

**Statement of Leah Jo Bressack before the Senate Committee on the Judiciary
on the Nomination of Judge Neil M. Gorsuch to the Supreme Court
March 23, 2017**

Mr. Chairman, Ranking Member Feinstein, and other members of the Committee:

I am deeply honored to have the opportunity to address the committee and talk about one of my mentors, Judge Gorsuch. Senator Feinstein, I grew up in California, where you and Senator Boxer were my Senators, and my family still laughs that there was a time when I believed that only women were allowed to serve in the Senate. Of course, when I left for college, I moved to Maine, which also had two women Senators, so take from that what you will.

I served as a law clerk to Judge Gorsuch from 2009 to 2011. I'd like to direct my remarks to how Judge Gorsuch approaches cases. His commitment to assess each case from all points of view, and never make up his mind until every point of view has been considered, is the quality I respect about him most.

First, Judge Gorsuch is truly independent. In deciding cases, he doesn't care what politicians or parties want. He only cares what the law says. In the two years I worked with him, never once did politics influence a decision he made. I saw the government win cases, and I saw the government lose cases. I saw each private litigant receive the same meticulous analysis of its arguments. Judges like Judge Gorsuch are the keepers of our independent judiciary.

Second, Judge Gorsuch works together with judges from all different points of view to build consensus wherever possible. In my two years clerking, the judge heard many cases together with other judges whose judicial philosophies differ from his. Yet the great majority of these cases were decided unanimously. That is no coincidence; it is a reflection of the judge's deep respect for the opinions of his colleagues and commitment to craft decisions that benefit from their reasoning. In my experience as a law clerk, the judge always pushed me to research all sides of a case, question the reasoning underlying each party's position, and give all arguments exhaustive consideration. That process more or less consumed my life for 2 years --- it's a cornerstone of how Judge Gorsuch works and he won't accept anything else.

Third, there is no question that a Supreme Court justice wields significant power. But having worked closely with Judge Gorsuch, I am confident that a change in title, from judge to Justice, would not change him. His judicial philosophy is based on the idea that the future of this country will be decided by elected representatives like the members of this committee, not by him, and that will never change.

On a personal level, some of my fondest memories of my clerkship with Judge Gorsuch were the afternoon runs he led us on through Denver. Weaving in and out of the city streets, I questioned the judge's description of these events as jogs, when to me they felt much more like a sprint. While it was easy to begin the run discussing cases with the judge, the true test was whether you could continue such conversation twenty minutes later when the judge was doing just fine and you were out of breath. I now think of those runs as a metaphor for the experience

of working with the judge; his relentless drive pushes everyone around him to try harder and reach higher.

In casual conversation in chambers, the judge always wanted to hear about our experiences exploring the Colorado outdoors. I still remember his Monday morning ritual of quizzing clerks on their adventures over the weekend. One weekend, while hiking in Rocky Mountain National Park, I found myself within a few feet of a beautiful red fox --- I knew I would have the ace among all the clerks on Monday.

We all know the saying “you are judged by the company you keep.” One of the greatest gifts of clerking for two years for Judge Gorsuch is my co-clerks, whose humility, intelligence, and diligence mirror the qualities I so admire in the judge. Many of the judge’s clerks (whose political views span the spectrum) have traveled to be here for this hearing, and we have recommended him as an extraordinary judge. We believe he is a judge of whom all Americans would be proud.