



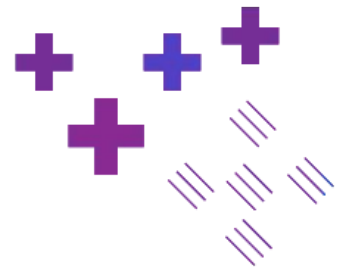
The Leadership Conference
on Civil and Human Rights



Persevere: Our Ongoing Fight for an Equal Justice Judiciary

Updated February 2025





“Persevere: Our Ongoing Fight for an Equal Justice Judiciary” is a project of The Leadership Conference on Civil and Human Rights. It was originally released in February 2023 and has been updated to include the entire Biden administration and the 117th and 118th Congresses.

The Leadership Conference on Civil and Human Rights is a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the civil and human rights of all persons in the United States. Through advocacy and outreach to targeted constituencies, The Leadership Conference works toward the goal of a more open and just society — an America as good as its ideals.

Together with our coalition members and the Fair Courts Task Force, co-chaired by People For the American Way and National Women’s Law Center, we educate the public about the impact of federal courts, evaluate the civil rights records of federal judicial nominees, talk to decision-makers, and mobilize public participation in support of a judiciary that recognizes and protects the rights of all people.

The principal author of the report was Patrick McNeil. Staff assistance on this report was provided by Samantha Cyrulnik-Dercher, Kylee Reynolds, and Corrine Yu. Overall supervision was provided by Lena Zwarensteyn.

“Persevere: Our Ongoing Fight for an Equal Justice Judiciary” documents the work during the Biden administration to build an equal justice judiciary by nominating and confirming diverse and highly qualified judges — including people with civil rights and public defender experience — to serve on the federal bench. The civil rights community has long understood that for there to be equal justice in America, we need ethical and fair-minded judges and justices who are committed to protecting the rights of all people and who come from all of our communities. This report details many of the judicial nominees — including Justice Ketanji Brown Jackson — who were confirmed during the 117th and 118th Congresses, explains why their confirmations matter, and calls on lawmakers to bolster our democracy by strengthening the judiciary so that it works for all of us.

The author and publisher are solely responsible for the accuracy of statements and interpretations contained in this publication.

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Executive Summary

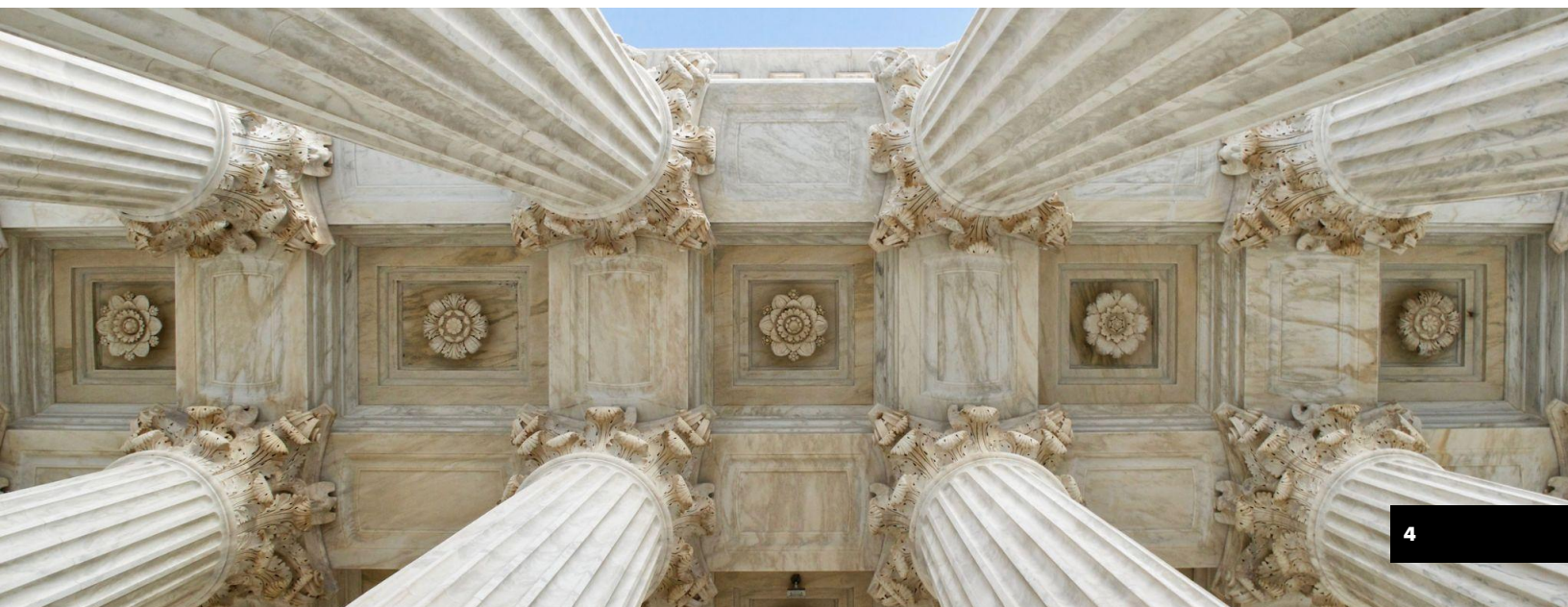
For our democracy to thrive, it must be multiracial, inclusive, and work for all of us. But today, our democracy — and our hard-won civil and human rights — are under attack. In order to bolster our democracy and the opportunity for all people to have their civil and human rights recognized, we must strengthen our federal judiciary so that it works for all of us. This includes insisting that the president nominate and the Senate confirm highly qualified judicial nominees who are professionally and demographically diverse and committed to civil and human rights.

This work of building a judiciary that lives up to the promise inscribed above the U.S. Supreme Court — “Equal Justice Under Law” — matters tremendously, and it persists no matter who is in the White House and Senate majority. The Leadership Conference and the civil rights community have been at the forefront of this work for decades because we know that each confirmation of a judicial nominee who is dedicated to equal justice makes a difference in the lives of people who appear in that judge’s courtroom and to all of us who are

impacted by their decisions. Having judges who reflect and represent all of us also increases public trust in the judiciary, improves judicial decision-making, and strengthens our democracy. This is the work of every generation.

After Trump (during his first term) and Senate Republican leadership stacked federal courts with many judges who were selected because of their anti-civil rights records, building an equal justice judiciary became even more urgent and important.

Thankfully, during the Biden administration, the Senate — with critical leadership from Senate Majority Leader Chuck Schumer and Senate Judiciary Committee Chair Dick Durbin — confirmed 235 lifetime federal judges, many of whom possess the professional and personal experience that strengthens our judiciary, yet has been historically excluded. This included one Supreme Court justice, 45 circuit court judges, 187 district court judges, and two Court of International Trade judges. And these confirmations were historic.



Professional diversity: More than 40 percent of lifetime confirmations (100) were individuals who were public defenders or civil rights lawyers (or both) or who otherwise dedicated a significant portion of their careers to protecting people's civil and human rights.

Women: President Biden appointed 150 women to serve as lifetime judges, or nearly two-thirds of all lifetime confirmations.

Women of color: President Biden appointed 89 women of color to serve as lifetime judges, including Native American and Native Hawaiian women.

People of color: President Biden appointed 139 people of color to serve as lifetime judges, including Native American and Native Hawaiian judges.

Black judges: President Biden appointed 63 Black lifetime judges, including 40 Black women.

Native American judges: President Biden appointed four Native American lifetime judges, including the first Native American lifetime judges in Maryland, Washington state, and California, and the first Native American woman to serve as a lifetime judge in Oklahoma.

Latino/a judges: President Biden appointed 39 Latino/a lifetime judges, including 24 Latina judges.

Asian American, Native Hawaiian, and Pacific Islander (AANHPI) judges: President Biden appointed 41 AANHPI lifetime judges, including 27 AANHPI women.

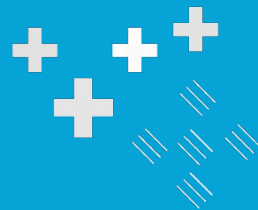
Openly LGBTQ judges: President Biden appointed 12 openly LGBTQ lifetime judges.

In each of these categories, President Biden set a new record for a presidency of any length, surpassing many records set by President Obama over the course of his two terms.

This report also details President Biden's nomination and the Senate's confirmation of Justice Ketanji Brown Jackson, the first Black woman and first former public defender to serve on the U.S. Supreme Court. This historic confirmation embodies not only the kind of important experience needed at all levels of our judiciary, but also the difficult confirmation process the nation witnessed and has come to expect from a deeply divided Senate.

For us to continue to fortify our democracy, and our federal judiciary in particular, this report implores all current and future presidents and senators to continue the progress made during the Biden administration. This means selecting, nominating, and confirming highly qualified and fair-minded individuals, in addition to judges who will come to the bench with diverse lived experiences and who have a meaningful background in civil rights law — including experience protecting voting rights, disability rights, LGBTQ rights, workers' rights, women's rights, and other areas of civil rights law that remain underrepresented on the federal bench today. This also means addressing the ongoing and escalating ethics crisis at the U.S. Supreme Court and advancing long overdue reforms without which our multiracial democracy cannot thrive.





I. Introduction

We deserve a democracy that is inclusive, multiracial, and works for all of us. But today, civil and human rights — and our very democracy — are under attack by ideological groups and politicians who are stoking baseless fears about the growing diversity of the United States in order to roll back the hard-won progress we have made. It has not come without consequence: From unfounded claims of voter fraud propelling regressive laws that make it more difficult to vote — especially for voters of color, older voters, Native voters, young voters, and voters with disabilities — to the outright attack on diversity, equity, and inclusion and on truthful teaching and books that confront our nation’s complex history, we now face an onslaught of repressive, anti-democratic laws and a rise in hate-filled threats, harassment, and violence.

The civil and human rights community is undeterred and understands that our democratic rights and values are not destiny. They require an ongoing fight to create a country where equal justice for all is a reality and not just a promise. Our courts are crucial to this fight. In any democracy, there are different viewpoints and ideologies — but the central role of our federal courts, and all of our courts, is to ensure that our fundamental civil and human rights are protected and that we can thrive in a multiracial and inclusive democracy that works for everyone.

The fights for our rights that we are waging today are not new. Indeed, the progress we have made to recognize and honor our civil and human rights — as well as to make our institutions, including our judiciary, serve everyone — has been hard fought. For generations, people across our nation have worked tirelessly to push our laws and institutions to reflect, represent, include, and serve everyone in the United States. After the Civil War, the adoption of the 13th, 14th, and 15th Amendments promised civil and human

rights advancement for people who had been enslaved. Still, white supremacists continued or reconstituted laws, customs, and social acceptance of practices that denied Black people the protection of these rights.¹ Our nation’s highest court was complicit in issuing devastating rulings — including white supremacist decisions that maintained racial apartheid systems, most notably in *Plessy v. Ferguson* and *Korematsu v. United States*.²

Nevertheless, the civil rights movement worked tirelessly to achieve watershed victories in the courts and in Congress. The Supreme Court, for example, sought to end racial segregation in education in *Brown v. Board of Education* (1954)³ and upheld marriage equality for interracial couples in *Loving v. Virginia* (1967).⁴ Many lower federal courts met their tremendous responsibility to protect civil rights as well. During the height of the civil rights movement, the U.S. District Court for the Middle District of Alabama allowed the historic Selma to Montgomery voting rights march to proceed,⁵ declared Montgomery’s segregated buses unconstitutional,⁶ and struck down Alabama’s poll tax.⁷ And in Congress, the civil rights movement achieved landmark civil rights victories such as passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

“For generations, people across our nation have worked tirelessly to push our laws and institutions to reflect, represent, include, and serve everyone in the United States.”

As more people — including immigrants, women, LGBTQ people, and people with disabilities — saw more of their rights finally recognized, the extreme far-right launched their decades-long plan⁸ to deliberately⁹ roll back hard-fought rights¹⁰ and prevent future progress. For years, people, organizations, and corporations with ultra-conservative agendas hostile to the civil and human rights movement — such as the Federalist Society and Heritage Foundation — built inroads to those in government, including powerful Republicans like Senator Mitch McConnell.¹¹ When then-candidate Donald Trump was campaigning during the 2016 presidential election and needed to shore up his conservative bona fides, he relied on the Federalist Society and the Heritage Foundation — including then-vice president of the Federalist Society Leonard Leo — to assemble a list of potential Supreme Court nominees. He declared that anyone on this list would end the fundamental right to abortion by overturning *Roe v. Wade* and eviscerate our access to health insurance by undermining the Affordable Care Act.¹² His unprecedented move to create a shortlist of individuals who would meet his litmus tests was precipitated by then-Majority Leader McConnell's appalling refusal to allow any Senate consideration of President Obama's nominee, Merrick Garland, who was nominated to fill the late Justice Antonin Scalia's seat on the Supreme Court.¹³

Once elected and throughout his first term as president, Trump used his shortlist to select three Supreme Court justices. His transformation of the judiciary did not stop there: By the end of his term, Trump filled the judiciary with 234 lifetime federal judges, representing 25 percent of the federal bench. The justices and judges he appointed are overwhelmingly white, overwhelmingly male, and overwhelmingly hostile to our most basic civil and human rights.

Today, we have seen many concerning examples of judges and justices appointed by Trump who are ignoring or undermining longstanding precedent protecting our civil rights. For example, in 2022, Trump's three Supreme Court appointees helped form the majority opinion in *Dobbs v. Jackson Women's Health Organization*¹⁴ — revoking the fundamental right to abortion and reversing nearly 50 years of precedent. The unconscionable decision immediately allowed states to criminalize millions of people and disproportionately jeopardizes the health, safety, and freedom of women, pregnant people, people of color, and people living with less wealth.¹⁵

Dobbs is perhaps the most high-profile and alarming example of how jurists nominated by Trump are rolling back our rights and damaging our democracy, but it didn't stop there. The Court has also rolled back affirmative action in higher education,¹⁶ undermined the right to vote,¹⁷ allowed for the criminalization of homelessness,¹⁸ overturned the *Chevron* Doctrine to hinder federal agency enforcement of civil rights laws and protections,¹⁹ gave presidents broad immunity from criminal prosecution,²⁰ and more. And judges at the district and circuit court levels²¹ are also endangering our civil and human rights. Judge Matthew Kacsmaryk, whose 2019 confirmation was vigorously opposed by the civil and human rights community,²² has issued numerous harmful decisions, including one that sided with the extremist argument advanced by some in the Texas attorney general's office who challenged anti-discrimination guidelines to protect the rights of transgender people in the workplace.²³ In another instance, six judges on the Eleventh Circuit, five of whom were appointed by Trump, circumvented the will of Florida voters who, in 2018, overwhelmingly voted to restore the voting rights of

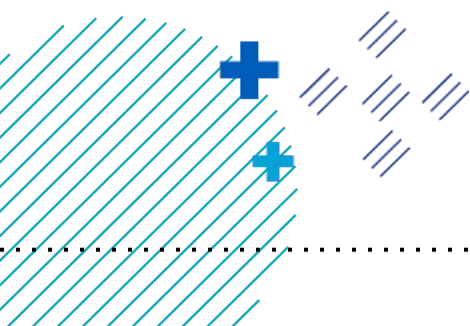
approximately 1.5 million people²⁴ with past felony convictions.²⁵ Some judges have gone well beyond the scope of court decisions to telegraph their divisive ideology. Judge James Ho of the Fifth Circuit — an appellate court known to be at the forefront of diverging from long-standing precedent with the addition of six Trump-appointed judges — invoked harmful rhetoric about the ways in which people express disagreement and call for accountability.²⁶ At a Federalist Society event, Judge Ho urged judges to join him in boycotting Yale Law School for promoting so-called “cancel culture” by refusing to hire Yale Law students and graduates as clerks.²⁷

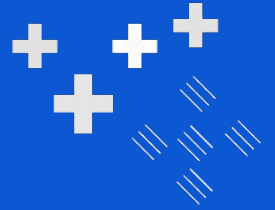
This much is clear: Our democracy and our civil and human rights — including the freedom to vote, access to health care, LGBTQ equality, the rights of working people, immigrants’ rights, disability rights, environmental justice, and more — are on the line in far too many courthouses around the country where judges who were selected for the purpose of rolling back our civil and human rights are serving for life.

In sharp contrast, the Biden administration, then-Senate Majority Leader Chuck Schumer, and then-Senate Judiciary Committee Chair Dick Durbin heeded the calls of the civil rights community and prioritized the nomination and confirmation of diverse and highly qualified judicial nominees who are committed to civil and human rights. During the 117th and 118th Congresses, the Senate confirmed 235 of President Biden’s lifetime judicial nominees — including historic numbers of women, people of color, openly LGBTQ people, civil rights

lawyers, and public defenders. This matters tremendously, because each confirmation of a judicial nominee who is dedicated to equal justice makes a difference in the lives of people who appear in that judge’s courtroom and to all of us who are impacted by their decisions. A fair and independent judiciary strengthens our democracy. And after four years of the first Trump administration stacking our courts with lifetime judges who oppose our rights — and with another Trump administration now underway — the Biden administration’s work to build an equal justice judiciary was incredibly important.

This report documents progress made during the 117th and 118th Congresses to ensure our federal judiciary is staffed by more highly qualified judges who are professionally and demographically diverse and committed to respecting the rights of all. This includes the historic confirmation of Justice Ketanji Brown Jackson, the first Black woman and first former public defender to serve on the U.S. Supreme Court, which was accomplished with strong support from the civil and human rights community. Finally, this report urges continued prioritization of the selection, nomination, and confirmation of diverse nominees who have a demonstrated commitment to civil and human rights, as well as congressional action to modernize and strengthen our judiciary to promote independence and fairness. This includes the creation of binding and enforceable ethical standards for Supreme Court justices, further transparency measures for all federal judges and justices, and additional reforms that provide access to justice for more people across the nation.





II. Progress on Professional and Demographic Diversity

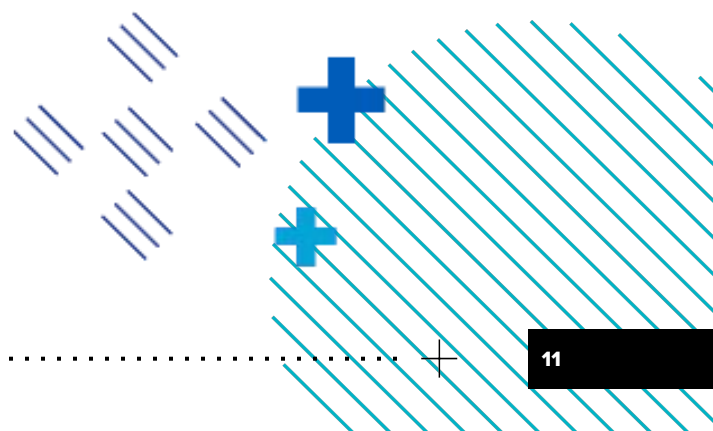
To build a federal judiciary that delivers equal justice, the nation needs judges who will protect the rights of all people, no matter their race or background. This requires federal judges with different perspectives on the law, including judges who have worked as civil rights attorneys, public defenders, and public interest lawyers. Our diverse nation also needs judges who reflect and represent all of us. Demographic and professional diversity on our courts has been shown to increase public trust in the judiciary and improve judicial decision-making.²⁸

More diverse courts include the perspectives of communities who have been traditionally excluded from seats of power in the judiciary's formal and informal decision-making, and judges from different demographic and legal backgrounds infuse more viewpoints into judges' deliberations. Importantly, diverse courts help communities trust that judicial decisions are fair and do not favor a select few like the wealthy and powerful. Yet for far too long, with rare exception, those selecting and confirming federal judges have historically excluded demographically and professionally diverse individuals from consideration or failed to prioritize this important work.²⁹

The Leadership Conference on Civil and Human Rights and our Fair Courts Task Force have long advocated³⁰ for the White House and the Senate to prioritize this diversity, setting the expectation that all judicial nominees possess a demonstrated commitment to civil and human rights.³¹ At the start of the Biden administration, the White House Counsel echoed this call, requesting that senators recommend to the president diverse nominees with experience as public defenders and civil rights lawyers.³² Throughout the 117th and 118th Congresses, Senate Judiciary Committee Chair Durbin and Senate Majority Leader Schumer also

“The work to fulfill the promise of equal justice is the work of every generation, and we are demanding that we get closer to the day when our courts truly deliver justice for all.”

prioritized the consideration of judicial nominees in committee and the confirmation of nominees on the Senate floor. Under their leadership, the full Senate confirmed 235 lifetime judicial nominees. The work to fulfill the promise of equal justice is the work of every generation — and despite challenges that lie ahead, we are demanding that we get closer to the day when our courts truly deliver justice for all.



