

Baldwin, Johnson looking for new applicants after Giampietro nomination to federal bench runs into opposition

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U.S. Sens. Tammy Baldwin and Ron Johnson are seeking new applicants to fill a vacancy on the federal court in Milwaukee after the president's first pick ran into opposition over past comments, including criticism over legalizing gay marriage.

Baldwin, D-Madison, originally agreed to a list of candidates to replace former conservative Judge Rudolph Randa that included Gordon Giampietro. But after Trump nominated the former federal prosecutor in December 2017 to the seat, Baldwin expressed opposition to his nomination after the comments came to light and encouraged Giampietro to withdraw. His backers argued Giampietro was being penalized due to his Catholic faith.

Baldwin said she wasn't aware of his views when she originally signed off on submitting his name to the White House. She then declined to return her blue slip on his nomination, holding it up.

Giampietro didn't receive a hearing before the last Congress adjourned, and the president then didn't re-submit the nomination to the U.S. Senate earlier this year after the new Congress was seated.

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Baldwin and Johnson, R-Oshkosh, didn't mention Giampietro, who now works at Northwestern Mutual Life Insurance Co., in announcing the reformation of the Federal Nominating Commission. The body, comprised equally of nominees from

both Baldwin and Johnson, will screen applicants to replace Randa, who died in 2016.

Johnson said the commission “has delivered highly qualified nominees in the past, and I am hopeful it can deliver similar results going forward.” Meanwhile, Baldwin said she was pleased to join “Johnson in moving forward in a bipartisan manner to advance the process of filling this judicial vacancy.”

The seat has been vacant since Randa took senior status in February 2016, and he died later that year.

Depending on how quickly the nominating commission finishes its work, the president could be looking at nominating someone to fill the seat during an election year, which could create hurdles to confirmation.

Baldwin appointed retired Judge Charles Clevert and Milwaukee attorneys Jeremy Levinson, and Barbara Quindel to the commission. Johnson picked Mauston attorney William Curran, Oshkosh attorney Paul Swanson and Richard Esenberg, counsel for the conservative Wisconsin Institute for Law & Liberty.

The commission is charged with finding between four and six applicants to fill a vacancy. Under its charter, a candidate must receive support of five commission members to be forwarded to the senators, who then forward recommendations to the White House.

Applications for Randa’s seat are due Oct. 16.

The other finalists along with Giampietro under the initial attempt to fill the seat were: former Milwaukee County Circuit Judge Richard Sankovitz, Milwaukee County Circuit Judge Kevin Martens and Waukesha County Circuit Judge Michael Aprahamian.