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January 21, 2022

The Honorable Richard J. Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20515

The Honorable Charles E. Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20515

Re: Recommendation letter for Judge J. Michelle Childs

Dear Chairman Durbin and Ranking Member Grassley:

During my over 45-year career of practicing law in the great state of South Carolina, I have had the honor and privilege of appearing before hundreds of judges in our state and federal courts, and Judge Childs has been one of the most outstanding of all of them. And my opportunities to observe Judge Childs have not been from afar, but up close in her courtroom over the years during important and complex matters where the rights of companies and citizens were at issue, including (1) being counsel of record in a complex construction/breach of contract case that culminated in a three-week-long bench trial that required Judge Childs to decide the truth from many fact and expert witnesses, (2) closely observing her work daily in the courtroom during a politically charged legal challenge over specially enacted legislation by the South Carolina General Assembly and Governor addressing issues related to the abandonment of nuclear power projects in South Carolina and involved complicated testimony from nationally recognized experts and complex issues of constitutional law, and (3) being counsel of record on an important securities law case

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that defendants removed from state to federal court and in which Judge Childs had to decide whether this non-routine case should be remanded to state court. While I have not always prevailed before Judge Childs, I have always left her courtroom having been given a full and fair opportunity to present the facts and legal positions on behalf of my clients and knowing that she would fairly weigh the evidence in the case and rule based upon the relevant facts and the applicable law fairly applied to those facts. This rational, unbiased judicial process employed by Judge Childs coupled with ensuring that litigants have a full opportunity to present their case to her is what all lawyers and citizens who understand and appreciate the importance of an independent judiciary value, cherish, respect, and desire.

In all of the matters that I have observed or tried before Judge Childs, I report to you that she has always conducted herself with integrity and impartiality, qualities that reflect admirably upon her and also promote respect for the judiciary and the judicial process so critical to justice and civil order in our great nation. Moreover, Judge Childs is generous with her time to the participants in the cases assigned to her, and, notwithstanding a very busy caseload, she manages her cases diligently, prepares for hearings and trials beforehand, and competently and timely rules on issues before her. In sum, Judge Childs' case management, courtesy to the parties, and careful adherence to the rule of law reflect the hallmarks of a great judge and one who genuinely cares about her role in the administration of justice and demonstrates a true commitment to deciding cases fairly and correctly, as she understands the potential impact her decisions have upon the lives and fortunes of real people.

I also wish for you to know that Judge Childs has wonderful judicial temperament, which is hugely important, as lawyers and citizens are certainly entitled to the common courtesies of respect and politeness. In showing great respect for the parties, the lawyers, and the witnesses, Judge Childs maintains commendable decorum in her courtroom, and she does so in a gentle, yet firm manner, which comes from the certain knowledge that her authority is not diminished by showing human kindness to others.

You will also want to know that Judge Childs and her family have lived in the Columbia community for many years. Her reputation for personal conduct, like her professional conduct, is impeccable and without reproach. Additionally, she is a warm, approachable person who manages her role as a district court judge and a member of our vibrant community in a most responsible and respectful manner. In short, her personal conduct brings great credit to herself and reflects favorably upon her as a trial judge.

Based upon the information shared above and my knowledge of her work as well as her integrity, competence, diligence, adherence to the rule of law, sense of fairness, and judicial courtesy, I recommend Judge Childs without reservation for a position on the United States Court of Appeals for the District of Columbia Circuit.

The Honorable Richard J. Durbin  
The Honorable Charles E. Grassley  
January 21, 2022  
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If there are any questions, please do not hesitate to contact me. Thank you and with warmest regards, I am

Sincerely,

**WILLOUGHBY & HOEFER, P.A.**

  
Mitchell Willoughby