President Biden's first slate of nominees

On March 30, 2021, President Biden announced³³ his first slate of judicial nominees. Among his selections were three circuit court nominees — all of whom were Black women. Two of the three were former public defenders, including now-Supreme Court Associate Justice Ketanji Brown Jackson, nominated at the time to serve on the U.S. Court of Appeals for the D.C. Circuit, and Candace Jackson-Akiwumi, nominated to the U.S. Court of Appeals for the Seventh Circuit.

This first slate included seven district court nominees, including Margaret Strickland, a civil rights lawyer nominated to the U.S. District Court for the District of New Mexico, and Judge Deborah Boardman, a former public defender nominated to the U.S. District Court for the District of Maryland. It also included nominees who would become the first woman of color to serve as a lifetime federal judge in Maryland (Judge Lydia Kay Griggsby), the first AAPI woman to serve on the U.S. District Court for the District of Columbia (Judge Florence Pan), the first AAPI judge to serve on the U.S. District Court for the District of Colorado (Regina Rodriguez), and the first Muslim lifetime federal judge in U.S. history (Judge Zahid Quraishi). The professional and demographic diversity of Biden's first slate of judicial nominees was impressive — and it became the hallmark of his judicial selections during his entire administration.

When the Senate Judiciary Committee considered several of those nominations on April 28, 2021, Seventh Circuit nominee Candace Jackson-Akiwumi explained the importance of demographic diversity. “I do believe that demographic diversity of all types, even beyond race, plays an important role in increasing public confidence in our courts and

increases the public's ability to accept the legitimacy of court decisions...I also think that demographic diversity of all types helps us achieve a role-modeling result for young students, law students, young lawyers — it's important for anyone aspiring to public service to know that that path is open to all.”³⁴ Jackson-Akiwumi would go on to become the second judge of color to ever serve on the Seventh Circuit — re-integrating the court after it was made all-white during Trump's first term.

Civil rights lawyers confirmed to federal courts

In June 2021, President Biden nominated³⁵ voting rights expert Myrna Pérez³⁶ to serve on the U.S. Court of Appeals for the Second Circuit. For 15 years, Pérez worked to defend the freedom to vote and safeguard our democracy at the Brennan Center for Justice at New York University School of Law.

Pérez's background in voting rights and election law was especially notable, as civil rights lawyers continue to be broadly underrepresented on the federal bench. At the Brennan Center, she served as counsel in more than 50 cases in state and federal courts, including the U.S. Supreme Court and numerous federal circuit courts of appeals. As a legal academic and advocate, Pérez studied and understood the importance of ensuring free and fair elections for all and protecting the freedom to vote. Pérez, a daughter of Mexican immigrants, would become the only Latina serving on the Second Circuit and the first Latina to serve on this court since the elevation of Justice Sonia Sotomayor to the U.S. Supreme Court in 2009.

When the Senate confirmed Pérez in October 2021, she became the first civil rights lawyer to be confirmed to a federal appellate court during the Biden administration. And this came at an important moment for representation in our judiciary: On October 26, the Senate confirmed Jia Cobb³⁷ to the D.C. district court, making her the third civil rights lawyer and third woman of color in a row — along with Pérez and Tana Lin³⁸ — to be confirmed to the federal bench. Lin, who also previously served as a public defender, became the first Asian American judge on the U.S. District Court for the Western District of Washington — and the first Asian American lifetime district court judge in the entire state.

One week after Pérez's confirmation, the Senate confirmed celebrated civil rights lawyer and then-Vermont Supreme Court justice Beth Robinson³⁹ to join Pérez on the Second Circuit. Due to Robinson's tireless advocacy, the state of Vermont was a trailblazer for numerous LGBTQ rights, including becoming one of the earliest states to recognize marriage equality. Importantly, she became the first openly lesbian judge to ever serve on a federal appellate court. The following month, the Senate confirmed Jennifer Sung,⁴⁰ another civil rights lawyer, to the U.S. Court of Appeals for the Ninth Circuit. Sung's career had been steeped in defending and protecting the rights of working people. Upon confirmation, she became the first Asian American judge from Oregon to ever serve on the Ninth Circuit. Then, one month after Sung's confirmation, the Senate voted to confirm Judge Holly Thomas⁴¹ to the same court. Judge Thomas, whose civil rights experience includes serving as assistant counsel at the NAACP Legal Defense and Educational Fund, Inc., became the first Black woman from California to serve on the Ninth Circuit.

That these four women — a Latina voting rights lawyer, an openly lesbian LGBTQ rights lawyer, an Asian American labor lawyer, and a Black civil rights lawyer — were all confirmed to federal appellate courts, in a span of fewer than 90 days, matters tremendously for our judiciary, for our rights, and for our democracy.

In 2022, progress toward an equal justice judiciary continued as the Senate confirmed additional highly qualified civil rights lawyers to our federal district courts. For example, Sarah Geraghty,⁴² who also worked as a public defender challenging harmful and discriminatory practices in the criminal-legal system, is now a judge on the U.S. District Court for the Northern District of Georgia. Charlotte Sweeney,⁴³ who spent her career defending the rights of working people, is now serving on the District of Colorado as the state's first openly LGBTQ lifetime federal judge. Nina Morrison,⁴⁴ who dedicated her career to the exoneration of people wrongfully convicted of crimes, is now a judge on the U.S. District Court for the Eastern District of New York — the second openly LGBTQ person to serve on this court. And Nancy Maldonado,⁴⁵ another nominee with experience protecting and advancing the rights of working people, was confirmed to the U.S. District Court for the Northern District of Illinois. When the Senate confirmed Maldonado on July 19, 2022, she became the first Latina to ever serve as a lifetime judge in the state of Illinois.

In August 2022, just two days before the anniversary of the Voting Rights Act of 1965, the Senate confirmed Roopali Desai⁴⁶ to an Arizona seat on the Ninth Circuit. Desai had extensive experience in civil rights law — particularly in the field of election law — and became the court's first South Asian judge.



Continuing progress — including confirmation of additional public defenders

When the Senate returned in September 2022, Majority Leader Schumer held confirmation votes on seven more circuit court nominees — all of whom are women and/or people of color — in 22 days. They included Judge John Lee,⁴⁷ the first Asian American judge to serve on the Seventh Circuit; Judge Salvador Mendoza,⁴⁸ the first Latino from Washington state to serve on the Ninth Circuit; Lara Montecalvo,⁴⁹ the second public defender to serve on the U.S. Court of Appeals for the First Circuit; Sarah Merriam,⁵⁰ the third public defender to serve on the Second Circuit; and Arianna Freeman,⁵¹ the first woman of color and second public defender to serve on the U.S. Court of Appeals for the Third Circuit.

Freeman's confirmation brought long overdue representation to the federal appellate court that hears cases from Pennsylvania, New Jersey, Delaware, and the Virgin Islands. The nation's first Black federal appellate court judge, William H. Hastie, served on the Third Circuit. Five Black men — still far too underrepresented — have served on this court, but a Black woman never had. In 2016, President Obama nominated Rebecca Haywood — who would have broken this barrier — to a seat on this court. But Senator Pat Toomey blocked any consideration of her nomination until it expired and was returned to the White House. Trump, who during his first term nominated zero Black people to any federal appellate courts, appointed four judges to the Third Circuit — all white men. Arianna Freeman's confirmation to a Pennsylvania seat on this court, because of both the professional and lived experiences she now brings to the bench, is a significant, albeit long overdue, step forward.

Additional nominees from Pennsylvania were confirmed by the end of 2022. In December, the Senate confirmed Kelley Hodge, Judge Mia Perez, and Judge Kai Scott⁵² to the Eastern District of Pennsylvania. Hodge and Scott became the third and fourth Black women to serve on this court, and Perez became the first Asian American judge and second Latina judge in the court's history. Importantly, all three women, like Arianna Freeman, had vital experience as public defenders — experience that has been historically underrepresented on our federal courts.

At the conclusion of the 117th Congress, 29 public defenders had been confirmed to the federal bench — more than a quarter of the 97 total lifetime confirmations. Nine of them were confirmed to circuit court seats, far exceeding President Obama's record of five circuit court judges with public defender experience confirmed during his eight years in office.

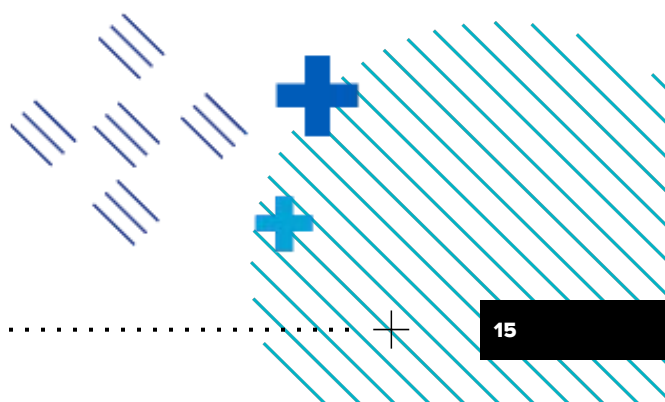
A remarkable milestone for Black women appellate court judges

Freeman wasn't the last circuit court judge confirmed during the 117th Congress. In December, the Senate voted to confirm Judge Doris Pryor to the Seventh Circuit, Justice Tamika Montgomery-Reeves to the Third Circuit, and Judge Dana Douglas to the U.S. Court of Appeals for the Fifth Circuit. The confirmations of these three highly qualified jurists, all of whom are Black women, were historic and added crucial representation to our courts.

Judge Pryor made history for the same reason as Freeman: In 2016, President Obama nominated Justice Myra Selby to the Seventh Circuit, but Republican senators blocked her confirmation. Selby would have been the first Black person and first woman from Indiana to serve on this court. When Trump took office the

following year, he nominated Amy Coney Barrett to the seat instead. Judge Pryor's ascension to the Seventh Circuit means that there is finally a Black judge from Indiana on this court.⁵³ Similarly, Justice Montgomery-Reeves is now the first Black judge from Delaware — and second woman of color after Freeman — to serve on the Third Circuit. And Judge Douglas is now the first woman of color — and second Black judge from Louisiana — to serve on the Fifth Circuit.

These confirmations marked another important milestone for representation in our judiciary. Pryor, Montgomery-Reeves, and Douglas were the ninth, tenth, and eleventh Black women confirmed to federal appellate courts since the beginning of the Biden administration. Before 2021, only eight Black women had ever served at this level of the federal judiciary — meaning President Biden appointed more Black women to federal appellate courts during the 117th Congress (11 total) than all previous presidents combined (eight). The first Black woman confirmed to the appellate courts during the Biden administration, of course, was Justice Ketanji Brown Jackson — who was confirmed to the D.C. Circuit before her elevation to our nation's highest court.



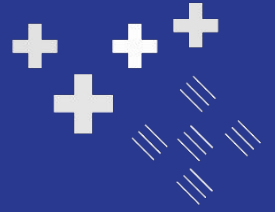
Movement towards an equal justice judiciary

By the end of the 117th Congress, there were 97 Article III judicial confirmations — including one Supreme Court justice, 28 circuit court judges, and 68 district court judges. Of these confirmations:

- **Three-fourths** were women
- **Nearly half** were women of color
- **More than two thirds** were people of color
- **Three-fourths** of circuit court judges were people of color
- **Nearly 60 percent** of circuit court judges were women of color
- **More than a quarter** had public defender experience
- **Nearly one-fifth** had experience as civil rights lawyers

And importantly, the Senate confirmed three Native American judges — Lydia Kay Griggsby, Lauren King, and Sunshine Sykes — to district courts in Maryland, Washington state, and California, respectively. Before the Biden administration, only four Native American judges had ever served in lifetime appointments on our federal courts.⁵⁴

Many of these confirmed judges bring with them critical and underrepresented experience, and their appointments to the bench immediately impacted the protection of civil and human rights. For example, Judge Candace Jackson-Akiwumi of the Seventh Circuit wrote a panel decision that provided a woman the opportunity to pursue claims against her employer who she alleged improperly denied her disability claims.⁵⁵ In another case, Northern District of Georgia Judge Sarah Geraghty allowed a Black student to pursue race and national origin discrimination claims against a university he alleged improperly dismissed him from the graduate program.⁵⁶ Fair-minded judges like these — ones who possess important experience and perspectives — strengthen judicial decisions and ensure our courts are more reflective of our country's great diversity.



III. The Supremely Historic Confirmation of Justice Ketanji Brown Jackson

It wasn't just appointments to district and circuit courts that improved the federal judiciary. President Biden's historic Supreme Court nomination represented the embodiment of our demands to strengthen the federal judiciary with incredible judges who possess a demonstrated commitment to civil and human rights and who bring with them previously excluded professional and personal diversity. Indeed, Justice Ketanji Brown Jackson's confirmation provides a spectacular example of not only how important this work is, but also of the often difficult confirmation process.

A nomination years in the making

Nine months before winning the presidency, Joe Biden heeded the calls of Black women and allies and pledged to voters during a presidential debate in South Carolina that he would nominate a Black woman to serve on the U.S. Supreme Court. Less than two years later, the opportunity would present itself. On January 26, 2022, Justice Stephen Breyer announced he would retire from the Supreme Court at the end of that term. Justice Breyer had served on the federal bench for more than four decades, initially serving as a judge on the First Circuit before replacing Justice Harry Blackmun — author of *Roe v. Wade*, the landmark decision recognizing the fundamental right to abortion — on the Supreme Court in 1994. Justice Breyer's legacy was celebrated by the civil rights community, and his retirement created a tremendous moment for President Biden to deliver on his promise.

On February 25, during Black History Month, President Biden announced the nomination of then-Judge Ketanji Brown Jackson — Justice Breyer's former Supreme Court clerk — who since 2021 had been serving as a judge on the D.C. Circuit. "Her opinions are always carefully

reasoned, tethered to precedent, and demonstrate respect for how the law impacts everyday people. It doesn't mean she puts her thumb on the scale of justice one way or the other, but she understands the broader impact of her decisions. Whether it's cases addressing the rights of workers or government service, she cares about making sure that our democracy works for the American people," President Biden said during remarks in the White House.⁵⁷ "And she strives to ensure that everyone understands why she made a decision, what the law is, and what it means to them. She strives to be fair, to get it right, to do justice."

When Justice Jackson spoke following the president's remarks, she shared what she referred to as an "interesting coincidence."

"As it happens," she said,⁵⁸ "I share a birthday with the first Black woman ever to be appointed as a federal judge: the Honorable Constance Baker Motley. We were born exactly 49 years to the day apart. Today, I proudly stand on Judge Motley's shoulders, sharing not only her birthday, but also her steadfast and courageous commitment to equal justice under law. Judge Motley's life and career has been a true inspiration to me as I have pursued this professional path."

It was more than an interesting coincidence — it was perfect symmetry. Judge Motley was a civil rights titan who wrote the original complaint in the landmark school desegregation case, *Brown v. Board of Education*. During her confirmation hearings in March 2022, Justice Jackson spoke about her parents attending racially segregated schools, but also noted that — when she grew up in Miami in a post-*Brown* world — she attended diverse, public institutions. "The fact that we had come that far was to me a testament to the hope and the promise of this country, the greatness of America, that in one generation

— one generation — we could go from racially segregated schools in Florida to have me sitting here as the first Floridian ever to be nominated to the Supreme Court.”⁵⁹ It wasn’t just a testament to the greatness of America. It was also a testament to the greatness of Judge Constance Baker Motley and the many other civil rights champions who helped pave the way.

The confirmation hearings get underway

Four days before the confirmation hearings began, The Leadership Conference and 186 additional organizations sent a letter to senators in support of Justice Jackson’s confirmation.⁶⁰ “Judge Jackson will be a tremendous addition to the Supreme Court,” the letter stated. “Her broad and impressive legal career has demonstrated her commitment to civil and human rights, and during her time as a judge, she has earned a stellar reputation for being an outstanding, fair-minded arbiter of justice.” Her nomination was a significant moment for the civil rights community and a long overdue historic milestone for our nation: Fifty-five years after Justice Thurgood Marshall’s confirmation as the first Black Supreme Court justice, Jackson would be the first Black woman on the Court. She would also be the first former public defender to serve on the Court, making her the first justice with any significant criminal defense experience since Justice Marshall’s retirement in 1991.

Justice Jackson’s confirmation hearings began on March 21 — the same date that, in 1965, thousands of courageous marchers left Selma, Alabama headed to the capital city of Montgomery in their quest for the freedom to vote. Justice Jackson’s four-day hearing, like the multi-day march from Selma decades earlier, represented yet another piece of this

“And like that march — which resulted in swift passage of the Voting Rights Act — the impact and outcome of those confirmation hearings will reverberate for decades to come.”

country’s long struggle for a more inclusive democracy, as the Senate Judiciary Committee considered the nomination of the first Black woman to serve on the highest court in our nation. And like that march — which resulted in swift passage of the Voting Rights Act — the impact and outcome of those confirmation hearings will reverberate for decades to come.

This moment matters

During the hearing, several senators spoke about what the moment meant for America. “Judge Jackson’s nomination breaks an artificially confining mold of our past and opens up a more promising, potential-filled future for us all as Americans,” said Senator Cory Booker, the first Black man to serve on the Senate Judiciary Committee, during his opening statement.⁶¹ “It signals that this nation will draw more deeply from all of our talent and genius that will benefit all Americans.”

Senator Amy Klobuchar, the first woman elected to the Senate from Minnesota, remarked that Justice Jackson was “opening a door that’s long been shut to so many. And by virtue of your strong presence, your skills, your experience — you are showing so many little girls and little boys across the country that anything, and everything, is possible.”⁶²

Justice Jackson knew that was true. When answering a question from the late Senator Dianne Feinstein, who was the first woman to ever serve on the Senate Judiciary Committee and the first woman to serve as its ranking member, Justice Jackson noted the importance of representation on the Supreme Court. “One of the things that having diverse members of the Court does is it provides for the opportunity for role models. Since I was nominated to this position, I have received so many notes and letters and photos from little girls around the country who tell me that they are so excited for this opportunity and that they thought about the law in new ways because I am a woman, because I am a Black woman,” Jackson said.⁶³ “We want, I think, as a country for everyone to believe that they can do things like sit on the Supreme Court. And so having meaningful numbers of women and people of color, I think, matters.”

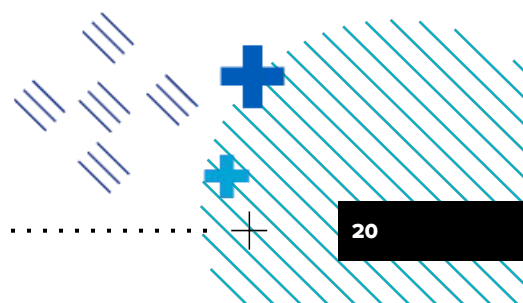
During the first three days of her confirmation hearing, the nation witnessed what the civil rights community already knew: that Ketanji Brown Jackson would be a justice for all of us. We knew that we would all be well-served by her brilliance, by her thoughtful and thorough approach to the law, and by her stellar judicial temperament. Her passion for public service and commitment to equal justice was on full display. She was clearly the right person for the job, and the hearing had proven that to our country.

