

Senator-Elect to Georgia Lawyers: Judges 'Shouldn't Create Law'

In one of his first public speaking engagements since being elected to the Senate last month, David Perdue on Tuesday told a gathering of mostly conservative Georgia lawyers that judges "shouldn't create law."

Perdue's remarks came at a lunch meeting of the local lawyers' chapter of the Federalist Society, held at Alston & Bird's offices in Atlanta. Introduced by his campaign counsel, **Joshua Belinfante**, as a "friend of the Federalist Society" who "believes the law should be interpreted as it is written, not as it should be," Perdue focused on themes of debt and spending reduction but also addressed his upcoming role as a member of the Senate Judiciary Committee. The senator-elect said he anticipated at least one U.S. Supreme Court vacancy would arise during his upcoming six-year term.

"I'm not a lawyer, but I hope to bring to that committee just a common-sense approach," said Perdue, who has spent his career in business and was CEO of Dollar General.

Noting several judges were in the room, Perdue continued, "I believe you go back to the Constitution, and you uphold what our founders had in mind to begin with, not what somebody in 1912 thought it meant or what some judge felt in 1998, but what did the founders really believe. I personally take a very hard stance about an activist judge. I'm sorry, but they shouldn't create law."

He added that the president shouldn't, either, saying "that's what happening right now with executive orders and regulatory mandate."

In an interview following his remarks—and after some handshaking and photos with well-wishers—Perdue said he hoped to be "very involved" in the judicial appointment process, adding that "you have to be very thorough" in vetting would-be judges.

Perdue said he has yet to meet with Michael Boggs, a Georgia Court of Appeals judge whose nomination to the Northern District of Georgia bench has stalled in the Democratic-controlled Judiciary Committee. Boggs was nominated by President Barack Obama as part of a deal with Georgia's U.S. senators that has resulted in the confirmation of six other candidates to the federal bench in Georgia.

At a confirmation hearing, Democratic senators grilled Boggs on his stances as a state legislator: opposing same-sex marriage, voting to retain the Confederate battle emblem on the state flag and backing a bill registering doctors who perform abortions.

During the campaign, Perdue said the nomination "deserves serious consideration." On Tuesday, Perdue said he would like to meet with Boggs—"or anyone else who gets nominated." He added he would like to get Boggs' "perspective" and "decide for myself."

