federal appellate courts, where she has served since 1998, is "where policy is made," Starr suggested that it is at times appropriate for judges to make policy.

"There are times when policy reasons are in fact informing the judicial process and openly so," he said, pointing to family law and to the issuing of injunctions as examples. "In that process in weighing the factors for an injunction, it is well settled that judges are in fact considering policy questions, overtly, with everyone smiling. Think about more daily administrations of the law. Family law issues. We want judges to be thinking about issues of policy and morality and so forth."

Starr served as U.S. Solicitor General under President George H.W. Bush and currently serves as the dean of Pepperdine University Law School.

Filed under: **Sonia Sotomayor • Supreme Court**