The civil rights community testifies

On the fourth and final day of the confirmation hearing,⁶⁴ when the committee heard from a panel of outside witnesses, Leadership Conference Interim President and CEO Wade Henderson testified on behalf of the civil rights community. Nearly 13 years earlier, Henderson had testified⁶⁵ before the committee in support of now-Justice Sonia Sotomayor’s historic confirmation as the first Latina — and first woman of color — to serve on our nation’s highest court. He was there, yet again, to ensure the civil rights community’s voice was heard.

“The constitutional responsibility to provide ‘advice and consent’ on those who might be federal judges, including Supreme Court justices, is one of the most solemn duties of senators. This moment demands that you take this duty seriously,” Henderson said in his testimony.⁶⁶ “We believe that after reviewing her exceptional qualifications, hearing her testimony, and examining her stellar record of protecting the constitutional rights of all people, the decision should be clear: Judge Ketanji Brown Jackson is exactly the kind of nominee who all senators should support and vote to confirm to our nation’s highest court.”

Civil and human rights organizations agreed: Justice Jackson’s elevation to the Supreme Court was well-deserved and would matter tremendously. Her broad and impressive legal career demonstrated her commitment to civil and human rights, and during her time as a judge, she earned a superb reputation for being an outstanding, fair-minded arbiter of justice.





In responses to questions from Senators Durbin and Padilla, Henderson also called out questioning from some Republican committee members. When the confirmation hearing began, the civil rights community made clear that we expected a fair confirmation process.⁶⁷ Unfortunately, despite Justice Jackson's exceptional qualifications and the historic significance of this nomination, she faced meritless attacks and unfair treatment by some Republican committee members during the hearing.⁶⁸ Henderson said the questioning by some "bordered on the demagogic." As he stated: "My hope is that the partisan considerations that may have affected some in the questioning of Judge Jackson will be set aside, and that members of this committee, out of their love for the country and its people and the future of the Court, will do what's right."

This was echoed later in an April 1 letter sent by The Leadership Conference and 55 other organizations, who wrote to senators calling out the insidious behavior and demagoguery on display by some Republican members.⁶⁹

"We are celebrating this historic moment and Judge Jackson's unique qualifications. But as we celebrate, we must reiterate that it is unacceptable that some senators have embraced political pandering to extremists, which undermines our fragile democracy," the letter stated. "Judge Jackson should not have to endure this differential treatment by senators who are willing to tear down a highly respected public servant in order to secure media attention for their own antics. This cannot be the way that the Senate Judiciary Committee considers nominees to sit on our federal courts for a lifetime. It will poison both the Senate and our federal judiciary if some senators on the committee continue this dangerous trajectory."

A historic confirmation

On the morning of April 4, the Senate Judiciary Committee voted on Justice Jackson's nomination. Fittingly, Justice Jackson's committee vote occurred on poet and civil rights activist Maya Angelou's birthday. As Angelou wrote in one of her best-known poems: "You may shoot me with your words / You may cut me with your eyes / You may kill me with your hatefulness / But still, like air, I'll rise."⁷⁰ As hard as some senators tried to tear her down, Justice Jackson soared.

The committee vote was tied along party lines, thereby requiring an additional discharge vote to bring her nomination to the Senate floor. Later that day, Leader Schumer moved to discharge her nomination from the committee, and the motion passed with bipartisan support by a vote of 53-47. On April 7, after additional procedural votes, the Senate confirmed Ketanji Brown Jackson to be an associate justice of the U.S. Supreme Court — officially making her the first Black woman and first former public defender ever to serve on our nation's highest court. All Senate Democrats — plus Republican Senators Collins, Murkowski, and Romney — voted to confirm her.⁷¹

The following day, on the South Lawn of the White House, President Biden, Vice President Harris, and Justice Jackson celebrated the confirmation and reflected on the importance of the moment. "It has taken 232 years and 115 prior appointments for a Black woman to be selected to serve on the Supreme Court of the United States. But we've made it. We've made it, all of us," Jackson said.⁷²

"As hard as some senators tried to tear her down, Justice Jackson soared."

Jackson also paid tribute to the civil rights champions who came before her. "I am also ever buoyed by the leadership of generations past who helped to light the way: Dr. Martin Luther King Jr., Justice Thurgood Marshall, and my personal heroine, Judge Constance Baker Motley," she said. "They, and so many others, did the heavy lifting that made this day possible. And for all of the talk of this historic nomination and now confirmation, I think of them as the true pathbreakers. I am just the very lucky first inheritor of the dream of liberty and justice for all."

After launching cable TV, radio, and online ads, after press calls and letters to senators, after rallies and testimony before the Senate Judiciary Committee, and after coordinating our vast coalition of civil and human rights organizations in urging the Senate to confirm a #JusticeForAll, The Leadership Conference celebrated what our coalition had worked for decades to achieve. And it didn't take long for Justice Jackson to show why her confirmation mattered.

A new Supreme Court term begins

On June 30, 2022 in advance of her first term on the Supreme Court beginning on October 3, Justice Jackson was sworn in for her lifetime appointment.

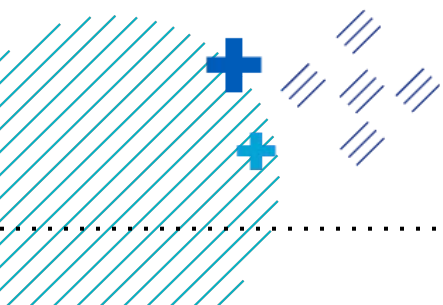
Justice Jackson's questioning during oral arguments in important cases that were heard by the Court during that term on crucial civil rights issues such as voting rights, LGBTQ rights, and affirmative action illustrated the importance of her confirmation and her participation on our highest court. She demonstrated — and continues to demonstrate — a deep and nuanced understanding not just of the law, but of the rights of all people in America.

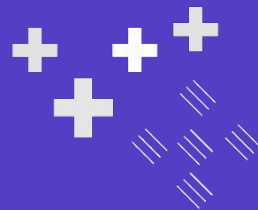
For example, on the second day of the Court's term, the justices heard oral argument in *Merrill v. Milligan* — an important Alabama voting rights case that represented yet another frontal attack on the Voting Rights Act of 1965 (VRA). The state of Alabama made the shocking argument before the Supreme Court that redistricting should be race-neutral and that to the extent Section 2 of the VRA requires otherwise, it should be held unconstitutional. This provoked a powerful history lesson from Justice Jackson, who reminded the nation that the express purpose of the VRA was to protect Black voters and that the framers adopted the foundational 14th Amendment in a race-conscious manner. As Justice Jackson said, "They were trying to ensure that people who had been discriminated against, the freedmen during the Reconstruction period, were actually brought equal to everyone else in the society."⁷³

Later in October, when the justices heard arguments in a pair of affirmative action cases, Justice Jackson's voice on the bench was again powerfully important. She offered a hypothetical about two university applicants — one whose family has been in North Carolina for generations, since before the Civil War, and one whose family had also been in North Carolina for generations, but had been enslaved. It was important to both applicants, given their families' backgrounds, to attend the university. "Now, as I understand your no-race-conscious admissions rule, these two applicants would have a dramatically different opportunity to tell their family stories and to have them count," Justice Jackson said to the lawyer arguing the case. "The first applicant would be able to have his family background considered and valued by the institution as part of its consideration of whether or not to admit him, while the second one wouldn't be able to because his story is in many ways bound up with his race and with the race of his ancestors."⁷⁴ As Justice Jackson pointed out, considering the first student's background and giving them a legacy benefit was permissible, while considering the second student's race was not.

As President Biden noted when he introduced his nominee to be the next associate justice on the Supreme Court, Justice Jackson is a brilliant jurist who understands history, the law, and how her decisions could impact communities. Her presence on the Court and her incisive questions have mattered — and they will continue to matter during every term moving forward.

And just like the trailblazing jurists before her, Justice Jackson's judicial legacy will inspire generations to come.





IV. Incredible Confirmations in 2023

The work to build an equal justice judiciary did not end at the conclusion of the 117th Congress. Indeed, as the 118th Congress began, President Biden and the Senate quickly delivered.

By mid-March, seven nominees supported by The Leadership Conference were confirmed to lifetime judgeships and added critically important legal experience to the judiciary. This included:

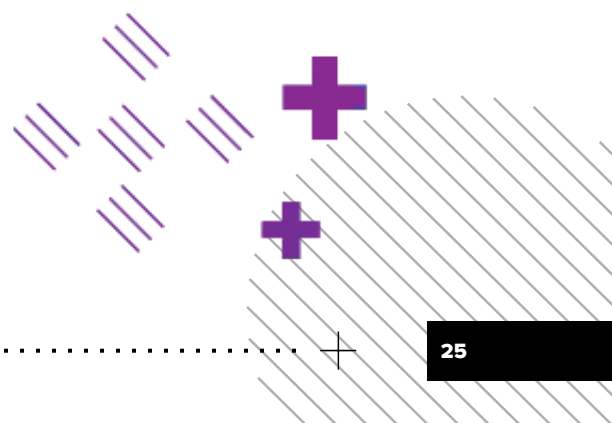
- **Cindy Chung**,⁷⁵ confirmed to the Third Circuit, who became the first Asian American judge on that court;
- **Adrienne Nelson**,⁷⁶ confirmed to the District of Oregon, who became the first woman of color and first Black woman to serve as a lifetime judge in Oregon;
- **Daniel Calabretta**,⁷⁷ confirmed to the Eastern District of California, who became the first openly LGBTQ person to serve as a lifetime judge on that court;
- **Jamal Whitehead**,⁷⁸ confirmed to the Western District of Washington, who became the only active Black lifetime judge serving on this court and the first judicial nominee during the Biden administration known to be living with a disability;
- **Araceli Martínez-Olguín**,⁷⁹ confirmed to the Northern District of California, who became the second Latina lifetime judge on that court;
- **Margaret Guzman**,⁸⁰ confirmed to the District of Massachusetts, who became the first Latina lifetime judge in Massachusetts; and
- **Jessica Clarke**,⁸¹ confirmed to the Southern District of New York, who became the sixth Black woman to serve as a lifetime judge on that court.

During her confirmation hearing, Clarke recalled her late grandmother's work. "She spent her career as a secretary working alongside American heroes like Justice Thurgood Marshall and Judge Constance Baker Motley. She always wanted one of her grandchildren to pursue law, and as her only granddaughter born on her birthday 60 years later, it was only fitting that it would be me."⁸² Like Justice Marshall and Judge Motley, Clarke worked as a civil rights lawyer and had important experience ensuring equal access to the ballot box, holding police officers accountable for use of excessive force on protestors, and fighting discriminatory housing practices. On March 16, Clarke was confirmed to the same court where Judge Motley became the first Black woman to serve as a lifetime federal judge.

Two months later, the Senate confirmed Brad Garcia⁸³ to the D.C. Circuit, becoming the court's first Latino judge. Garcia had spent much of his career defending civil and human rights, including protecting the rights of people involved in the criminal-legal system, defending the rights of immigrants, safeguarding the right to bodily autonomy, and upholding voting rights.

The confirmation of Nancy Abudu

Three days after Garcia's historic confirmation, another highly qualified appellate nominee — Nancy Abudu⁸⁴ — made history of her own.



Since 2019, Abudu had worked at the Southern Poverty Law Center (SPLC) — a member of The Leadership Conference coalition — where she served as the director of strategic litigation. She joined SPLC to help establish its Voting Rights Practice Group after spending years litigating on behalf of clients seeking equal access to the ballot box with the ACLU's Voting Rights Project and the ACLU of Florida. Her extensive legal experience included work on several cases to protect the right to vote for many marginalized communities — including formerly incarcerated people, low-income people, people of color, and people with disabilities. That experience matters tremendously, especially given the number of civil rights cases the Eleventh Circuit hears and the historic exclusion and underrepresentation of civil rights lawyers on the federal bench.

Abudu was originally nominated in December 2021 and received a hearing on April 27, 2022 — Coretta Scott King's 95th birthday. Coretta Scott King understood the power of federal courts, famously writing to the Senate Judiciary Committee to voice her opposition to Jeff Sessions' nomination to the federal bench in Alabama in 1986.⁸⁵ She declared that "The federal courts hold a unique position in our constitutional system, ensuring that minorities and other citizens without political power have a forum in which to vindicate their rights. Because of this unique role, it is essential that the people selected to be federal judges respect the basic tenets of our legal system: respect for individual rights and a commitment to equal justice for all." While Mrs. King rightfully warned us that Sessions did not meet this standard, it was meaningful that the committee considered Abudu's nomination on this day, as she was nominated to serve on the federal appellate court that oversees Alabama, Florida, and Georgia and the region's large Black population where Mrs. King fought for civil rights, marched for the right to vote, and dedicated her life to equal justice.



During her hearing, Abudu described why she chose to focus much of her career on protecting the voting rights that so many brave Americans sacrificed their lives to secure.

“The Supreme Court has held that the right to vote is preservative of all rights, and I have interpreted that to mean that the ability to vote, the ability to have your voice heard through the ballot box, is the entry point for making sure that individuals in our country are able to influence the policies that dictate their lives,” Abudu stated.⁸⁶ “That is why voting rights is so important, and that is why, senator, I have dedicated a good portion of my career so far to that area of the law.”

She further discussed her focus on civil rights law in response to a question from Senator Hirono. “The history of the civil rights movement has always been about making our country even better. And so to have an opportunity after I graduated law school to work with organizations that were dedicated to that mission has been a tremendous honor.” Transitioning to serving as a judge, Abudu said, would mean playing “that role in terms of really upholding the rule of law to making sure that the principle of equal justice under law actually means something and impacts people’s lives in a meaningful way.”

The Senate Judiciary Committee deadlocked on her nomination, which was ultimately returned to the White House at the end of the year. President Biden renominated Abudu in January 2023, and in February, the committee finally advanced her nomination. In May, on the anniversary of *Brown v. Board of Education*, the Senate closed debate on her nomination, and she was confirmed the following day.

Abudu became the first Black woman to ever serve on the Eleventh Circuit and the first Black person ever to serve in a Georgia seat on this court. The Eleventh Circuit is home to nearly 8 million Black people, yet Abudu became only the third Black judge in the court’s history. When Coretta Scott King wrote to the Senate opposing Sessions’ nomination, only one Black judge — civil rights lawyer Joseph Hatchett — had ever served on a federal appellate court in the Deep South. Abudu’s historic confirmation to the Eleventh Circuit, where Mrs. King was born and spent most of her life, was decades in the making — and it will matter for many more decades to come.

Civil rights lawyers ascend to the judiciary

The civil rights community celebrated Abudu’s confirmation and would have more reason to celebrate the following month after successfully pushing for the Senate to act on several nominees who dedicated their careers to advancing equal justice.

Over the course of eight days in June 2023, the Senate confirmed six more civil rights lawyers to the federal bench — including several who worked within The Leadership Conference coalition.

Judge Hernán Vera,⁸⁷ confirmed to the Central District of California, served for 12 years at Public Counsel, the largest pro bono law firm in the nation, where he created an impact litigation department for economic injustice. He also served as an attorney at the Mexican American Legal Defense and Educational Fund. Casey Pitts,⁸⁸ confirmed to the Northern District of California, dedicated his career to protecting and defending the rights of working people and successfully challenged unfair labor practices across the country. Pitts was

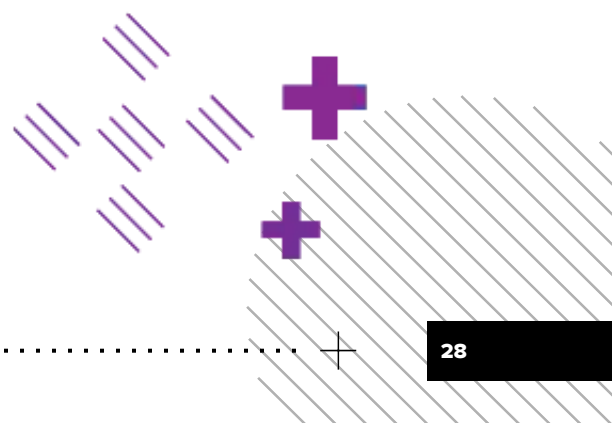
the first openly LGBTQ lifetime judge (at the time of confirmation) to serve on this court. Dale Ho,⁸⁹ confirmed to the Southern District of New York, served as director of the voting rights project at the ACLU. He successfully challenged the first Trump administration's efforts to add a citizenship question to the census and opposed its efforts to exclude unauthorized immigrants from calculations used to determine representation in Congress. He also became the first Filipino American man to serve on this court.

During his confirmation hearing,⁹⁰ Ho explained his motivation for pursuing a career in law. "I became a lawyer because I deeply, deeply believe in the principle of equal justice under the law — that everyone who walks into court, regardless of who they are, what their interests are, what their claims are, deserves a fair opportunity to be heard and ultimately equal treatment by the court and under the law. That's the principle that led me to have a career as a civil rights lawyer...I'm setting that aside and will take on a different role — one of impartial, neutral adjudicator of the law. But the throughline I think throughout my career has been a commitment to the equality of all people," he said.

Additionally, Nusrat Choudhury,⁹¹ confirmed to the Eastern District of New York, worked tirelessly challenging discriminatory policies that target communities of color throughout her impressive career at the ACLU. Choudhury is now the first Muslim woman and first Bangladeshi American ever to serve as a lifetime federal judge. Julie Rikelman,⁹² confirmed to a Massachusetts seat on the First Circuit, served as litigation director at the Center for Reproductive Rights, where she defended the right to bodily autonomy, including the right to access abortion. Rikelman is now the first immigrant woman and first Jewish woman to serve on the First Circuit, and

she commented during her hearing on her upbringing as an immigrant and how it led her to a career in law.⁹³ "Being an immigrant has given me firsthand experience with the fact that many people live around the world in places where they don't trust government institutions. And my parents came here to escape communism and antisemitism because of this country's commitment to the rule of law — and so nothing is more important to me than that. And I think it was because of those experiences as a child that I became interested in issues of justice, and I became an attorney — I wanted to be an attorney — because I believe so deeply in our justice system and the promise of equal justice for all."

The last of these six confirmations was of Natasha Merle,⁹⁴ confirmed to the Eastern District of New York, who served as the deputy director of litigation at the NAACP Legal Defense and Educational Fund, Inc., where she led critical civil rights lawsuits on the freedom to vote and discriminatory sentencing practices. Importantly, Merle also served as a federal public defender and, as a Black woman, added important lived experience to the bench. Merle was confirmed 59 years to the day after Freedom Summer workers were murdered for helping to register Black voters in Mississippi before passage of the Voting Rights Act. That a Black civil rights lawyer — one who has worked to protect voting rights — was confirmed to the federal bench on this day is significant.



Few federal judges in history have been appointed to the federal bench directly from the nation's civil and human rights organizations, and many of these confirmations in June 2023 helped to continue the Biden administration's efforts to ensure that changed.

The following month, before the Senate embarked on their August recess, three more civil rights lawyers would join the federal bench. Tiffany Cartwright⁹⁵ was confirmed to the Western District of Washington, Judge Myong Joun⁹⁶ was confirmed to the District of Massachusetts, and Rachel Bloomekatz⁹⁷ was confirmed to an Ohio seat on the Sixth Circuit. Cartwright became the sixth civil rights lawyer — and seventh judge overall — appointed by President Biden to the Western District of Washington, where all active judges are currently Biden appointees. Joun became the first AANHPI man to serve as a lifetime judge in the state of Massachusetts and the first AANHPI man to serve as a lifetime judge on any court located in the First Circuit. And Bloomekatz, who has worked on issues such as voting rights, criminal-legal matters, consumer protections, and more, added critical civil rights experience to the appellate bench.

