March 8, 2022

The Honorable Charles Schumer Majority Leader United States Senate Washington, DC 20510

The Honorable Dick Durbin Chairman Committee on the Judiciary United States Senate Washington, DC 20510 The Honorable Mitch McConnell Republican Leader United States Senate Washington, DC 20510

The Honorable Chuck Grassley Ranking Member Committee on the Judiciary United States Senate Washington, DC 20510

Re: Strong Letter of Support from Female Law Professors for Judge Ketanji Brown Jackson to Serve as Associate Justice of the United States Supreme Court

Dear Senators Schumer, McConnell, Durbin, and Grassley:

As almost 850 women law professors from across the United States, we write to express our unequivocal support for the nomination of Judge Ketanji Brown Jackson as an Associate Justice of the Supreme Court of the United States. She is a highly experienced, extraordinarily well-credentialed judge. She clerked at all levels of the federal court system, including for Supreme Court Justice Stephen Breyer.

The Senate has already confirmed Judge Jackson three times on a bipartisan vote, including once less than one year ago; in June 2021, Judge Jackson was confirmed to a seat on the United States Court of Appeals for the D.C. Circuit. We urge you to confirm her expeditiously for appointment to the Supreme Court of the United States.

As women, lawyers, and law professors, we particularly appreciate the fact that were Judge Jackson to be confirmed, four of the Justices would be female. And Judge Jackson would be the first Black woman to serve on the Supreme Court.

While the Court would still be a long way from the "when there are nine" aspiration of Justice Ruth Bader Ginsburg, the mere visual of four women participating in deciding this country's most important issues would be inspirational to young Americans. The perspective and life experiences of these four women would inform their decision-making and help the entire Court understand the perspective of the majority of American citizens.

Judge Jackson would bring a number of additional perspectives to the Court. In addition to her work as a judge, she has been a member of the U.S. Sentencing Commission, a federal public defender, and an attorney in private practice at several firms. She is widely respected for her

careful and thoughtful work, fair-minded decision-making, and personal integrity, attributes that profoundly and visibly inform her judging.

We strongly believe diverse perspectives in any institution strengthen its decision-making capacity. Judge Jackson's appointment would in these numerous ways improve the extent to which the Court resembles and takes account of the diverse public it serves.

During the nomination hearings for Justice Sandra Day O'Connor, who was nominated by President Ronald Reagan to the Court in 1981, then-Senator Biden set out criteria by which to judge a Supreme Court nominee. He noted the importance of answering

some of the following questions First, does the nominee have the intellectual capacity, competence, and temperament to be a Supreme Court Justice? Second, is the nominee of good moral character and free of conflict of interest that would compromise her ability to faithfully and objectively perform her role as a member of the U.S. Supreme Court? Third, will the nominee faithfully uphold the laws and Constitution of the United States of America?"¹

For Judge Jackson, the answer to all three questions is a strong yes.

As Justice Ruth Bader Ginsburg once said, "Women belong in all places where decisions are being made. It shouldn't be that women are the exception."

Specifically, Ketanji Brown Jackson belongs where the most important decisions are being made, and we urge swift confirmation of Judge Ketanji Brown Jackson as an Associate Justice of the United States Supreme Court.

Thank you.

cc: Phillip Brest, Esq. Ms. Emily Hampsten Ms. Jenna Valle-Riestra Michael Fragoso, Esq. Mr. Aaron Cummings

¹ Hearings, p. 3 (1981), https://www.govinfo.gov/content/pkg/GPO-CHRG-OCONNOR/pdf/GPO-CHRG-OCONNOR.pdf.

Please note that we have signed this letter in our individual capacity. Institutional affiliation is noted for identification purposes only.

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