



State of New Hampshire Judicial Branch

9th Circuit Court -- Family Division

35 Amherst Street

Manchester NH 03101

1-855-212-1234

Susan B. Carbon

Judge

January 26, 2023

Honorable Richard J. Durbin
Chair
COMMITTEE ON THE JUDICIARY
United States Senate
Washington, DC 20510

Honorable Charles E. Grassley
Ranking Member
COMMITTEE ON THE JUDICIARY
United States Senate
Washington, DC 20510

Honorable Lindsey Graham
Incoming Ranking Member
COMMITTEE ON THE JUDICIARY
United States Senate
Washington, DC 20510

Re: Attorney Michael A. Delaney, Nominee for United States Circuit Court for the First Circuit

Dear Sirs:

It is with enormous pride and privilege that I offer this letter of support on behalf of Attorney Michael A. Delaney for a position on the United States Circuit Court for the First Circuit. I have been a judge in New Hampshire for over 30 years and have known Attorney Delaney for almost two decades, and in a number of different capacities. It is from these vantage points that I believe I can shed important light on his qualifications for this august appointment.

Attorney Delaney's excellence as a practicing attorney and litigator led him to a career of public service in the State's Department of Justice. He served as Chief of the Homicide

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Prosecution Unit before ascending ultimately to the position of Attorney General with a break in between his tenure to serve as Legal Counsel to the Governor.

Much of my career has been devoted to the field of domestic violence and, in this regard, I had many occasions to work with Attorney Delaney. At the time I chaired our statewide Domestic Violence Fatality Review Committee, Attorney Delaney was a core member, contributing valuable insights into violence prevention at our monthly homicide reviews. The Fatality Review Committee was also an arm of the Statewide Commission on Domestic and Sexual Violence. As Attorney General, Mr. Delaney chaired that Commission and oversaw the work of several committees addressing domestic violence from various professional and interdisciplinary perspectives, helping to educate and create protocols for professionals and community members to reduce domestic and sexual violence. As a result of his efforts, he was selected for the most prestigious award related to violence prevention in New Hampshire, the Honorable William D. Paine, II Award for “outstanding commitment to collaborative multi-disciplinary efforts to reduce family violence.” Closely related to this recognition was his Hands of Hope Award from the Granite State Children’s Alliance “in recognition of exemplary service and dedication to providing quality services and fair treatment to child victims of crime.”

Attorney Delaney was instrumental in forging other significant systemic reforms in New Hampshire designed to improve the civil and criminal justice systems for victims of crime. He championed the Lethality Assessment Project, a tool used by law enforcement now across the country, to help reduce domestic violence homicides. He also launched our Sexual Assault Response Teams to better respond to, and reduce, adult sexual assault, one of the most underreported and heinous crimes in NH and nationwide. He forged collaborations to enhance training and optimum response to victims by multidisciplinary organizations. One of his most notable achievements was his creation of a Commission to Combat Human Trafficking, whose purpose is to provide a victim-centered response in combatting trafficking in and out of New Hampshire by working closely with the United States Attorney’s Office and the Statewide Coalition against Domestic and Sexual Violence.

Approximately 10 years ago, I had the privilege of serving as Director of the Office on Violence Against Women at the United States Department of Justice. While there I had occasion see to Attorney Delaney from a national perspective. He and I were both participating at a meeting of the National Association of Attorneys General (NAAG). It was remarkable for me to engage with and observe the respect he so greatly enjoyed amongst his peers from all over the country. It made me very proud to be from New Hampshire. Later, we both attended an international conference on the Violence Against Women Act at the University of New Hampshire School of Law. He brought the Attorneys General from Maine and Delaware to participate on a panel addressing violence against women and then spearheaded the effort both in New Hampshire and on behalf of NAAG to officially support the reauthorization of this important legislation.

Mitigating domestic and sexual violence, which in my view are the most intractable and insidious legal and social issues of our time, is of critical importance, and Attorney Delaney has devoted time and energy in ways that have had lasting impact. But my own concern for these issues ought not overshadow so many other important contributions Mr. Delaney has made.

One of the most compelling is his work as a member for years and now as Chair of the New Hampshire Campaign for Legal Services. It is not hyperbole to suggest that citizens who cannot afford legal counsel are, in many if not most cases, at a significant disadvantage when coming to court and are, in effect, denied meaningful access to justice. Mr. Delaney's commitment to ensuring that all citizens have access to legal services speaks volumes about his character and integrity. A justice system is not "just" if it is not just for everyone.

No matter what the field, position, or issue he may tackle, Attorney Delaney excels. He quickly rises to leadership levels, demonstrating both a knowledge of the topic, and a willingness to listen, engage, and build partnerships to find solutions. His years as a public servant evidence his belief that we can and should do better, and that we have an obligation to continue efforts to make our communities safer and our justice system more sound. Rarely are all these attributes found in one individual.

Let me close by saying that Attorney Delaney enjoys the highest reputation among his colleagues, peers, and friends. Beyond his intellect, which is broad and deep, he has a strong moral core, and demonstrated compassion for those he serves.

In my opinion, President Biden could not have made a more stellar nomination. I hope and trust you will give Attorney Delaney your strongest consideration for appointment to the United States Circuit Court.

Sincerely,



Susan B. Carbon