Additional confirmations, historic nominations

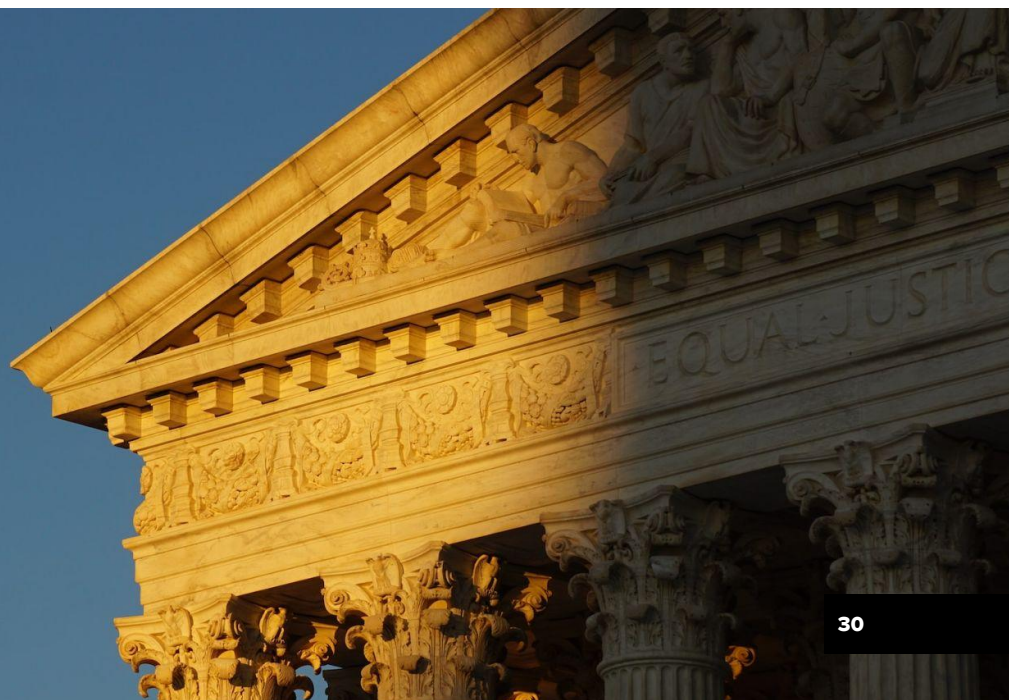
In the months following the Senate's summer recess, several more judges supported by The Leadership Conference would be confirmed.

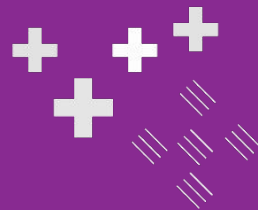
This included:

- **Jeffrey Cummings**,⁹⁸ confirmed to the Northern District of Illinois, became the seventh Black man to serve as a lifetime judge on this court;
- **Rita Lin**,⁹⁹ confirmed to the Northern District of California, became the first Chinese American woman and second AANHPI woman to serve as a lifetime judge on this court;
- **Susan DeClercq**,¹⁰⁰ confirmed to the Eastern District of Michigan, became the first lifetime judge of East Asian descent, and the second AANHPI lifetime judge, in the state of Michigan;
- **Mónica Ramírez Almadani**,¹⁰¹ confirmed to the Central District of California, became the third Latina judge to serve as a lifetime judge on this court;
- **Ana de Alba**,¹⁰² confirmed to a California seat on the Ninth Circuit, became the fourth Latina judge to serve on the this court after becoming the first Latina lifetime judge on the Eastern District of California earlier in the Biden administration;
- **Margaret Garnett**,¹⁰³ confirmed to the Southern District of New York; and
- **Shanlyn Park**,¹⁰⁴ confirmed to the District of Hawaii, became the first Native Hawaiian woman to ever serve as a lifetime federal judge.

In December, the Senate confirmed Sara Hill¹⁰⁵ to the Western District of Oklahoma, adding greatly needed experience in Indian law to the federal bench. Hill's entire career had been spent in service of the Cherokee Nation, including serving as its attorney general. She oversaw all litigation to which the Cherokee Nation was a party, which included several important Indian law cases that went to the U.S. Supreme Court. In addition to bringing this legal background to the judiciary, Hill also made history as the first Native American woman to serve as a lifetime judge in Oklahoma, becoming the fourth Native American judge confirmed during the Biden administration. Over the course of his term, President Biden would double the number of Native American lifetime judges in the nation's history — from four to eight — in addition to Shanlyn Park's historic confirmation as the first Native Hawaiian woman lifetime judge.

As the civil rights community pushed for and celebrated this incredible progress, it also braced for the final year of President Biden's term, the looming 2024 election, and the judicial confirmation fights ahead. One of the toughest — and ultimately one of the most shameful — confirmation processes in Senate history was about to begin.





V. The Berner and Mangi Nominations

Before the end of the year, President Biden announced more historic nominees: Labor lawyer Nicole Berner¹⁰⁶ to a Maryland seat on the Fourth Circuit and Adeel Mangi¹⁰⁷ to a New Jersey seat on the Third Circuit. Berner was set to become the first openly LGBTQ judge on this court and just the third openly LGBTQ woman to serve on any federal appellate court following President Biden's appointment of Judges Beth Robinson and Alison Nathan to the Second Circuit. Mangi was set to become the first Muslim federal appellate judge in the nation's history.

When the Senate Judiciary Committee considered their nominations — together on the same panel — during a hearing in December,¹⁰⁸ their qualifications and personal stories provided powerful testimony of the promise of this country. Yet, many senators viciously used this hearing to attempt to divide our communities and spread lies and dangerous bigoted attacks.

Days following the death of Justice Sandra Day O'Connor, Berner recalled the former justice and remarked that "When Sandra Day O'Connor was appointed, I saw that and I thought: As a woman I can do anything." Berner would go on to spend much of her career defending and protecting the civil and human rights of all people, including as a staff attorney for Planned Parenthood Federation of America, where she worked to protect the rights of those seeking access to safe reproductive health care. She also worked for many years at the Service Employees International Union (SEIU), where until her appointment to the bench she served as general counsel. "I have during the course of my career zealously advocated on behalf of millions of working men and women, and I've been proud of that work," she said during the hearing.

Mangi, who was born in Pakistan, described why the American legal system and its promise of equal justice were so meaningful to him. "A big part of my experience growing up was seeing that in that country, if your rights are violated, there is often no recourse. There is no remedy, and the legal system will not come to your aid. Indeed, the legal system will often be the one that's oppressing you in the first place, particularly if you're a woman or a minority. And that experience impressed upon me so deeply the value of being in a country and in a place where, if your rights have been trampled upon...you can go to the courts and you can get recourse. And for me, that is what the conception of justice is all about."

Despicable and unfounded attacks

Unquestionably, Adeel Mangi was highly qualified to serve on the appellate bench. Throughout his time in private practice, he maintained a significant pro bono practice spanning many issue areas. For example, after a zoning board ultimately refused to approve a local Muslim group's application to build a mosque — despite the majority of commissioners voting to approve the application — Mangi successfully brought suit and secured a large monetary settlement and permission for the mosque to be built.¹⁰⁹ In another case, he represented the family of Karl Taylor, an incarcerated man who was killed by corrections officers.¹¹⁰ After a lengthy trial, Mangi ultimately settled the case out of court, and Mr. Taylor's family received the largest settlement in New York state's history for the death of an incarcerated person.¹¹¹ In addition to his extensive litigation load, Mangi wrote many amicus briefs on behalf of religious communities on various civil rights matters. Some of those issues included unlawful surveillance of religious communities,¹¹²

protecting LGBTQ workers from sex discrimination,¹¹³ the repeal of the Deferred Action for Childhood Arrivals (DACA) program,¹¹⁴ government funding for border wall construction,¹¹⁵ and the Muslim ban on travel from certain countries.¹¹⁶ This experience and sincere dedication to civil rights is greatly needed on the appellate bench and made Mangi well qualified for this position.

Unfortunately, despite Mangi's qualifications, he faced manufactured and baseless attacks — during and following the hearing — that should never be endured by any nominee. The anti-Muslim tropes and unfounded assertions against him are the kinds of stereotyping that have long driven Islamophobia and that send a dangerous message to communities across the nation and potential future lawyers and judges that their path to the bench and desire to serve the country will be obstructed by unfounded accusations based solely on their identity. Despite Muslim communities around the country reporting a rise in anti-Muslim hate and bias, anti-Muslim bigotry was receiving reinforcement in the U.S. Senate. The attacks harmed not just this exceptional nominee — they harmed the strength of our democracy.

Despite the anti-Muslim vitriol Mangi endured during the hearing, he repeatedly while under oath condemned antisemitism and terrorism with tremendous decorum and professionalism befitting the temperament sought for these important appointments to the federal bench. He did so despite facing unfair, unfounded, and hostile questions, many of which were deeply offensive. And following the hearing, there was a coordinated media campaign to amplify baseless attacks on his character. As his nomination remained pending, the civil rights community remained united in full support of Mangi's well-deserved nomination to the appellate bench and even more committed to the necessity of a diverse federal judiciary.

“Unfortunately, despite Mangi’s qualifications, he faced manufactured and baseless attacks — during and following the hearing — that should never be endured by any nominee.”

Remarkable milestones

Meanwhile, some important demographic diversity milestones would be reached.

On March 12, the Senate confirmed Jasmine Yoon to the Western District of Virginia, making her the first lifetime judge of color on this court and the first AANHPI lifetime district court judge in the state of Virginia. On the same day, the Senate confirmed Judge Melissa DuBose to the District of Rhode Island, making her the first lifetime judge of color and first openly LGBTQ lifetime judge to serve in the state of Rhode Island. It also marked the 100th time the Senate had ever confirmed a Black woman to a lifetime position on the federal bench.¹¹⁷ That two federal district courts were finally integrated on the same day was both critically important for the judiciary and a sobering reminder that much more progress is still needed to ensure the federal bench represents the rich diversity of the nation.

One week later, Nicole Berner joined Yoon and DuBose on the federal bench, becoming the first openly LGBTQ judge on the Fourth Circuit and the eleventh openly LGBTQ lifetime judge confirmed during the Biden administration — tying President Obama’s record for openly LGBTQ lifetime judicial appointments. The Leadership Conference celebrated¹¹⁸ the confirmation of a brilliant lawyer who has defended and advanced civil and human rights, including the rights of working people, reproductive rights, and the rights of LGBTQ people. Her confirmation strengthened our democracy, sent powerful signals to young queer lawyers that they belong on the bench, and gave some hope to the civil rights community that Adeel Mangi’s confirmation could be next.

In defense of Adeel Mangi

That night, however, Sen. Catherine Cortez Masto, D. Nev., announced that she would join Senate Republicans and not support Mangi’s nomination.¹¹⁹ Still, civil rights organizations, the White House, and Senator Cory Booker — one of Mangi’s home-state senators — were determined to see him confirmed. Two days later, Booker took to the Senate floor in defense of his nomination and to draw attention to his qualifications.

“He is eminently, extraordinarily, very impressively qualified. He has degrees from Oxford University and Harvard Law School. For over 20 years he’s been a highly respected complex litigation attorney in one of our country’s premier law firms, where he’s become a star — a star in the legal profession as one of the very best trial attorneys in our country. Beyond finding success after success professionally for his clients, he has spent countless hours providing pro bono services for causes fundamental to our American ideals of freedom, liberty, and justice,” Booker said.¹²⁰

He then questioned how history will remember this moment. “What did they do when the first Muslim tried to reach for the appeals court to serve as a judge? What happened to him? This is the story that’ll be told. This is toxic. This is dangerous. This is cancerous. The attacks recall some of the darkest chapters of our history,” Booker said. “Ten years into my Senate career, I sit proudly as our president does something never done before to nominate a Muslim for the court of appeals. And I see what happens to him. I see him slandered, and maligned, dragged through the mud and accused of the most heinous things.”

Finally, Booker reminded his colleagues that Mangi is a great American — and that more senators should be there, expressing outrage over what was happening. “I want to take this moment to say: This is a great American, no matter what happens to his nomination. This is a great American who should be proud of his work. We should celebrate him whether we vote for him or not. We should cherish a moment like this that makes history,” he said. “Nothing you can do will ever, ever impinge the character of this great American. Nothing you can do will ever dim his love for this nation. This is a sad time in the United States Senate. More people should be on this floor condemning what is happening to this man.”

In April, The Leadership Conference and 125 organizations joined together to reiterate their support for Mangi’s nomination, to highlight his tremendous qualifications, and to condemn the baseless and bigoted attacks being waged against such an exceptional and historic nominee.¹²¹ “Mr. Mangi is eminently qualified and will be a fair-minded judge,” the letter stated. “No one should tolerate baseless and bigoted attacks and lies that are being created by an orchestrated campaign to take down the first Muslim federal appellate judge.”

By then, three Democratic senators announced they would not support Mangi's nomination, which in the narrowly divided Senate was difficult to overcome.¹²²

How it ended

Adeel Mangi's nomination ultimately languished in the Senate for a year following his December 2023 hearing. In December 2024, when it became clear that senators would not muster the courage to even hold a vote on his nomination, he wrote a searing letter to President Biden to thank him for his support and to call out the discriminatory and unfounded attacks on his nomination, the senators who opposed him, and what he called the "fundamentally broken process for choosing federal judges."¹²³ Mangi's letter was heartbreaking, not only because he was denied despite his qualifications — as he wrote, "I have battled for justice, even if it meant there would be none for me" — but because he reminded the nation just how disturbing and dangerous the nomination process, including his hearing, was. "There were children in the audience," he noted.

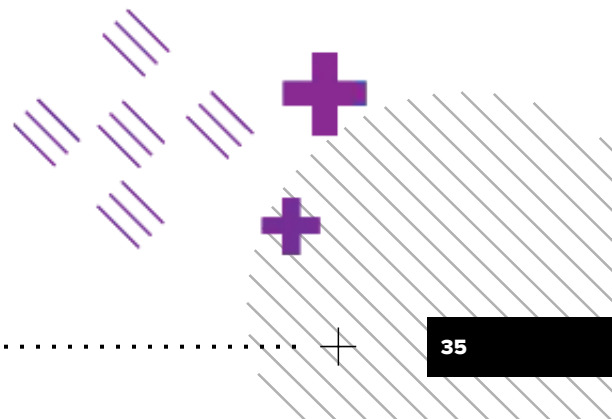
Two of those children were his sons. And two days after Mangi wrote to President Biden, Senator Booker was back on the Senate floor, speaking directly to Mangi's children and making sure the nation would never forget what happened.

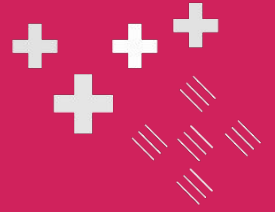
"I remember your smiles. I remember how they made my whole being smile. Your mother sat beside you beaming with pride. I sat on the dais so full of joy, and the hearing began. I told your dad I didn't know why he asked you to leave the room. I wanted you to stay for the whole hearing, but your mom and dad, wise beyond me, had you leave. And at your young age then, I am glad you did not witness what then transpired. It was shameful, not for your family, it was shameful for us as senators. It was shameful for America."¹²⁴

Booker told them that "this great body failed your father" and that it was "one of the most painful chapters" he's had in public life. And throughout his speech, he spoke directly to them, urging them to not give up on America. "I ask the two of you to embrace your parents' way: To love America. To believe in her. And to know that this nation needs you and your family. I believe sometimes we have the most difficult moments to make way for better days ahead...yours is the generation to take our nation in a better direction."

"To two young men growing up in a great nation," Booker said in closing, "I rise today to tell you that this is a great nation, to remind you that your father has made it greater. And to tell you that I am full of hope that the two of you will rise up and help our nation redeem its difficult past and seize for itself an even greater future."

In the final days of the 118th Congress, Mangi was not confirmed, and ultimately his nomination was returned to the White House. Still, his nomination mattered. And other highly qualified and diverse nominees would be confirmed before the end of the 118th Congress.





VI. Milestones Reached, Progress Slows, and a Post-Election Push

With the confirmation of Angela Martinez to the District of Arizona on May 22, 2024, the Senate reached 200 lifetime judicial confirmations during the Biden administration. But following Martinez's confirmation and the confirmation of Dena Coggins to the Eastern District of California later that day, the Senate would confirm no lifetime judges in June — and just four in July prior to the Senate's August recess.

On July 8, Judge Nancy Maldonado,¹²⁵ who previously during the Biden administration became the first Latina lifetime district court judge in the state of Illinois, was confirmed to the Seventh Circuit and became the first Latino/a judge to serve on that court. She also became just the tenth Latina federal circuit court judge in the nation's history and — even with her confirmation — seven federal circuit courts have still never had a Latina judge. While there are nearly 64 million adults in the United States who identify as Hispanic or Latino/a, our federal appellate courts did not have a Latina judge until the 1992 confirmation of now-Justice Sonia Sotomayor.

The other judges confirmed in July were Stacey Neumann to the District of Maine and Joseph Saporito to the Middle District of Pennsylvania — who both worked as public defenders — in addition to Judge Meredith Vacca to the Western District of New York. Vacca became the first lifetime judge of color to ever serve on that court. Still, even with her confirmation, 21 Article III district courts (nearly a quarter of all Article III district courts) have never had a lifetime judge of color.¹²⁶ It was the fourth time during the Biden administration that a federal district court got its first lifetime judge of color, and much more progress on this front remains.

When the Senate returned from summer recess, eight more judges were confirmed in September prior to another long, pre-election adjournment. Those eight judges included Judge Michelle Williams Court¹²⁷ — confirmed to the Central District of California — whose robust legal career included protecting and advancing a broad array of civil and human rights, including working extensively on fair housing issues and protecting the rights of homeowners and tenants to be free from discrimination and violence in their homes. The Senate also confirmed Mary Kay Costello to the Eastern District of Pennsylvania, making her the twelfth openly LGBTQ lifetime judge confirmed during the Biden administration — a new record for any president regardless of how long they served.¹²⁸

With just months remaining in the 118th Congress, and weeks until the 2024 presidential election, time was of the essence to confirm as many fair-minded judicial nominees as possible. By then, there were two presidential candidates with divergent visions and records for the direction of our federal courts and the trajectory of equal justice under law.

“It was the fourth time during the Biden administration that a federal district court got its first lifetime judge of color, and much more progress on this front remains.”

Urgency grows

Ultimately, the re-election of Donald Trump provided urgency to confirm as many fair-minded judicial nominees committed to the rights of all people given how damaging his first term was for the federal judiciary.¹²⁹

National civil rights organizations joined together in urging senators to confirm judges immediately. “In the remaining weeks of the 118th Congress, the Senate must confirm every pending judicial nominee, many of whom have been waiting for some time and who have deep support from our coalition,” stated the letter signed by more than 150 organizations.¹³⁰ “This must be done expeditiously, and the Senate must stay in to get it done. Our democracy depends on qualified, fair-minded judges committed to upholding the rights of all of us. We look forward to working with you to continue building a federal judiciary that lives up to its promise of equal justice for all.”

The Senate acted quickly. In November, senators confirmed eight judges, including several supported by The Leadership Conference. They included Judge Mustafa Kasubhai,¹³¹ whose distinguished career — which was steeped in defending and protecting the rights of working people — and his commitment to equity and inclusion made him a wonderful choice for this court, where he already served as a magistrate judge. He became the first Muslim lifetime judge on this court and only the third in the entire country, in addition to becoming the only Asian American lifetime district court judge to ever serve in the state of Oregon. Notably, prior to his confirmation, his courtroom rules included a section on pronoun usage, where he encouraged all attorneys and litigants who came before him to share their pronouns and honorifics so that all parties involved know how best to refer to one another. He and his staff

also included their own pronouns in email signatures, electronic filings, and on their website. He even authored a best practice guide, “Pronouns and the Courts,” to help others create a more inclusive courtroom and easily increase trust in the justice system.¹³²

Later that day, senators confirmed Sarah Russell¹³³ to the District of Connecticut, and the following day they confirmed Judge Rebecca Pennell¹³⁴ to the Eastern District of Washington. Both Russell and Pennell had previously served as public defenders, representing clients who could not afford an attorney and ensuring they had access to counsel to navigate the criminal-legal system.

