

# Sotomayor's swearing in to court set for Saturday

---

By JULIE HIRSCHFELD DAVIS (AP) – August 7 2009

WASHINGTON — When Sonia Sotomayor is sworn in Saturday to the Supreme Court, she'll be able to claim two firsts: first Hispanic justice and first high court member to have her oath-taking made available to TV cameras.

Sotomayor, who won a groundbreaking Senate confirmation vote Thursday over intense conservative opposition, will be sworn in twice by Chief Justice John Roberts.

She will repeat one oath as prescribed by the Constitution in a private ceremony at the high court. It will be open only to members of Sotomayor's family. Then, Roberts will administer a second oath, taken by judges, with the new justice's family and friends, and reporters present.

Court spokeswoman Kathy Arberg said the ceremony apparently will be the first one open to television cameras in the court's history.

Sotomayor is the first Democratic nominee in 15 years. She becomes the nation's 111th justice — and just the third woman in the court's history. She'll appear next week at the White House with President Barack Obama, who chose her in May to replace retiring Justice David Souter.

"With this historic vote, the Senate has affirmed that Justice Sotomayor has the intellect, the temperament, the history, the integrity and the independence of mind to ably serve on our nation's highest court," Obama said following Thursday's 68-31 confirmation vote.

Senate Democrats backed her unanimously but most Republicans lined up in a show of opposition both for her and for the president's standards for a justice.

The 55-year-old daughter of Puerto Rican parents was raised in a South Bronx housing project and educated in the Ivy League before rising to the highest legal echelons, spending the past 17 years as a federal judge.

Republicans argued that she'd bring personal bias and a liberal agenda to the bench. But Democrats praised Sotomayor as an extraordinarily qualified mainstream moderate and touted her elevation to the court as a milestone in the nation's journey toward greater equality and a reaffirmation of the American dream.

Souter, while named by a Republican president, has sided with the court's liberal wing, so Sotomayor is not expected to alter the court's ideological split in succeeding him.

Still, her nomination sparked an intense fight between Republicans and Democrats, which highlighted profound philosophical disagreements that will shape future fights over the court's makeup as Obama looks to another likely vacancy — perhaps more than one — while he's in the White House.

In the final Senate tally, nine Republicans joined majority Democrats and the Senate's two independents to support Sotomayor's confirmation. They included the Senate's few GOP moderates and its lone Hispanic Republican, retiring Sen. Mel Martinez of Florida, as well as conservative Sens. Lindsey Graham of South Carolina and Lamar Alexander of Tennessee, the party's third-ranking leader.

GOP critics decried Obama's call for "empathy" in a justice, painting Sotomayor as the embodiment of an inappropriate standard that would let a judge bring her personal whims and prejudices to the bench. They criticized rulings in which they said Sotomayor showed disregard for gun rights, property rights and job discrimination claims by white employees. And they repeatedly cited comments she had made about the role that a judge's background and perspective can play, especially a 2001 speech in which she said she hoped a "wise Latina" judge would usually make better decisions than a white man.

The National Rifle Association, which hadn't weighed in on Supreme Court nominations past, strongly opposed her and threatened to downgrade its ratings of any senator who voted to confirm Sotomayor. The warning may have influenced some Republicans who were initially considered possible supporters but later announced their opposition, citing gun rights as a key reason.

