



Superior Court of California
County of Fresno

CHAMBERS OF
HILARY A. CHITTICK
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May 12, 2023

Senator Richard Durbin, Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Senator Lindsey Graham, Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Re: Letter of Support for the Nomination of Judge Ana de Alba as a Justice on
the United States Court of Appeals for the Ninth Circuit

Dear Chairman Durbin and Ranking Member Graham:

It is my pleasure to write this letter in support of the nomination of Judge Ana de Alba as a Justice on the U.S. Court of Appeals for the Ninth Circuit. She possesses a rare combination of intelligence, diligence, integrity and commitment to the law that would make her an excellent justice.

I am a recently (September 2022) retired judge from the Fresno Superior Court. Prior to becoming a judge, I was an attorney practicing civil and criminal law in both the California and Federal courts. I was an attorney representative to the Ninth Circuit Judicial Conference on several occasions. After becoming a judge, I was a California judicial representative to the State-Federal Judicial Council, a presiding judge of the Fresno Superior Court, and was selected as the Judicial Council of California's Distinguished Service Award winner. I also was selected to sit as a temporary justice on California's Fifth District Court of Appeal. As a result of those activities, I have a breadth of exposure to attorneys, judges and justices from a wide range of California and federal courts. I can say without hesitation that Judge de Alba is among the top judicial officers I have ever met. I would like to highlight three areas in particular of her many strengths.

First, she is a person of extraordinary intelligence. She has what I like to call a lively mind. She is curious and thoughtful in her approach. She and I first met shortly

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before she was appointed to the Fresno Superior Court. I did not know her very well, but I was enormously impressed by the evident time she had taken to learn about serving as a judge, the excellent and thoughtful questions she asked and issues she raised about the challenges of the position, and the evident strength of her commitment to the rule of law. These same qualities continued after her appointment to the Fresno Superior Court. She would call me to discuss issues or to raise questions. They were some of the best and most insightful discussions I have ever had with anyone about cases, concepts or procedures. Even though initially she was not especially familiar with criminal law, she had soon mastered it. Appellate justices hear all kinds of cases, and many of them have close questions of law or procedure. Her inquisitive lively intelligence is well suited to appellate work.

Second, that extraordinary intelligence is paired with a work ethic second to none. She grew up in a family and with a mother who expected her to work hard, and who worked hard themselves. She has carried that early training throughout her life. She takes seriously the obligation to be prepared on cases, to do her best to make timely decisions and to give of herself to the public in service as a judicial officer. You will not find a person who works harder to be sure she knows the individual cases before her inside and out, and knows the legal and Constitutional principles at issue.

Third, she has a profound commitment to the rule of law and to equal treatment. She thinks about each case, and each person or entity involved in the case as individuals, entitled to full and fair consideration by a judge. She treats everyone, from the janitor who cleans her chambers to the most famous lawyer in her courtroom, with incredible respect and personal attention. She understands in a deep visceral way the truth of the American system of justice, that we are all, no matter our station in life, entitled to a fair hearing and to be treated with dignity. She embodies this in a way I have rarely seen in anyone else. This courtesy and thoughtfulness should not be mistaken for weakness or softness. It does mean that most people who are in her courtroom come out feeling they have been heard and their positions considered. I am confident that she would bring these same qualities to her consideration of cases as an appellate justice.

In sum, I recommend Judge de Alba to you without hesitation as a justice on the United States Court of Appeals for the Ninth Circuit. Should you have any questions you may contact me through the Fresno Superior Court [rflores@fresno.courts.ca.gov]. Thank you for your consideration.

Sincerely,



Hilary A. Chittick