Following their confirmations, the Senate turned to the nomination of civil rights lawyer Amir Ali¹³⁵ to the District of D.C. Since 2022, Ali had served as the president and executive director of the Roderick & Solange MacArthur Justice Center and previously held numerous other positions at the Center, including executive director, director of the D.C. office, and Supreme Court and appellate counsel. Much of his extensive legal career was dedicated to protecting the rights of people involved in the criminal-legal system, and he also worked to hold law enforcement accountable for wrongdoing. On numerous occasions, he successfully challenged the overbroad application of the qualified immunity defense for police officers who use excessive force. And critically, when he was confirmed to this seat, he became the first Arab American and first Muslim lifetime judge on this court. Before the Biden administration, the Senate had never confirmed a Muslim judicial nominee. Ali became the fourth Muslim lifetime judge in the nation’s history — and the second confirmed that week following Kasubhai’s confirmation the previous day.

Before Thanksgiving, the Senate also confirmed Sharad Desai as the first AANHPI lifetime judge in the state of Arizona and Judge Embry Kidd as the fourth Black judge to ever serve on the Eleventh Circuit — and the second appointed by President Biden following Nancy Abudu’s confirmation the previous year.

Unfortunately, before the Senate left for the holiday, reports surfaced of a “deal” made to confirm the remaining district court judges while sacrificing consideration of four highly qualified and fair-minded circuit court nominees, including Adeel Mangi.¹³⁶ The other three circuit court nominees who would reportedly be left behind were Karla Campbell, nominated to a Tennessee seat on the Sixth Circuit, whose legal career has been steeped in protecting the rights of working people; Judge Julia Lipez, nominated to a Maine seat on the First Circuit, who would have been the first woman from Maine to serve on that court; and Ryan Park, nominated to a North Carolina seat on the Fourth Circuit, who had important civil rights litigation experience and who would have been the first Asian American judge on that appellate court. They all deserved to be confirmed, and with more than a month remaining in the 118th Congress, the civil rights community’s push for their confirmation persisted.

A December dash of confirmations

When the Senate returned in December, they ultimately confirmed 14 more lifetime judges. They included three more public defenders — Judge Anne Hwang to the Central District of California, Brian Murphy to the District of Massachusetts, and Catherine Henry to the Eastern District of Pennsylvania — marking 49 lifetime confirmations of public defenders during the Biden administration. This included 11 public defenders appointed to federal appellate courts — nearly a quarter of the 45 appellate court judges appointed by President Biden.

The December confirmations also included Sparkle Sooknanan¹³⁷ to the District of D.C., where she became one of very few Indo-Caribbean lifetime judges to serve anywhere in the nation. She also brought with her a commitment to equal justice and the rule of law, in addition to critical civil rights enforcement experience. The Leadership Conference also supported the confirmation of Judge Cynthia Valenzuela Dixon¹³⁸ to the Central District of California because of her tremendous civil rights experience. Before serving as a fair-minded judge in California, she previously served as the national vice president and director of litigation for the Mexican American Legal Defense and Educational Fund (MALDEF), an assistant U.S. attorney in the U.S. Attorney’s Office for the Central District of California, a trial attorney with the Civil Rights Division of the U.S. Department of Justice where she specialized in voting rights, and a special assistant to the vice chair of the U.S. Commission on Civil Rights.

On December 20, the Senate confirmed the final two lifetime judges of the Biden administration — Judge Benjamin Cheeks to the Southern District of California and Judge Serena Murillo to the Central District of California. Cheeks became the 63rd Black lifetime judge confirmed during the Biden administration, setting a new record for Black lifetime judges confirmed during a presidency of any length — and smashing the previous single-term record of 37. Murillo’s confirmation marked the 150th lifetime judicial confirmation of a woman — and 24th lifetime confirmation of a Latina judge — during the Biden administration. Her confirmation was also the 235th lifetime confirmation under President Biden, surpassing lifetime confirmations during Trump’s first term.

By then, Ryan Park had withdrawn his Fourth Circuit nomination,¹³⁹ and Adeel Mangi had sent his letter to the president calling out the broken process.¹⁴⁰ Though President Biden secured more lifetime confirmations than Trump did during his first term, it is unacceptable that the confirmations of Campbell, Lipez, Park, and Mangi were sacrificed and that the millions of people living in those circuits will be denied their service on the bench. They all should have been confirmed, but they will no doubt continue doing outstanding work to advance equal justice and protect the rights of people in their communities.

The end of the Biden administration

Nine days after that 235th lifetime confirmation, the nation mourned the loss of President Jimmy Carter — a friend to The Leadership Conference, to the civil rights community, and to all in America who are working to build a nation as good in practice as it is in promise.

In many ways, President Biden's judicial appointments built on the tremendous legacy of President Carter. Over the course of his presidency, Carter nominated a number of icons of the civil rights movement to serve for life on the federal bench. And his appointees weren't just professionally diverse: By the end of his term, Carter appointed more women and people of color to the federal judiciary than all previous presidents combined.¹⁴¹ He sought out the boldest nominees who worked to advance and expand our recognized fundamental civil rights that had been largely excluded from consideration previously — including an impressive number of Black civil rights lawyers and other historic and remarkable Black jurists. He celebrated them, he believed in them, and he wanted them to serve on the federal bench for life.

“Her confirmation was also the 235th lifetime confirmation under President Biden, surpassing lifetime confirmations during Trump’s first term.”

It was President Carter who nominated the first Black woman to serve on a federal appellate court when he appointed Amalya Kearse to the Second Circuit — and it was President Biden who would go on to appoint 13 Black women to the appellate bench, shattering the previous record and appointing more than all previous presidents combined. It was President Carter who made professional diversity a priority, ensuring that civil rights lawyers ascended to the bench in ways that had never happened before — and it was President Biden who continued that legacy and appointed record numbers of civil rights attorneys to the bench, including many directly from the nation's civil and human rights organizations. It was President Carter who showed up for our courts and our democracy, year after year, by choosing phenomenal nominees who were diverse, fair-minded, and highly qualified — and it was President Biden, decades later, who did exactly the same.

Our federal courts are more reflective and representative of our country thanks to the remarkable and historic progress made during the Biden administration. No matter the threats that lie ahead, the civil rights community's work to build an equal justice judiciary — one that works for everyone — will persist.





VII. The Ongoing and Escalating Judicial Ethics Crisis

Throughout the final years of the Biden administration, the confirmation of these fair-minded and ethical federal judges was made even more urgent by the Supreme Court's numerous ethics controversies.

Before the end of 2022, following the leak of *Dobbs* and ultimately the reversal of *Roe v. Wade*, allegations surfaced that described far-right efforts to infiltrate and exert undue influence on the Supreme Court.¹⁴² These reports further called into question the integrity and independence of our nation's highest court.

Lavish — and undisclosed — gifts

In April 2023, new reporting suggested that Associate Justice Clarence Thomas had, for decades, failed to disclose lavish gifts he received from billionaire Republican donor Harlan Crow, despite the disclosure requirements in the 1978 Ethics in Government Act.¹⁴³ The reports of egregious behavior were not anomalies. They came on the heels of reporting about wealthy extremists seeking to embolden the Court's ultraconservative flank by buying access to the justices. These escalating patterns of misconduct continue to be unethical, unacceptable, and damaging to the rule of law.

In response, The Leadership Conference and more than 50 national organizations wrote to members of Congress renewing calls for lawmakers to work swiftly to hold judges and justices to the highest possible ethical standards, in addition to sustained oversight of and investigation into these reports and other instances of misconduct by federal judges.¹⁴⁴ By then, the Senate Judiciary Committee under Chair Durbin announced a hearing on the issue¹⁴⁵ and urged Chief Justice John Roberts to immediately open an investigation.¹⁴⁶ There was also an important bicameral call, led by Senator Sheldon Whitehouse and Representative Hank Johnson, for Chief Justice Roberts to investigate these and other violations.¹⁴⁷

During the Senate Judiciary Committee's hearing, Senator Mazie Hirono noted that "The Supreme Court has a huge impact on the daily lives of every single American," citing decisions that overturned *Roe v. Wade* and ones that gutted the Voting Rights Act as clear examples.¹⁴⁸ This statement demonstrated an important truth: The civil rights community's concerns about the escalating ethics crisis were not academic or theoretical. It is about who our Court serves and whose rights are upheld. The Supreme Court and the nine justices appointed to that Court for life have far-reaching power over the lives and freedoms of all people. And that is why the civil rights community has consistently called for congressional action in response to the ongoing crisis and has long recognized that ethics reform is a critical part of the work to build an equal justice judiciary.

An unenforceable code and ongoing investigation

In November 2023, the Supreme Court announced its adoption of a code of conduct.¹⁴⁹ This could have been a meaningful step toward ensuring that the judiciary is fair, impartial, and free of corruption, but the code they announced contained significant weaknesses and lacked enforceability. And while this announcement made it clear that the justices were hearing the public's outrage and felt pressure to act, this code fell far short.

Two weeks later, the Senate Judiciary Committee voted to authorize subpoenas related to its Supreme Court ethics investigation.¹⁵⁰ "Today's vote to issue subpoenas to Harlan Crow and Leonard Leo — two individuals who have refused to comply with this Committee's legitimate oversight requests for months and are at the center of the Supreme Court's ethical crisis — furthers that goal. The highest court in the land cannot have the lowest ethical standards," Chair Durbin said in a statement following the committee's vote.

The year would end without congressional action to address the ethics crisis. Though one piece of ethics and transparency legislation did advance out of the Senate Judiciary Committee in July,¹⁵¹ the likelihood of a Senate filibuster and Republican control of the House of Representatives meant there was little chance of any meaningful solution becoming law. Still, the work didn't stop — and neither did the scandals.

Disturbing flags

In 2024, media reports continued to identify deeply concerning patterns of Supreme Court justices refusing to hold themselves to basic ethical standards. For example, reports revealed that an inverted American flag — a symbol of the anti-democratic “Stop the Steal” movement to overturn the results of the 2020 election — was flown outside Justice Alito's home in January 2021, at a volatile time in the weeks following the January 6 insurrection.¹⁵² Additional reports revealed the flying of an “Appeal to Heaven” flag — a symbol carried by insurrectionists and those supporting extremist ideologies aimed at undermining secular government — outside Justice Alito's vacation home as recently as the summer of 2023.¹⁵³

This behavior, as well as Justice Alito's refusal to heed the calls to recuse himself,¹⁵⁴ was and remains unacceptable. At a minimum, it created an appearance of impropriety that violates the letter and spirit of the Supreme Court's own code of conduct,¹⁵⁵ and possibly federal law. In response, The Leadership Conference and more than 60 national organizations wrote to the Senate Judiciary Committee urging the committee to use its full power to both investigate and swiftly respond to these developments.¹⁵⁶

“Justice Alito's explanation for refusing to recuse himself — that his wife displayed the flags — does nothing to dispel the appearance of impropriety. The houses at which the flags were flown are *his* residences that he both owns and occupies, and a reasonable observer would conclude that he approved of the message prominently displayed at his homes. His response fails to engage with the core problem that the flags were displayed at his residences and the appearance of bias created,” the letter stated.

Given Justice Alito's dismissive and combative response and his refusal to recuse, as well as Justice Thomas' ongoing ethics failures, further action was clearly needed to protect our democracy, prevent future violations of this nature, and restore public confidence in the judiciary. That's why the signers of the letter — in addition to calling for prompt passage of robust judicial ethics reform legislation that includes an enforceable Code of Conduct for Supreme Court justices and other needed recusal and transparency measures — urged the committee to immediately launch an investigation into the latest issues surrounding Justice Alito's behavior and issue findings into any potential violations of the Code of Conduct for Supreme Court justices and 28 U.S.C. 455. With the Supreme Court either unwilling or unable to address the ongoing crisis, it was up to Congress, and the Senate Judiciary Committee in particular, to act.





In July, President Biden and Vice President Harris came out in support of certain Supreme Court reforms,¹⁵⁷ including 18-year term limits and a binding code of conduct for Supreme Court justices. This was a welcome development. Weeks later, it was revealed that Justice Thomas' wife Ginni Thomas privately praised First Liberty Institute — a far-right organization that has been involved in many of our federal courts' most offensive and extremist anti-civil and human rights decisions — for opposing efforts to create common-sense changes to help our judiciary better function, while the president of First Liberty called Justice Elena Kagan “treasonous” for endorsing enforcement of their ethics code.¹⁵⁸ Such extreme statements underscore the civil rights community's concerns that members of the Court are intentionally failing to hold themselves to minimal ethical standards.

At the end of 2024, the Senate Judiciary Committee, under Chair Durbin's leadership, released an in-depth investigative report compiling the escalating ethical lapses and failures at our nation's highest court.¹⁵⁹ The evidence is overwhelming for the immediate need for significant changes at the Court to build confidence in the institution so that people know who our justices are serving.

Addressing the crisis

This work remains far from over. Civil rights organizations continue to call for a federal judiciary that serves all people and lives up to its promise of equal justice for all. There are many proposals that must be considered, including:

18-year term limits for Supreme Court

justices. The extent to which some justices wield power with little accountability while rolling back our hard-won civil and human rights is at odds with the work of the civil rights movement to build a thriving, multiracial democracy. Limiting justices to terms of 18 years of active service is just one of many common-sense structural changes that must be considered in order to strengthen our democracy and give us reason to trust that the federal judiciary will respect and advance the rights of all people.

A binding and enforceable code of conduct for Supreme Court justices. It continues to be unacceptable that the Supreme Court is the only federal court that has no binding ethical code of conduct. For democracy to function, the Supreme Court must have credibility with the public that its decisions are informed by facts and law, not wealth and power. It is imperative that all justices are held to a robust and enforceable ethics code. We must be able to trust that the nation's highest court provides equal justice for all, and the ongoing misconduct and lack of a rigorous code of conduct has deeply damaged this trust.

Bans on gifts to Supreme Court justices.

People cannot trust that the Supreme Court is working for everyone and advancing equal justice when certain justices are secretly accepting lavish gifts from billionaires, extremists, and others with interests before the Court. Instituting common-sense gift bans, similar to the ones that already exist for members of Congress, would reduce the outsized influence that a select few extraordinarily wealthy individuals have over justices. It would help to increase public trust in the Court, restore the integrity of our judiciary, and strengthen our democracy.

Stronger recusal standards and transparency

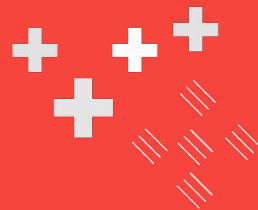
measures. To address the appearance of bias — and actual bias — in judicial decision-making, the nation needs more transparency into justices' behaviors and stronger standards to ensure that justices are recusing themselves from cases where they or their spouse have an interest in the case. This is another necessary measure to give the public reason to believe the justices are working towards equal justice for all rather than their own personal or political interests.

Continued investigations into the reports of egregious ethics violations by Justices Thomas and Alito, as well as the broader undue and devastating influence of the rich and powerful on the Court and their agenda to undermine civil and human rights.

Addressing discrimination, harassment, and retaliation against federal judiciary employees. These employees should be protected by the same civil and human rights laws as other federal workers, but currently they are not. Congress must pass legislation that protects judiciary employees' rights — and increases transparency into allegations of and investigations into judicial misconduct.

Other structural changes that meet the demand for access to justice. Given the expanding population and caseloads, the need for more fair-minded judges at the lower court level is important for access to justice. Congress must also consider other structural reforms to help modernize our federal judiciary and ensure our courts are meeting the needs of the people they are supposed to serve.

These and other reforms are long overdue, and our multiracial democracy cannot thrive without them. Like each pillar of our federal government, the judiciary has a responsibility to heed the call to safeguard our democracy and honor our nation's highest ideals of justice, fairness, and inclusion. And our elected leaders must thoroughly explore all options to create a federal judiciary that works for all of us.



VIII. Moving Our Judiciary Forward

Over the last four years, the civil rights community built on the work of previous generations and secured many lifetime confirmations of judges whose experience will make a real difference in the lives of all of us. Every day, judges are deciding cases that impact fundamental rights — from the right to organize to the right to access the ballot box. And we know that the work moving forward will be difficult and critical. The threats that lie ahead are immense, and we know this because we've been here before. During Trump's first term when Republicans controlled the U.S. Senate, Trump announced he would appoint lifetime judges who were overwhelmingly hostile to our civil and human rights. And he did this, which also represented a gigantic setback for judicial diversity in America. Many understand the devastating impact of his appointment of three Supreme Court justices who did exactly what Trump threatened.

In recent years, a majority of the Supreme Court justices have undermined our rights and freedoms, and we are experiencing similar decisions from numerous district and circuit court judges.

“Every day, judges are deciding cases that impact fundamental rights — from the right to organize to the right to access the ballot box.”

To be sure, this hasn't happened in a vacuum. During the first Trump administration, the president declared that he would select jurists who would eviscerate the fundamental right to abortion as well as devastate other civil and human rights and protections.¹⁶⁰ He did so, and Senate Republican leaders ultimately changed the procedural rules and norms surrounding nominations and confirmations to facilitate this dramatic transformation of our courts. Many of these judges are manifestly unqualified to serve and explicitly worked to counter the progress made by the civil and human rights movement. The well-funded and long-term strategy to roll back civil rights has been two-pronged: Pursue litigation against civil rights protections and stack the courts with judicial extremists who eschew the rule of law. Today, wealthy and powerful forces working to undermine our civil rights are met with sympathetic jurists — including at our nation's highest court. This has upended the law, caused harm to our communities, and undermined the public's trust in the judiciary — which is now at historic lows.¹⁶¹ And now with the start of the second Trump administration, we are facing significant challenges to the rule of law, threats to the enforcement of our civil rights laws, and gutted government agencies and offices. Federal judges will continue to be at the forefront of holding up the basic tenets of our democracy and ensuring that our constitutional rights and legal protections are stronger than the forces intent to undermine them.

At the same time, the ongoing ethics crisis has called into question the integrity and independence of our nation's highest court. Any and all attempts to rig the Court's decisions and harm our communities are unacceptable and continue to require action.

Strengthening our democracy means strengthening our judiciary

As our then-interim president and CEO Wade Henderson noted when he testified before the Presidential Commission on the Supreme Court of the United States in July 2021, Congress must legislate more fairness into our judiciary so that it truly provides equal justice for all of us — and not just a powerful few.¹⁶² In addition to the needed measures referenced in the previous section to advance transparency, ethics reform, and court modernization, the civil rights community continues to call for the selection, nomination, and confirmation of judges who will work toward equal justice. We demand judicial nominees who have shown a demonstrated commitment to civil and human rights, possess a progressive vision of the law and Constitution, and who represent the vast and rich diversity of our country. This diversity should include race, sex, gender identity, sexual orientation, disability status, ethnicity, religion, national origin, socioeconomic status, and experiential and professional background.

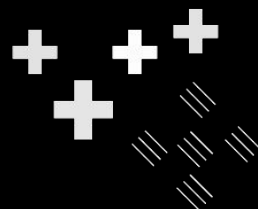
Courts rely on public trust for legitimacy, and diversity among judges and justices helps improve both public trust and balanced judicial decision-making.¹⁶³ Diversity also helps ensure that rulings reflect a wide variety of viewpoints, especially from perspectives and communities who have historically been excluded from the judiciary. That is why we continue to call for the selection, nomination, and confirmation of more nominees who are people of color, disabled, openly LGBTQ, and Native American. We also need more nominees with meaningful experience in civil rights law — including experience protecting voting rights, disability rights, LGBTQ rights, workers' rights, women's rights, and other areas of civil rights law that remain underrepresented on the federal bench today.

