



NEWS RELEASE

Arizona Supreme Court - Administrative Office of the Courts

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ARIZONA SUPREME COURT VICE CHIEF JUSTICE ANDREW D. HURWITZ'S NOMINATION TO THE NINTH CIRCUIT CONFIRMED BY THE UNITED STATES SENATE

Phoenix, Arizona – The United States Senate has voted to confirm the nomination of Arizona Supreme Court Justice Andrew D. Hurwitz as a United States Circuit Judge for the Ninth Circuit Court of Appeals. Vice Chief Justice Hurwitz will fill a vacancy that occurred on January 1, 2012, when Judge Mary M. Schroeder of Phoenix took semi-retired senior status.

President Barack Obama nominated Justice Hurwitz on November 2, 2011. On January 26, 2012, he received a hearing before the US Senate Judiciary Committee and his nomination was sent to the full Senate by the committee on March 1, 2012.

Statement from Vice Chief Andrew Hurwitz:

“I am grateful for the President’s confidence in nominating me and the Senate’s confirmation of that nomination. I especially thank Senators Jon Kyl and John McCain for their support of the nomination, and Representative Ed Pastor for his encouragement during this process,” stated Vice Chief Justice Hurwitz. “I look forward to this new opportunity for public service, but I will miss working on a daily basis with my wonderful colleagues on the Arizona Supreme Court and those serving the Arizona Judicial Branch throughout this great state.”

Statement from Chief Justice Rebecca White Berch:

“I am pleased to hear about Justice Hurwitz's confirmation to serve as a judge on the Ninth Circuit Court of Appeals. Having worked closely with Justice Hurwitz, who now serves as the vice-chief Justice of the Arizona Supreme Court, I know he is a judge of vision, great intellect, and honor,” said Chief Justice Berch. “In addition to his impressive academic credentials, he is also practical and hardworking. The Ninth Circuit's gain is this court's loss. We wish him well.”

About Vice Chief Justice Andrew D. Hurwitz:

Andrew D. Hurwitz, 64, was appointed to the Arizona Supreme Court by then-Governor Napolitano in 2003. A native of New York, Justice Hurwitz received his A.B. in 1968 from Princeton University, where he graduated *cum laude* and Phi Beta Kappa. He received his J.D. in 1972 from Yale University, where he was a note and comment editor from 1971 to 1972, and served on the Board of Editors from 1969 to 1971.

He served as a law clerk to Judge Jon O. Newman of the United States District Court for the District of Connecticut in 1972; to Judge J. Joseph Smith of the United States Court of Appeals for the Second Circuit in 1972-73; and to Associate Justice Potter Stewart of the Supreme Court of the United States in 1973-74.

Prior to his appointment to the bench, Justice Hurwitz engaged in private practice as a partner at Osborn Maledon from 1995 to 2003. He was an associate from 1974 to 1980, then partner from 1983 to 1995 at the firm of Martori Meyer Hendricks & Victor, which later became Osborn Maledon. He also served as a judge pro tempore on the Arizona Court of Appeals, Division 1, in 1994, 1996 and 1998.

He has argued two cases before the Supreme Court of the United States, including *Ring v. Arizona*, 536 U.S. 584 (2002), which held the then-existing statutory scheme for imposition of the death penalty in Arizona unconstitutional.

Justice Hurwitz served as Chief of Staff to Governor Bruce Babbitt from 1980 to 1983, and Chief of Staff to Governor Rose Mofford in 1988. He was a member of the Arizona Board of Regents from 1988 through 1996, and served as President of the Board in 1992-93.

Justice Hurwitz has regularly taught at the Arizona State University College of Law, and was in residence at the College of Law as Visiting Professor of Law in 1994-95 and as a Distinguished Visitor from Practice in 2001. Justice Hurwitz delivered the Willard H. Pedrick lecture at the College of Law in 1999. He is a member of the Advisory Committee on the Federal Rules of Evidence.

About the Appointment:

Judges of the federal appellate courts, who are appointed under Article III of the Constitution, are nominated by the president, confirmed by the Senate and serve lifetime appointments upon good behavior.

About the Arizona Supreme Court:

The Arizona Supreme Court is lead by Chief Justice Rebecca White Berch and is located in Phoenix, Arizona. For more information about the Judicial Branch in Arizona, visit www.azcourts.gov. Vacancies on the Arizona Supreme Court are appointed through a merit selection process. For more information about this, visit www.azcourts.gov/jnc.

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