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December 7, 2023

The Honorable Richard J. Durbin
Chairman, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Lindsey Graham
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Re: *Letter of Support for Nominee Judge Cristal C. Brisco for the Northern District of Indiana*

Dear Chairman Durbin and Ranking Member Graham:

I write this letter in support of Judge Cristal Brisco's nomination to serve as District Court Judge for the Northern District of Indiana. I am the John P. Murphy Foundation Professor of Law at the University of Notre Dame, where I have taught since 1999.

I have known Judge Brisco since she was a law student. In her final semester of law school, she enrolled in my seminar on urban development and land use. I can't honestly remember what she wrote her paper about, but I double-checked, and she did very well on it! We lost touch for a few years. Then, providentially, we reconnected in line (with our kids) for a bounce house on campus soon after she assumed the role as Corporation Counsel for the City of South Bend, Indiana. As luck would have it, for me, I was getting ready to teach Local Government Law, and I invited her to come to class as a guest speaker. She has been a regular class speaker ever since, and she's always a highlight of the semester for the students.

When Judge Brisco speaks to the students, she exhibits several qualities that I believe highlight why she will distinguish herself as a federal district judge.

- The first quality is humility. The students are incredibly impressed with Judge Brisco. But she's not impressed with herself. She reminds the students that they've been given gifts, as she has, and they have an obligation to use them, as she does, to advance the common good. And she also tells them to always remember that their status as a lawyer, or hers as a judge, does not place them above any other person, no matter what their position in life. Last year, I asked her if she'd be willing to talk to our First Generation Professionals student group. She, of course, said yes. At the end of the talk, one of the students asked her what she did when she felt overwhelmed as a first-generation professional (in law school, in law practice, or as a judge), and she said, "I pray." As a person of faith, her comment struck me as incredibly humble coming from someone who has accomplished so much professionally, and I know that it struck the students as particularly powerful as well.
- The second quality is commitment to service. She explains to the students how she came to work for the City of South Bend. She was excelling as a lawyer at Barnes and Thornburg, where she had the opportunity to do a project for the City of Gary, Indiana,

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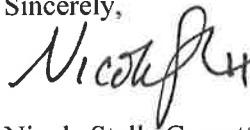
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where she grew up. She really enjoyed working for the City, and it became evident to her that this kind of work was a way to help use her legal skills to improve the lives of real people. So, when she was invited to apply for the Corporation Counsel position, she decided to take the job, even though it meant a substantial pay cut, because she knew that she was being called to make a difference

- The third quality is impartiality. Judge Brisco explains to the students how, as Corporation Counsel, she was forced to address some very difficult issues, including a high-profile situation involving police corruption. Judge Brisco is from a law enforcement family—two of her brothers are police officers. She tells the students how she balanced her respect for law enforcement against what was clearly best for the city, including the eventual resignation of the City’s first black police chief.
- The fourth quality is temperament. When Judge Brisco visits, she talks about how she established respect among other city officials, including in the police department, and with the City’s outside counsel, as a young black woman. She makes clear that she never stomped her foot or raised her voice (even in the face of disrespect and condescension), but quietly made clear that she was in charge—and would not be intimidated—while also gaining their respect by demonstrating competence at her job.
- The final quality is principle. When Judge Brisco took the job as Corporation Counsel, she told then Mayor Buttigieg that she was not a political person, and she would not be a political operative in the position. She also made clear to him that, while she respected that he might have other political aspirations, she did not. And she explains how she maintained that principled line while working for the City, including resigning when Mayor Buttigieg decided to pursue the position as the Chair of the Democratic National Committee. “I took the job to serve the public,” she says. “I am proud of the work that I did with Mayor Buttigieg to improve our city. But I am not a political person, and I did not want to continue after his position became increasingly political.”

After leaving the City, Judge Brisco became General Counsel at Saint Mary’s College. She left that position to become first a magistrate and then a circuit judge in St. Joseph County. I have not closely studied her opinions or appeared before her, but I have no doubt that she’s an excellent judge. I am proud to have taught her and to call her a friend. I know that she’ll distinguish herself on the federal bench and continue to make me—and Notre Dame—proud of her as a humble, principled, fair, impartial and committed servant of the law.

Sincerely,



Nicole Stelle Garnett

John P. Murphy Foundation Professor of Law