That task today may seem daunting, but we are undeterred. For decades, the civil rights community has been fighting for fair courts because we know that every judicial seat in America matters for our rights and our communities. We will never give up this fight. The work for an equal justice judiciary is ongoing and is the work of every generation, and what we do collectively now and in the years ahead will matter for generations to come. We remain committed to working toward the day when our courts truly deliver justice for all.

Our communities depend on federal courts and federal judges to fairly administer justice — and we must do everything to ensure that they do.

We must persevere.





Appendixes

Appendix 1. A brief history of The Leadership Conference's advocacy for an equal justice judiciary

The civil rights community has long understood that for there to be equal justice in America, we must have fair-minded judges and justices who are committed to protecting the rights of all people and who come from all of our communities. That is why The Leadership Conference on Civil and Human Rights — for decades — has weighed in on the president's nominees to our federal courts.

Following the March on Washington for Jobs and Freedom in 1963, the passage of landmark civil rights legislation throughout the 1960s, and the historic confirmation of Justice Thurgood Marshall in 1967, the election of President Richard Nixon in 1968 brought uncertainty to ongoing civil rights progress and forced our coalition to focus with great urgency on the future of equal justice in America.

In 1969, President Nixon nominated Clement Haynsworth to the U.S. Supreme Court. Because of his demonstrated record of hostility to civil rights as a judge on the U.S. Court of Appeals for the Fourth Circuit, The Leadership Conference strongly opposed his confirmation. This included testimony before the Senate Judiciary Committee by Clarence Mitchell, our legislative chairman, and Joseph Rauh, our counsel, who jointly urged senators to oppose Haynsworth's confirmation and read a prepared statement from Roy Wilkins, executive secretary of the NAACP and one of The Leadership Conference's founders. Senators ultimately rejected Haynsworth's nomination by a vote of 45-55, making him the first Supreme Court nominee since 1930 to be defeated by the Senate.

Two months later, President Nixon nominated G. Harrold Carswell — a recent appointee to the U.S. Court of Appeals for the Fifth Circuit — to the Supreme Court. When Nixon nominated Carswell to the Fifth Circuit, The Leadership Conference wrote to the Senate Judiciary Committee saying that Carswell had been “more hostile to civil rights cases than any other federal judge in Florida.”¹⁶⁴ Nixon's desire to elevate him to the Supreme Court outraged the civil rights community and led to additional testimony before the committee from Clarence Mitchell on behalf of our coalition. Like Haynsworth, Carswell was unable to win confirmation. The Senate rejected his nomination 45-51.

Similarly, during the Reagan administration, The Leadership Conference mobilized to defeat Supreme Court nominee Judge Robert Bork — a federal judge on the D.C. Circuit with deeply anti-civil rights views. In a prepared statement¹⁶⁵ from our chair Benjamin Hooks and executive director Ralph Neas, we said at the time that: “The confirmation of Robert Bork, an ultra conservative, would dramatically alter the balance of the Supreme Court, jeopardizing the civil rights achievements of the past three decades. Well established law could overnight be substantially eroded or overturned. This is the most historic moment of the Reagan Presidency. Senators will never cast a more important and far reaching vote. Indeed, this decision will profoundly influence the law of the land well into the 21st century.”

The work of our coalition mattered. Although we were unsuccessful in defeating the nominations of Justice William Rehnquist and Justice Antonin Scalia after testifying against both before the



Senate Judiciary Committee, the rejection of Haynsworth, Carswell, and Bork led to the nomination and confirmations of Justice Harry Blackmun and Justice Anthony Kennedy. Less than three years after his unanimous confirmation, Justice Blackmun authored *Roe v. Wade* and ultimately wrote and joined many other decisions that recognized our civil and human rights during his 24 years on the bench. Justice Kennedy, who served for three decades, was the architect of four landmark decisions that helped recognize the full humanity and rights under law of LGBTQ people and their families. His presence on the Court, especially when compared to the hostile record of Bork, was important.

The Leadership Conference has continued to mobilize our coalition in support of pro-civil rights Supreme Court nominees and in opposition to nominees whose records demonstrate they are unqualified and hostile to our fundamental rights. We testified against the confirmation of Justice David Souter¹⁶⁶ and against the elevation of Justice John Roberts¹⁶⁷ to be chief justice. We testified in support of Justices Sonia Sotomayor¹⁶⁸ and Ketanji Brown Jackson.¹⁶⁹ We waged campaigns to defeat Justices Clarence Thomas¹⁷⁰ and Samuel Alito,¹⁷¹ and worked to support the confirmations of Justice Elena Kagan¹⁷² and Judge Merrick Garland. And during the Trump administration, our coalition fought to stop the elevation of Justices Neil Gorsuch,¹⁷³ Brett Kavanaugh,¹⁷⁴ and Amy Coney Barrett¹⁷⁵ to our nation's highest court.

We do this work because we believe in equal justice and understand the immense power of federal judges and justices, who serve in lifetime appointments, to make a difference in the lives of people throughout the nation. This work extends to the lower federal courts as well, and it has occurred without regard to the president's party.

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In June 1965, for example, just weeks before President Lyndon Johnson signed the landmark Voting Rights Act (VRA) into law, we wrote a letter to senators¹⁷⁶ — signed by more than 30 organizations — in opposition to Governor J.P. Coleman's nomination to the U.S. Court of Appeals for the Fifth Circuit. We noted that Governor Coleman was “one of the architects of most of Mississippi's white supremacist political and legal structure” and that, if confirmed, he would hear voting rights appeals under the future VRA related to discriminatory laws that he designed. More recently, when Barack Obama was president, our coalition wrote in 2014 in opposition to the confirmation of Michael Boggs, whose “elevation to the federal bench,” we said,¹⁷⁷ “would undermine the future



of civil and human rights jurisprudence in the Northern District Court of Georgia.” His nomination was never confirmed. We ultimately supported many of President Obama’s nominees who brought important diversity and experience to the bench. And we were dismayed during the final two years of his presidency when Senate Republican leaders, spearheaded by Majority Leader McConnell, blocked consideration of Supreme Court nominee Judge Merrick Garland and dozens of lower court nominees.

During the administration of President George W. Bush, our coalition opposed dozens of judicial nominees with hostile civil rights records. In several cases, we were successful: Our efforts helped to defeat the confirmation of anti-civil rights nominees like Miguel Estrada (D.C. Circuit),¹⁷⁸ Terrence Boyle (Fourth Circuit),¹⁷⁹ Carolyn Kuhl (Ninth Circuit),¹⁸⁰ William Myers (Ninth Circuit),¹⁸¹ Claude Allen (Fourth Circuit),¹⁸² William J. Haynes, II (Fourth Circuit),¹⁸³ Robert Conrad (Fourth Circuit),¹⁸⁴ Steve Matthews (Fourth Circuit),¹⁸⁵ and a number of other nominees. The Leadership Conference also fiercely opposed Judge Charles Pickering’s confirmation to the Fifth Circuit.¹⁸⁶ And though Judge Pickering received a recess appointment by President Bush in January 2004,¹⁸⁷ he was ultimately forced to withdraw his nomination and retired from his seat on the U.S. District Court for the Southern District of Mississippi.

Likewise, during the first Trump administration — when civil rights were under constant assault¹⁸⁸ — The Leadership Conference opposed anti-civil rights nominees to our federal bench. Senate Republicans under then-Leader McConnell, who controlled the upper chamber, changed rules and norms to stack our federal courts with Trump’s selections — but the civil rights community helped to stop the confirmation of several extreme nominees.

These included Ryan Bounds (Ninth Circuit),¹⁸⁹ Thomas Farr (Eastern District of North Carolina),¹⁹⁰ Gordon Giampietro (Eastern District of Wisconsin),¹⁹¹ Jeff Mateer (Eastern District of Texas),¹⁹² Damien Schiff (Court of Federal Claims),¹⁹³ and Brett Talley (Middle District of Alabama).¹⁹⁴

Our work has always been nonpartisan and has focused on ensuring that our federal courts are staffed by judges and justices who respect the rights of all and who understand the law — and how it impacts all communities. Under Republican and Democratic presidents, The Leadership Conference has evaluated the civil rights records of judicial nominees and weighed in with senators when we had reason to believe a nominee would do irreparable damage to our nation’s hard-won progress — or when we believed a nominee would protect civil rights, as demonstrated by their experience. This vital work continues.

Appendix 2. Confirmed nominees supported by The Leadership Conference

The Leadership Conference on Civil and Human Rights supported the following judges — listed in order of confirmation date — who were confirmed during the 117th and 118th Congresses.



Ketanji Brown Jackson, U.S. Court of Appeals for the D.C. Circuit

The Leadership Conference supported Ketanji Brown Jackson's confirmation because of her exceptional qualifications and her commitment to pursuing equal justice under the law. For eight years, she was a fair-minded jurist on the U.S. District Court for the District of Columbia, upholding the rights of immigrants, people with disabilities, and working people. Prior to becoming a judge, she served as vice chair of the U.S. Sentencing Commission and served as a federal public defender. On June 14, 2021, the Senate confirmed the nomination by a vote of 53-44.

Candace Jackson-Akiwumi, U.S. Court of Appeals for the Seventh Circuit (Illinois)

The Leadership Conference supported Candace Jackson-Akiwumi's confirmation due to her exemplary record of defending and protecting the rights of all people. She spent most of her legal career as a public defender, representing more than 400 clients who could not afford counsel. Jackson-Akiwumi is the first Seventh Circuit judge who spent most of their career as a public defender. At the time of her confirmation, she was the only judge of color actively serving on the Seventh Circuit and is only the second judge of color to ever serve on this court. On June 24, 2021, the Senate confirmed the nomination by a vote of 53-40.

Eunice Lee, U.S. Court of Appeals for the Second Circuit (New York)

The Leadership Conference supported Eunice Lee's confirmation because she has devoted her entire career to pursuing equal justice. For more than 20 years, Lee was an attorney at the Office of the Appellate Defender in New York City, where she represented clients involved in the criminal-legal system who could not afford an attorney. She then served as an assistant federal defender in the Appeals Bureau at the Federal Defenders of New York. Lee is the second Black woman ever to serve on the Second Circuit. On August 7, 2021, the Senate confirmed the nomination by a vote of 50-47.

David Estudillo, U.S. District Court for the Western District of Washington

The Leadership Conference supported the confirmation of David Estudillo because of his extensive experience as a fair-minded adjudicator and his commitment to equal justice for all. For nearly six years, he served as a state court judge on the Grant County Superior Court in Washington, where he presided over more than 1,000 cases. Previously, Estudillo operated his own immigration law firm, representing individuals seeking asylum, Deferred Action for Childhood Arrivals protections, work authorizations, temporary protected status, and citizenship. Estudillo is the second Latino judge to ever serve on this court. On September 14, 2021, the Senate confirmed the nomination by a vote of 54-41.

Veronica Rossman, U.S. Court of Appeals for the Tenth Circuit (Colorado)

The Leadership Conference supported Veronica Rossman's confirmation because of her significant experience protecting and defending the rights of people who have been accused of crimes. She possesses more than 10 years of experience as a public defender, where she represented clients who could not afford an attorney. On September 20, 2021, the Senate confirmed the nomination by a vote of 50-42.

Margaret Strickland, U.S. District Court for the District of New Mexico

The Leadership Conference supported Margaret Strickland's confirmation because of her proven record of defending civil rights. In private practice, she divided her caseload between civil rights litigation and criminal defense; half of her criminal defense work was pro bono. As a pro bono criminal defense lawyer and a trial lawyer at the Law Offices of the Public Defender, New Mexico, Strickland played a critical role in our criminal-legal system — ensuring that people had access to counsel. On September 21, 2021, the Senate confirmed the nomination by a vote of 52-45.

Lauren King, U.S. District Court for the Western District of Washington

The Leadership Conference supported Lauren King's confirmation because of her commitment to civil rights and her significant experience in tribal law. For nearly 10 years, King was an attorney at Foster Garvey PC, where she chaired the firm's Native American Law Practice Group. Since 2013, she served as a pro tem appellate judge with the Northwest Intertribal Court System. King is only the sixth Native American to ever serve as an Article III judge and the first Native American to serve in the state of Washington. On October 5, 2021, the Senate confirmed the nomination by a vote of 55-44.

Gustavo Gelpí, U.S. Court of Appeals for the First Circuit (Puerto Rico)

The Leadership Conference supported Gustavo Gelpí's confirmation because of his dedication to equal justice and experience as a fair-minded judge. He previously served as chief judge for the U.S. District Court for the District of Puerto Rico, having been confirmed by the U.S. Senate by unanimous consent in 2006. Prior to this, Gelpí served as a magistrate judge for the same court. Before becoming a jurist, Gelpí served in a number of roles, including solicitor general, at the Puerto Rico Department of Justice. He began his legal career as an assistant federal public defender at the office of the Federal Public Defender for the District of Puerto Rico, helping to ensure access to justice for people who could not afford an attorney. Gelpí is the second Latino judge ever to serve on the First Circuit. On October 18, 2021, the Senate confirmed the nomination by a vote of 52-41.

Tana Lin, U.S. District Court for the Western District of Washington

The Leadership Conference supported Tana Lin's confirmation due to her exceptional career and demonstrated commitment to upholding civil and human rights. For more than 15 years, she practiced law at Keller Rohrback L.L.P. in Seattle, helping to advance the rights of consumers and employees through class action litigation. Previously, she worked at the Michigan Poverty Law Program, the Equal Employment Opportunity Commission, and the Civil Rights Division of the U.S. Department of Justice. She also has experience as a public defender in the District of Columbia. Lin is the first Asian American judge to serve on this court. On October 21, 2021, the Senate confirmed the nomination by a vote of 52-45.

Myrna Pérez, U.S. Court of Appeals for the Second Circuit (New York)

The Leadership Conference supported Myrna Pérez's confirmation because of her pursuit of equal justice for all and her exceptional experience protecting voting rights. For 15 years, Pérez led the Brennan Center for Justice at New York University School of Law's Voting Rights and Election Program, where she worked to defend the freedom to vote and safeguard our democracy. She is the second Latina to ever serve on the Second Circuit. On October 25, 2021, the Senate confirmed the nomination by a vote of 48-43.

Jia Cobb, U.S. District Court for the District of Columbia

The Leadership Conference supported Jia Cobb's confirmation because of her impressive experience as a civil rights attorney and public defender. For nearly 10 years, she worked at Relman Colfax PLLC, a national plaintiff-side civil rights firm. Previously, Cobb spent six years at the Public Defender Service for the District of Columbia, helping to ensure that the rights of people accused of crimes are protected. On October 26, 2021, the Senate confirmed the nomination by a vote of 52-45.



Michael Nachmanoff, U.S. District Court for the Eastern District of Virginia

The Leadership Conference supported Michael Nachmanoff's confirmation because of his significant experience as a public defender and fair-minded judge. He served for six years as a U.S. Magistrate Judge in the Eastern District of Virginia and for 13 years in the Eastern District of Virginia's Office of the Federal Public Defender, representing and defending the rights of clients who could not afford an attorney. He helped develop the district's first drug court and oversaw a re-entry program for people with a history of substance abuse who had been convicted. On October 27, 2021, the Senate confirmed the nomination by a vote of 52-46.

Beth Robinson, U.S. Court of Appeals for the Second Circuit (Vermont)

The Leadership Conference supported Beth Robinson's confirmation because of her distinguished career as a judge and her steadfast commitment to civil rights. She spent 10 years serving as an associate justice on the Vermont Supreme Court. Previously, she specialized in employment law with a focus on workers' compensation claims, supporting the rights of working people during her nearly two decades as a civil litigator. Her tireless work on litigation and policy advocacy were instrumental in advancing the rights of the LGBTQ community and laid the groundwork to make Vermont one of the first states to recognize marriage equality for same-sex couples. Robinson is the first openly lesbian judge to serve on any federal appellate court. On November 1, 2021, the Senate confirmed the nomination by a vote of 51-45.

Lucy Koh, U.S. Court of Appeals for the Ninth Circuit (California)

The Leadership Conference supported Lucy Koh's confirmation because of her dedication to equal justice and public service throughout her illustrative career. Koh served as a judge on the U.S. District Court for the Northern District of California for 11 years, where she demonstrated her even-handed approach to the law, including protection of the integrity of the census. She previously served as a California Superior Court judge and has an impressive background in commercial civil litigation. Koh is the first Korean American woman to serve on a federal appellate court. On December 13, 2021, the Senate confirmed the nomination by a vote of 50-45.

Jennifer Sung, U.S. Court of Appeals for the Ninth Circuit (Oregon)

The Leadership Conference supported Jennifer Sung's confirmation because of her steadfast commitment to protecting civil rights and her experience as an even-handed adjudicator. Sung served as a member of the Oregon Employment Relations Board, resolving labor disputes on issues impacting 250,000 workers. Previously, she served as a civil litigator on employment and labor issues, fighting for the rights of working people and against violations of union contracts and retaliatory terminations. Sung also worked for the Economic Justice Project at the Brennan Center for Justice at New York University School of Law. She is the first Asian American from Oregon to serve on the Ninth Circuit. On December 15, 2021, the Senate confirmed the nomination by a vote of 50-49.



David Urias, U.S. District Court for the District of New Mexico

The Leadership Conference supported David Urias' confirmation because of his impressive legal career and extensive civil and human rights experience. For 13 years, he worked in private practice at Freedman Boyd Hollander Goldberg Urias & Ward, P.A., where he protected the rights of immigrants against discriminatory policies, including the inhumane separation of families. Previously, Urias worked at the Mexican American Legal Defense and Educational Fund (MALDEF) as a civil rights fellow and staff attorney. On December 17, 2021, the Senate confirmed the nomination by a vote of 45-26.

Holly Thomas, U.S. Court of Appeals for the Ninth Circuit (California)

The Leadership Conference supported Holly Thomas' confirmation because of her deep commitment to civil and human rights, including her notable work to further educational equity. She served as a judge on the Los Angeles Superior Court. Prior to her judicial service, Thomas worked to uphold civil rights at the New York State Attorney General's Office of the Solicitor General, the California Department of Fair Employment and Housing, and the NAACP Legal Defense and Educational Fund. At the Civil Rights Division of the U.S. Department of Justice, she strove to protect the freedom to vote, ensure educational equity, and hold police accountable for misconduct. Thomas is the first Black woman from California, and only the second Black woman ever, to serve on the Ninth Circuit. On January 20, 2022, the Senate confirmed the nomination by a vote of 48-40.

Alison Nathan, U.S. Court of Appeals for the Second Circuit (New York)

The Leadership Conference supported Alison Nathan's confirmation because of her fair-minded approach to the law as a district court jurist and her strong commitment to civil and human rights. For nearly 10 years prior to her elevation to the Second Circuit, Nathan served as a judge on the U.S. District Court for the Southern District of New York, where she upheld the freedom to vote, protected the rights of immigrants, and recognized the rights of students to access equitable education. Prior to this, Nathan served as special counsel to the solicitor general in the Office of the Attorney General of New York, and as special assistant to the president and associate counsel in the White House Counsel's Office. Nathan is the second openly LGBTQ woman to serve on any federal appellate court. On March 23, 2022, the Senate confirmed the nomination by a vote of 49-47.

Sarah Geraghty, U.S. District Court for the Northern District of Georgia

The Leadership Conference supported Sarah Geraghty's confirmation because of her impressive experience defending civil rights and rooting out discrimination and disparities within the criminal-legal system. From 2003 until her confirmation, Geraghty worked at the Southern Center for Human Rights, serving as staff attorney, managing attorney for impact litigation, and eventually senior counsel. Throughout her career, Geraghty challenged discriminatory practices in the criminal-legal system, including excessive and inappropriate bail and the unconstitutional confinement of women with mental health illnesses. Previously, she served as a staff attorney for the Office of the Appellate Defender, which gave her invaluable and underrepresented experience. Geraghty is the first former public defender to serve on this court. On March 31, 2022, the Senate confirmed the nomination by a vote of 52-48.



Ketanji Brown Jackson, U.S. Supreme Court

The Leadership Conference supported Ketanji Brown Jackson's confirmation because of her outstanding commitment to civil and human rights and her superb record as a fair-minded jurist. Prior to her confirmation to the U.S. Supreme Court, she served on the federal judiciary, first as a district court judge on the U.S. District Court for the District of Columbia, and then as a circuit court judge on the U.S. Court of Appeals for the D.C. Circuit. As a judge, she worked to uphold the rights of immigrants, people with disabilities, and working people. Prior to becoming a judge, she served as vice chair of the U.S. Sentencing Commission from 2010 to 2014, where she helped implement bipartisan reforms to federal sentencing guidelines that addressed their disproportionate impact on Black and Brown people. Jackson also served in the Office of the Federal Public Defender in the District of Columbia, making her the first ever former public defender to serve on the U.S. Supreme Court. She is also the first Black woman to serve on the Court. On April 7, 2022, the Senate confirmed the nomination by a vote of 53-47.

Stephanie Davis, U.S. Court of Appeals for the Sixth Circuit (Michigan)

The Leadership Conference supported Stephanie Davis' confirmation because of her even-handed approach to the law and experience as an outstanding jurist committed to the rights of all people. From 2019 until her elevation to the Sixth Circuit, Davis served on the U.S. District Court for the Eastern District of Michigan, where she previously served as a magistrate judge. As a jurist, she demonstrated a fair-minded approach to the law, protecting the rights of people to freely exercise their religion, the rights of people with disabilities, and our freedom to vote. Before joining the bench, Davis held a number of positions in the U.S. attorney's office for the Eastern District of Michigan. She is the first Black woman from Michigan, and only the second Black woman ever, to serve on the Sixth Circuit. On May 24, 2022, the Senate confirmed the nomination by a vote of 49-43.

Charlotte Sweeney, U.S. District Court for the District of Colorado

The Leadership Conference supported Charlotte Sweeney's confirmation because of her impressive civil rights background protecting the rights of working people. Throughout her career, she defended the rights of working people through litigation, fighting wage and employment discrimination on the basis of sex, national origin, and disability. Sweeney also helped to pass Colorado's Equal Pay for Equal Work Act in 2019, which strengthens protections against wage discrimination on the basis of sex. Sweeney is the first openly LGBTQ federal judge in Colorado and the first openly LGBTQ woman to serve on any federal district court west of the Mississippi River. On May 25, 2022, the Senate confirmed the nomination by a vote of 48-46.

Nina Morrison, U.S. District Court for the Eastern District of New York

The Leadership Conference supported Nina Morrison's confirmation because of her demonstrated experience pursuing equal justice for all and, in particular, her extensive work defending the rights of those wrongfully convicted. Morrison spent 20 years at the Innocence Project working as a senior staff attorney, executive director, and senior litigation counsel. At the Innocence Project, Morrison helped to exonerate those serving time for crimes they did not commit, and as a result of her tireless efforts, 30 people in more than 10 states were freed from prison or death row. Morrison is the second openly LGBTQ judge on this court. On June 8, 2022, the Senate confirmed the nomination by a vote of 53-46.



Nancy Maldonado, U.S. District Court for the Northern District of Illinois

The Leadership Conference supported Nancy Maldonado's confirmation because of her dedication to the rights of working people and impressive career in employment law. Prior to her confirmation, Maldonado was a partner at Miner, Barnhill & Galland, P.C., specializing in representation for workers facing employment discrimination and other civil rights litigation. Throughout her career, Maldonado defended the rights of migrant farmworkers, including litigating in support of proper overtime compensation and paid rest breaks for workers and challenging unfair labor practices that violated the Migrant and Seasonal Agricultural Worker Protection Act. She also challenged a racially discriminatory tax assessment plan in Cook County that intentionally over-assessed houses in low-income neighborhoods. She is the first Latina to serve as a lifetime federal judge in Illinois. On July 19, 2022, the Senate confirmed the nomination by a vote of 53-45.

J. Michelle Childs, U.S. Court of Appeals for the D.C. Circuit

The Leadership Conference supported Michelle Childs' confirmation because of her experience as a fair-minded judge and her demonstrated commitment to the rights of all people. From 2010 until her elevation to the D.C. Circuit, she served as a judge on the U.S. District Court for the District of South Carolina, where she protected equitable access to the ballot box and the rights of LGBTQ couples. Prior to her appointment to the federal bench, she served as a circuit court judge for the South Carolina Judicial Department. Before becoming a judge, she served as a commissioner with the South Carolina Workers' Compensation Commission and as deputy director of the South Carolina Department of Labor, Licensing and Regulation. On July 19, 2022, the Senate confirmed the nomination by a vote of 64-34.

Elizabeth Hanes, U.S. District Court for the Eastern District of Virginia

The Leadership Conference supported Elizabeth Hanes' confirmation because of her impressive judicial and legal experience protecting the rights of all people, including her service as a public defender and work on consumer protection litigation. Prior to her elevation as a lifetime federal judge, Hanes served as a magistrate judge for the U.S. District Court for the Eastern District of Virginia. She led the drug court program for the Richmond Division of the Eastern District of Virginia, which seeks to help people on probation or supervised release with a history of substance abuse by providing them with treatment and mental health resources. Hanes spent seven years as an assistant federal public defender for the Office of the Federal Public Defender for the Eastern District of Virginia, representing clients who could not afford an attorney. On August 2, 2022, the Senate confirmed the nomination by a vote of 59-37.

Roopali Desai, U.S. Court of Appeals for the Ninth Circuit (Arizona)

The Leadership Conference supported Roopali Desai's confirmation because of her impressive civil rights experience, particularly in the field of voting rights. Prior to her confirmation, Desai worked at Coppersmith Brockelman PLC. Leading the firm's elections, political, and public law group, she served as an integral part of the litigation team that challenged the onslaught of baseless election fraud allegations that were brought after the 2020 presidential election. Throughout her career, Desai defended the rights of unions, pushed for accountability for the abuse and neglect of foster children, and protected public safety by successfully defending the legality of public health efforts. Desai is the first South Asian judge to serve on the Ninth Circuit. On August 4, 2022, the Senate confirmed the nomination by a vote of 67-29.

John Lee, U.S. Court of Appeals for the Seventh Circuit (Illinois)

The Leadership Conference supported John Lee's confirmation because of his experience as a fair-minded judge and his demonstrated commitment to the rights of all people. Prior to his elevation to the Seventh Circuit, Lee served as a judge on the U.S. District Court for the Northern District of Illinois, where he upheld health and safety protections for young people. Lee had already administered equal justice in our appellate courts, sitting by designation on the Seventh Circuit several times and defending the right to privacy for people who had been incarcerated. Prior to his judicial service, he worked in private practice and as a trial attorney for the Environment and Natural Resources Division of the U.S. Department of Justice. He is the first Asian American judge to serve on the Seventh Circuit. On September 7, 2022, the Senate confirmed the nomination by a vote of 50-44.

Salvador Mendoza, U.S. Court of Appeals for the Ninth Circuit (Washington)

The Leadership Conference supported Salvador Mendoza's confirmation because of his demonstrated commitment to equal justice, including making sure that people have access to qualified counsel in criminal defense proceedings. From 2014 until his elevation to the Ninth Circuit, Mendoza served as a judge on the U.S. District Court for the Eastern District of Washington, where he upheld the rights of migrant farmworkers. Before serving on the federal bench, he had a long judicial career in Benton County and Franklin County, including his time as a superior court judge, district court judge pro tempore, and juvenile court judge pro tempore. In private practice, he specialized in criminal defense litigation with more than half of his caseload pro bono on behalf of clients who could otherwise not afford counsel. Mendoza is the first Latino from Washington to serve on the Ninth Circuit. On September 12, 2022, the Senate confirmed the nomination by a vote of 46-40.

Lara Montecalvo, U.S. Court of Appeals for the First Circuit (Rhode Island)

The Leadership Conference supported Lara Montecalvo's confirmation because of her impressive experience as a public defender and her commitment to pursuing equal justice for all people. Montecalvo served as the Rhode Island Public Defender, overseeing the entire Rhode Island Public Defender's Office, and she is the second former public defender ever to serve on the First Circuit. She held numerous other positions in the Rhode Island Public Defender's Office, including chief of the appellate division and trial attorney in both the appellate and trial divisions. Montecalvo helped eliminate the practice of keeping imprisoned those unable to pay fines or fees imposed by courts and helped form a medical-legal partnership with a local Rhode Island health clinic. On September 14, 2022, the Senate confirmed the nomination by a vote of 52-47.

Sarah Merriam, U.S. Court of Appeals for the Second Circuit (Connecticut)

The Leadership Conference supported Sarah Merriam's confirmation because of her experience as a fair-minded judge and her dedication to protecting civil rights, especially as a public defender. From 2021 until her elevation to the Second Circuit, Merriam served on the U.S. District Court for the District of Connecticut, where she also served for more than six years as a magistrate judge. Merriam demonstrated her commitment to the rights of working people even before her legal career as the political director of Connecticut Employees Union Independent/SEIU Local 511. She also spent eight years as an assistant federal defender in the Office of the Federal Defender, defending clients who could not afford an attorney. On September 15, 2022, the Senate confirmed the nomination by a vote of 53-44.

Arianna Freeman, U.S. Court of Appeals for the Third Circuit (Pennsylvania)

The Leadership Conference supported Arianna Freeman’s confirmation because of her notable experience in pursuit of equal justice as a public defender specializing in post-conviction relief. Freeman served at the Federal Community Defender Office of the Eastern District of Pennsylvania. As a public defender, Freeman assisted clients who could not afford counsel in post-conviction relief, overseeing litigation for those harmed by unconstitutional mandatory minimum sentencing policies. Freeman is the first woman of color, first Black woman, and second former public defender to serve on the Third Circuit. On September 29, 2022, the Senate confirmed the nomination by a vote of 50-47.

Kelley Hodge, U.S. District Court for the Eastern District of Pennsylvania

The Leadership Conference supported Kelley Hodges confirmation because of her demonstrated commitment to civil rights, including her impressive work rooting out disparities in the criminal-legal system and her experience ensuring that schools are safe and inclusive. Hodge spent six years as an assistant public defender and senior assistant public defender in the Richmond Public Defender’s Office, where she worked to ensure that all people had access to qualified counsel. Later, as the first Black woman to serve as District Attorney for the city of Philadelphia, Hodge expanded resources to respond to hate crime allegations, worked to combat voter intimidation, and implemented programs to address bullying in schools. She also worked to ensure that schools and universities were safe and inclusive for all students as a Safe Schools Advocate for the Philadelphia School District and a Title IX coordinator at the University of Virginia. Hodge is one of two Black women actively serving on this court and just the third in the court’s history. On December 6, 2022, the Senate confirmed the nomination by a vote of 52-44.

Mia Perez, U.S. District Court for the Eastern District of Pennsylvania

The Leadership Conference supported Mia Perez’s confirmation because of her outstanding commitment to protecting civil rights, including her experience as a public defender. From 2016 until her confirmation to this court, Perez served as a judge with the Pennsylvania Court of Common Pleas. Previously, she worked in private practice at her own firm, as counsel with Jalon and Rossman, and as an associate attorney with Friedman Schuman. During her time at Friedman Schuman, she defended the rights of LGBTQ people when she helped pass a local ordinance that prohibited discrimination in housing, employment, and public accommodations on the basis of sexual orientation, gender identity, and gender expression. She worked to defend the constitutional rights of people accused of wrongdoing in private practice and as a member of the Criminal Justice Act Panel, where she served as court-appointed counsel for people unable to pay for legal services. Perez began her legal career as a public defender, spending four years as an assistant defender with the Defender Association of Philadelphia. She is the first Asian American judge, and only the second Latina judge, to ever sit on this court. On December 7, 2022, the Senate confirmed the nomination by a vote of 52-43.

Kai Scott, U.S. District Court for the Eastern District of Pennsylvania

The Leadership Conference supported Kai Scott’s confirmation because of her experience ensuring equal access to justice and her commitment to the rights of those involved in the criminal-legal system. Prior to her confirmation to this court, Scott served as a judge in the Court of Common Pleas Criminal Trial Division, where she worked to support formerly incarcerated people and those charged for the first time. She also oversaw the

MENTOR program, a reentry program that matches formerly incarcerated people with mentors to provide them with support, including job training and trauma-informed counseling, and allows those who complete the program to receive a significantly reduced probation period. Prior to serving as a judge, Scott worked for 15 years as a public defender, including serving as an assistant federal defender, chief of the trial unit with the Federal Community Defender Office for the Eastern District of Pennsylvania, and assistant defender with the Defender Association of Philadelphia. She is one of two Black women actively serving on the district court and just the fourth in the court's history. On December 7, 2022, the Senate confirmed the nomination by a vote of 50-42.

Cindy Chung, U.S. Court of Appeals for the Third Circuit (Pennsylvania)

The Leadership Conference supported the confirmation of Cindy Chung because she has a vast record of defending people and communities who have experienced hate crimes. Since 2014, she has worked at the U.S. Attorney's Office for the Western District of Pennsylvania, holding several positions including deputy chief of the Major Crimes Section and acting deputy chief of the Violent Crimes Section. She was a responding attorney in the aftermath of the hate-motivated mass shooting of Jewish congregants at the Tree of Life Synagogue. Previously, Chung worked as a trial attorney in the Civil Rights Division of the U.S. Department of Justice, where she was the first lawyer to bring a case to enforce the Shepard-Byrd Hate Crimes Prevention Act. She is the first Asian American to ever serve on the Third Circuit. On February 13, 2023, the Senate confirmed the nomination by a vote of 50-44.

Adrienne Nelson, U.S. District Court for the District of Oregon

The Leadership Conference supported the confirmation of Adrienne Nelson because she has significant experience as a fair-minded jurist. She currently serves as an associate justice on the Oregon Supreme Court, and previously spent 12 years as a circuit court judge on the Multnomah County Circuit Court. Nelson was the first Black woman to serve on both of these courts. She began her legal career at the Texas Council on Family Violence, supporting efforts to eradicate domestic violence through public policy and direct services, and served for three years as a public defender with Multnomah Defenders, Inc. Nelson is the first woman of color and first Black woman ever to serve on the District of Oregon. On February 15, 2023, the Senate confirmed the nomination by a vote of 52-46.

Daniel Calabretta, U.S. District Court for the Eastern District of California

The Leadership Conference supported the confirmation of Daniel Calabretta because he is an accomplished jurist with a commitment to civil and human rights. He currently serves as the presiding judge of the juvenile court in the Superior Court of California for the County of Sacramento. When he joined that court as a superior court judge in 2019, he became the first openly gay man ever appointed to that court. Calabretta previously worked for the office of the governor as deputy legal affairs secretary and spent five years as deputy attorney general for the California Department of Justice. He is the first openly LGBTQ person ever to serve on the Eastern District of California. On February 16, 2023, the Senate confirmed the nomination by a vote of 51-45.



Jamal Whitehead, U.S. District Court for the Western District of Washington

The Leadership Conference supported the confirmation of Jamal Whitehead because of his commitment to and work defending and protecting the rights of all people. He has an impressive record as a civil rights lawyer, representing people who experienced racial discrimination, sexual harassment, and disability discrimination in the workplace. He is also the first nominee from this administration known to be living with a disability. Whitehead is the only Black judge in active service on the Western District of Washington. On February 28, 2023, the Senate confirmed the nomination by a vote of 51-43.

Araceli Martínez-Olguín, U.S. District Court for the Northern District of California

The Leadership Conference supported the confirmation of Araceli Martínez-Olguín because she has spent her entire career in pursuit of equal justice for all. She has defended the rights of immigrants in her work at the National Immigration Law Center and Community Legal Services in East Palo Alto. Martínez-Olguín also has notable civil rights experience working at the Office for Civil Rights at the U.S. Department of Education, the American Civil Liberties Union's Women's Rights Project and Immigrants' Rights Project, Legal Aid at Work, and the National Day Laborer Organizing Network. She is the second Latina ever to serve on the Northern District of California. On February 28, 2023, the Senate confirmed the nomination by a vote of 49-48.

Margaret Guzman, U.S. District Court for the District of Massachusetts

The Leadership Conference supported the confirmation of Margaret Guzman because she is a distinguished jurist with an outstanding commitment to equal justice. She currently serves as the first justice for the Ayer District Court and was previously an associate justice for the Commonwealth of Massachusetts Trial Court. Prior to her judicial service, Guzman served for 13 years as a public defender, representing clients who could not afford an attorney and helping them navigate the complex criminal-legal system. She is the first Latina ever to serve on the District of Massachusetts. On March 1, 2023, the Senate confirmed the nomination by a vote of 49-48.

Jessica Clarke, U.S. District Court for the Southern District of New York

The Leadership Conference supported the confirmation of Jessica Clarke because she has spent her career working to protect and defend the civil and human rights of all of us. She has served as chief of the Civil Rights Bureau of the New York State Office of the Attorney General since 2019, and she has experience investigating and litigating housing discrimination cases as a trial attorney in the Housing and Civil Enforcement Section of the Civil Rights Division of the U.S. Department of Justice. On March 16, 2023, the Senate confirmed the nomination by a vote of 48-43.

Brad Garcia, U.S. Court of Appeals for the D.C. Circuit

The Leadership Conference supported the confirmation of Brad Garcia because he has a strong record of defending civil rights. For example, he has protected the constitutional rights of people involved in the criminal-legal system, defended abortion access, and protected immigrants from unlawful deportation. Garcia is the first Latino judge to serve on the D.C. Circuit. On May 15, 2023, the Senate confirmed the nomination by a vote of 53-40.



Nancy Abudu, U.S. Court of Appeals for the Eleventh Circuit (Georgia)

The Leadership Conference supported the confirmation of Nancy Abudu because she has dedicated her impressive career to defending and protecting our civil rights, including our freedom to vote. After spending years as a civil rights litigator at the ACLU's Voting Rights Project and the ACLU of Florida, Abudu joined the Southern Poverty Law Center to help establish its Voting Rights Practice Group. She is the first Black woman on the Eleventh Circuit and the first Black person ever to serve in a Georgia seat on this court. On May 18, 2023, the Senate confirmed the nomination by a vote of 49-47.

Hernán Vera, U.S. District Court for the Central District of California

The Leadership Conference supported the confirmation of Hernán Vera because he has dedicated his career to equal justice. Before serving as a judge on the Los Angeles County Superior Court, Vera served for 12 years at Public Counsel, the largest pro bono law firm in the nation, where he created an impact litigation department for economic injustice. He also served as an attorney at the Mexican American Legal Defense and Educational Fund. On June 13, 2023, the Senate confirmed the nomination by a vote of 51-48.

Casey Pitts, U.S. District Court for the Northern District of California

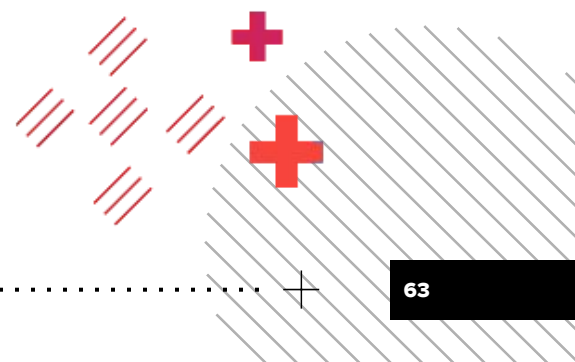
The Leadership Conference supported the confirmation of Casey Pitts because he has dedicated his career to protecting and defending the rights of working people. Through complex litigation, collective bargaining sessions, and grievance arbitration, he has successfully challenged unfair labor practices across the country. Pitts is the only openly LGBTQ judge actively serving on the Northern District of California. On June 14, 2023, the Senate confirmed the nomination by a vote of 53-46.

Dale Ho, U.S. District Court for the Southern District of New York

The Leadership Conference supported the confirmation of Dale Ho because throughout his extensive legal career, he has advanced the rights of all people. As director of the voting rights project at the ACLU, Ho has protected civil rights by defending the freedom to vote. He has successfully challenged the Trump administration's efforts to add a citizenship question to the census and opposed its efforts to exclude unauthorized immigrants from calculations used to determine representation in Congress. On June 14, 2023, the Senate confirmed the nomination by a vote of 50-49.

Nusrat Choudhury, U.S. District Court for the Eastern District of New York

The Leadership Conference supported the confirmation of Nusrat Choudhury because she has worked tirelessly challenging discriminatory policies that target communities of color. Throughout her impressive career at the ACLU, she has challenged modern-day debtors' prisons, racially discriminatory policies, and unlawful surveillance of religious minorities. Choudhury is the first Muslim woman and first Bangladeshi American ever to serve as a lifetime federal judge. On June 15, 2023, the Senate confirmed the nomination by a vote of 50-49.



Julie Rikelman, U.S. Court of Appeals for the First Circuit (Massachusetts)

The Leadership Conference supported the confirmation of Julie Rikelman because she has devoted her career to pursuing equal justice under the law. As litigation director at the Center for Reproductive Rights, she has defended our right to bodily autonomy, including our right to access abortion. Rikelman has also defended the freedom to vote. Her commitment to civil and human rights stems from her experiences as a child fleeing Soviet-controlled Kiev to escape religious persecution. Rikelman is the first immigrant woman and first Jewish woman to serve on the First Circuit. On June 20, 2023, the Senate confirmed the nomination by a vote of 51-43.

Natasha Merle, U.S. District Court for the Eastern District of New York

The Leadership Conference supported the confirmation of Natasha Merle because she has demonstrated her deep commitment to equal justice throughout her notable career. As the deputy director of litigation at the NAACP Legal Defense and Educational Fund, Inc., she has led critical civil rights lawsuits on the freedom to vote and discriminatory sentencing practices. Merle has also served as a federal public defender, fighting bias in our criminal-legal system and defending clients who could not afford an attorney. On June 21, 2023, the Senate confirmed the nomination by a vote of 50-49.

Tiffany Cartwright, U.S. District Court for the Western District of Washington

The Leadership Conference supported the confirmation of Tiffany Cartwright because she possesses an impressive background as a civil rights attorney. Since 2014, she has specialized in civil rights litigation at MacDonald Hoague & Bayless, where she has defended the rights of people who were wrongly convicted of crimes and held police officers accountable for their misconduct. Cartwright also has an extensive background defending the rights of working people. On July 12, 2023, the Senate confirmed the nomination by a vote of 50-47.

Myong Joun, U.S. District Court for the District of Massachusetts

The Leadership Conference supported the confirmation of Myong Joun because he has spent his career in pursuit of equal justice. Before becoming an associate justice of the Boston Municipal Court, he spent many years in private practice focused on criminal defense matters, successfully representing people whose constitutional rights were violated by the government. His significant pro bono experience included representing people who were unable to afford an attorney, thus ensuring they had access to justice. Joun is the first Asian American man to ever serve on this court and on any court in the First Circuit. On July 12, 2023, the Senate confirmed the nomination by a vote of 52-46.

Rachel Bloomekatz, U.S. Court of Appeals for the Sixth Circuit (Ohio)

The Leadership Conference supported the confirmation of Rachel Bloomekatz because she possesses an impressive legal background protecting the rights of all people. Throughout her career advancing equal justice, she has defended the freedom to vote and access to the ballot box. Bloomekatz has also protected the rights of consumers and challenged dangerous policies that would allow teachers without sufficient training to carry firearms. On July 18, 2023, the Senate confirmed the nomination by a vote of 50-48.



Jeffrey Cummings, U.S. District Court for the Northern District of Illinois

The Leadership Conference supported the confirmation of Jeffrey Cummings because he has devoted his career to equal justice. Before becoming a magistrate judge for the Northern District of Illinois, Cummings litigated numerous complex cases involving civil rights issues, including workplace harassment and discrimination. He also spent nearly a decade representing Black voters challenging a Chicago redistricting map that diluted the voting strength of Black and Latino/a voters, eventually securing a victory for his clients. On September 12, 2023, the Senate confirmed the nomination by a vote of 50-45.

Rita Lin, U.S. District Court for the Northern District of California

The Leadership Conference supported Rita Lin's confirmation because she is a fair-minded jurist with critical experience working towards equal justice for all. During her 10 years in private practice, she took on significant pro bono work, including important LGBTQ rights cases and cases defending the rights of people living with disabilities. Lin is only the second Asian American woman — and the first Chinese American woman — to serve as a lifetime judge on this court. On September 19, 2023, the Senate confirmed the nomination by a vote of 52-45.

Susan DeClercq, U.S. District Court for the Eastern District of Michigan

The Leadership Conference supported the confirmation of Susan DeClercq because she has significant experience enforcing critical civil rights laws. She spent 18 years with the U.S. Attorney's Office for the Eastern District of Michigan, holding numerous positions including assistant U.S. attorney for the civil rights unit and the defensive litigation unit, civil rights unit chief, and civil division chief. In particular, she has worked extensively for those who have

been discriminated against based on their disability. She is the first East Asian lifetime federal judge, and only the second AAPI woman lifetime federal judge, in Michigan. On October 4, 2023, the Senate confirmed the nomination by a vote of 52-42.

Mónica Ramírez Almadani, U.S. District Court for the Central District of California.

The Leadership Conference supported the confirmation of Mónica Ramírez Almadani because she has displayed an outstanding commitment to equal justice throughout her career. Through her work at the ACLU, the Civil Rights Division of the U.S. Department of Justice, the University of California Irvine School of Law's Immigrant Rights Clinic, and pro bono legal services organization Public Counsel, she has steadfastly defended the rights of vulnerable communities, including immigrants and those facing discrimination. At the time of her confirmation, Ramírez Almadani was the only Latina serving as a lifetime judge on this court. On November 9, 2023, the Senate confirmed the nomination by a vote of 51-44.

Ana de Alba, U.S. Court of Appeals for the Ninth Circuit (California)

The Leadership Conference supported Ana de Alba's confirmation because of her impressive judicial and civil rights experience. Her career has been steeped in defending the rights of working people, having litigated numerous complex cases on workplace harassment and discrimination. In addition to her full caseload while in private practice, de Alba established and ran a Workers' Rights Clinic, which provided free legal services to workers unable to afford an attorney. When she was confirmed in 2022 to serve on the U.S. District Court for the Eastern District of California, she became the first lifetime Latina judge on that court. On November 13, 2023, the Senate confirmed the nomination by a vote of 48-43.

Margaret Garnett, U.S. District Court for the Southern District of New York

The Leadership Conference supported the confirmation of Margaret Garnett because she has significant experience holding those in positions of power accountable for their actions. In addition to her 15 years of service with the U.S. Attorney's Office for the Southern District of New York, she served as commissioner of the New York City Department of Investigation (DOI), the oversight agency charged with rooting out fraud. In this role, Garnett oversaw investigations of complaints against city employees, including the investigation into the New York Police Department's shameful handling of the protests in the wake of the murder of George Floyd. On November 28, 2023, the Senate confirmed the nomination by a vote of 49-46.

Sara Hill, U.S. District Court for the Northern District of Oklahoma

The Leadership Conference supported Sara Hill's confirmation because her career is steeped in public service, and she possesses significant expertise in Indian law that is greatly needed on our federal judiciary. As attorney general for the Cherokee Nation, she oversaw all litigation to which the Cherokee Nation was a party, including several important Indian law cases that went to the U.S. Supreme Court. A Cherokee citizen, Hill is the first Native American woman ever to serve a lifetime appointment on any federal district court in Oklahoma and only the eighth Native American ever to serve as a lifetime federal judge in our nation's history. On December 19, 2023, the Senate confirmed the nomination by a vote of 52-14.

Nicole Berner, U.S. Court of Appeals for the Fourth Circuit (Maryland)

The Leadership Conference supported the confirmation of Nicole Berner because she has the depth and breadth of civil rights experience we need on the federal bench. She has devoted her career to protecting and defending civil and human rights, including serving as general counsel for SEIU, where she worked to advance equal justice for working people. She also has crucial experience as a litigator at Planned Parenthood Federation of America working to protect people's access to abortion. She is the first openly LGBTQ judge on the Fourth Circuit and only the third openly lesbian woman ever to serve on any federal appellate court. On March 19, 2024, the Senate confirmed the nomination by a vote of 50-47.

Eumi Lee, U.S. District Court for the Northern District of California

The Leadership Conference supported Eumi Lee's confirmation because she is an experienced jurist who has dedicated much of her career to rooting out disparities in our criminal-legal system. Prior to her confirmation, she served since 2018 as a fair-minded judge for the Alameda County Superior Court and was the court's first Korean American judge. Before this, she held several positions at the University of California College of Law, San Francisco, including co-director of the Hastings Institute for Criminal Justice, ethics trainer, clinical professor, associate clinical professor, clinical attorney, and moot court, legal research & writing instructor. She is the third AAPI woman and fifth AAPI person to become a lifetime judge on this court. On March 20, 2024, the Senate confirmed the nomination by a vote of 50-49.

Nancy Maldonado, U.S. Court of Appeals for the Seventh Circuit (Illinois)

The Leadership Conference supported Nancy Maldonado's confirmation because she has spent her career defending the rights of working people. From 2022 until her elevation to the Seventh Circuit, Maldonado served as a fair-minded judge on the U.S. District Court for the Northern District of Illinois. Prior to joining the federal bench, she specialized in employment discrimination and challenging unfair labor practices, especially protecting the rights of migrant farmworkers. Maldonado is the first Latino/a judge to serve on the Seventh Circuit. On July 8, 2024, the Senate confirmed the nomination by a vote of 47-43.

Michelle Williams Court, U.S. District Court for the Central District of California

The Leadership Conference supported the confirmation of Michelle Williams Court because of her impressive legal career protecting and advancing civil and human rights and her experience as a fair-minded judge. Since 2012, she served on the Los Angeles Superior Court, where she was the supervising judge of the civil division. Prior to this, she was the vice president and general counsel of Bet Tzedek Legal Services, where she previously had been the director of litigation as well as deputy director of litigation. She also worked in private practice as an associate at both Milberg, Weiss, Bershad Hynes & Lerach and Litt & Marquez. Court was also a fellow with the U.S. Department of Housing and Urban Development and an attorney with the ACLU of Southern California. On September 18, 2024, the Senate confirmed the nomination by a vote of 49-44.

Mustafa Kasubhai, U.S. District Court for the District of Oregon

The Leadership Conference supported the confirmation of Mustafa Kasubhai because he has significant experience protecting and defending the rights of working people. While in private practice, he represented injured workers before the Oregon Workers' Compensation Board (WCB) and was eventually nominated and confirmed to serve on the WCB where he reviewed workers' compensation claims. Before becoming a magistrate judge for the District of Oregon, Kasubhai spent 11 years serving as a fair-minded state circuit court judge with the Oregon Judicial Department. He is only the third Muslim judge ever confirmed by the Senate, and the first in Oregon. He is also the first Asian American lifetime judge on this court. On November 19, 2024, the Senate confirmed the nomination by a vote of 51-44.

Sarah Russell, U.S. District Court for the District of Connecticut

The Leadership Conference supported the confirmation of Sarah Russell because she has shown a strong commitment to public service and equal justice throughout her career. As the director of the legal clinic at Quinnipiac University, she trains future attorneys and leads the clinic's work representing low-income people and its juvenile sentencing project. She previously served as the director of the public interest program at Yale Law School, overseeing their criminal defense, prison legal services, and Supreme Court clinics, and she has experience as a former assistant federal defender with the Office of the Federal Defender. On November 19, 2024, the Senate confirmed the nomination by a vote of 50-44.



Rebecca Pennell, U.S. District Court for the Eastern District of Washington

The Leadership Conference supported the confirmation of Rebecca Pennell because she has devoted her exceptional career to protecting the rights of all people. Since 2016, she has served as a fair-minded judge on the Washington State Court of Appeals. Before becoming a judge, she spent most of her legal career with the Federal Defenders of Eastern Washington and Idaho, representing clients who could not afford an attorney and ensuring they had access to justice. While serving as a public defender, Pennell helped create two reentry drug court programs that provided support services to formerly incarcerated people with a history of substance abuse as they transitioned out of prison. She is only the second former public defender to ever serve as a lifetime judge on this court. On November 20, 2024, the Senate confirmed the nomination by a vote of 50-48.

Amir Ali, U.S. District Court for the District of Columbia

The Leadership Conference supported the confirmation of Amir Ali because of his impressive experience in pursuit of equal justice. Much of his extensive legal career has been dedicated to protecting the rights of people involved in the criminal-legal system, including successfully representing a client who had been wrongfully convicted of murder. He has also held law enforcement accountable for wrongdoing by successfully challenging overbroad applications of qualified immunity for police officers who used excessive force. Ali is the first Arab American judge and the first Muslim judge to serve a lifetime appointment on this court. On November 20, 2024, the Senate confirmed the nomination by a vote of 50-49.

Sparkle Sooknanan, U.S. District Court for the District of Columbia

The Leadership Conference supported Sparkle Sooknanan's confirmation because she has demonstrated her commitment to equal justice throughout her impressive career. She served as the principal deputy assistant attorney general in the Civil Rights Division of the U.S. Department of Justice (DOJ). Sooknanan's work at the DOJ included protecting access to the ballot box, ensuring fairness in housing and employment, and defending the rights of people with disabilities. During her time in private practice, her robust pro bono work included criminal defense for those unable to afford an attorney, legal counsel to children in need, and legal services for individuals in immigration proceedings. Sooknanan immigrated to the United States from Trinidad and Tobago and joined the extremely small number of Indo-Caribbean lifetime federal judges. On December 3, 2024, the Senate confirmed the nomination by a vote of 50-48.

Cynthia Valenzuela Dixon, U.S. District Court for the Central District of California

The Leadership Conference supported Cynthia Valenzuela Dixon's confirmation because she has dedicated much of her impressive career to defending civil and human rights. She served as the supervising judge of the State Bar Court of California, an administrative court that hears all attorney discipline cases. She also previously served as the national vice president and director of litigation for the Mexican American Legal Defense and Educational Fund (MALDEF), where she worked on cases and briefs supporting educational equity, workers' rights, voting rights, immigrants' rights, and marriage equality. Valenzuela also specialized in voting rights as a trial attorney with the civil rights division of the U.S. Department of Justice and served as special assistant to the vice chair of the U.S. Commission on Civil Rights. On December 10, 2024, the Senate confirmed the nomination by a vote of 49-47.

Appendix 3. Exceptional nominees who were never confirmed

The Leadership Conference on Civil and Human Rights supported the following judicial nominees who were not confirmed during the 117th and 118th Congresses.

Circuit court nominees

Karla Campbell, U.S. Court of Appeals for the Sixth Circuit (Tennessee)

The Leadership Conference supported the confirmation of Karla Campbell because of her impressive legal career that includes a steadfast commitment to advancing equal justice for all. She has worked on numerous cases across many different areas of labor and employment law, including workplace safety, fair wages, and access to benefits, as well as advising labor organizations on best practices. An expert in the Employee Retirement Income Security Act (ERISA), she has worked tirelessly to defend the contributions and benefits owed to employees. Campbell has also worked to defend the rights of incarcerated people, as part of a team that brought a class action lawsuit on behalf of incarcerated people in Tennessee who were denied proper medical care.

Adeel Mangi, U.S. Court of Appeals for the Third Circuit (New Jersey)

The Leadership Conference supported the confirmation of Adeel Mangi because he possesses a strong commitment to equal justice for all. He has extensive civil rights pro bono experience protecting religious freedom and fighting discrimination against Muslim communities. Mangi would have been the first Muslim federal appellate court judge in our nation's history and the first Asian American man to serve on the Third Circuit.

Ryan Park, U.S. Court of Appeals for the Fourth Circuit (North Carolina)

The Leadership Conference supported the confirmation of Ryan Park because his impressive career has given him experience in many different areas of law, including but not limited to complex civil litigation, criminal law, administrative and state agency law, and appellate litigation. He has extensive experience as a clerk at all levels of our federal judiciary and in private practice, and as the solicitor general of North Carolina he argued before the U.S. Supreme Court on behalf of the University of North Carolina, defending the university's affirmative action policies that helped to foster a diverse learning environment for students in higher education. Park would have been the first Asian American judge to serve on the Fourth Circuit.

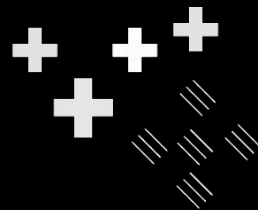
District court nominees

Todd Edelman, U.S. District Court for the District of Columbia

The Leadership Conference supported the confirmation of Todd Edelman because he is an eminently qualified and fair-minded jurist who has devoted his career to equal justice for all. Before joining the Superior Court of D.C., he worked in private practice defending the rights of workers and unions and, through his pro bono work, helped exonerate people who had been wrongfully convicted. Edelman also spent eight years as a public defender, representing clients who could not afford an attorney and ensuring they had access to justice.

Marian Gaston, U.S. District Court for the Southern District of California

The Leadership Conference supported the confirmation of Marian Gaston because of her impressive experience protecting the rights of all people. Before joining the bench as a judge on the San Diego Superior Court in 2015, Gaston spent nearly 20 years as a public defender, representing clients who could not afford an attorney and ensuring they had access to justice. As a judge, she presided over a special intervention court that provided alternatives to incarceration for youth on probation who are also survivors of human trafficking and other forms of sexual exploitation.



Endnotes

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³ *Brown v. Board of Education*, 347 U.S. 483 (1954).

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⁶ *Browder v. Gayle*, 142 F. Supp. 707 (M.D. Ala. 1956).

⁷ *U.S. v. Alabama*, 252 F. Supp. 95 (M.D. Ala. 1966).

⁸ Ralph G. Neas, [The Federalist Society: From Obscurity to Power](#), People For the American Way (August 2001).

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¹⁰ Lynn Adelman, [Laundering Racism Through the Court: The Scandal of States' Rights](#), DISSENT (2018).

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¹² See e.g., Sopan Deb, [Donald Trump's Supreme Court Litmus Test](#), CBS NEWS (Feb. 17, 2016); Dan Mangan, [Trump: I'll Appoint Supreme Court Justices to Overturn Roe v. Wade Abortion Case](#), CNBC (Oct. 19, 2016); Jeremy W. Peters, [Trump's New Judicial Litmus Test: Shrinking "the Administrative State."](#) THE NEW YORK TIMES (Mar. 2, 2018).

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¹⁸ *City of Grants Pass, Oregon v. Johnson*, 603 U.S. 520 (2024).

¹⁹ *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024).

²⁰ *Trump v. U.S.*, 603 U.S. 593 (2024).

²¹ Ed Pilkington, [Special master ruling shows Trump's takeover of courts has started to sting](#), THE GUARDIAN (Sept. 18, 2022).

²² [Oppose the Confirmation of Matthew Kacsmaryk to the U.S. District Court for the Northern District of Texas](#). The Leadership Conference on Civil and Human Rights (Dec. 2017).

²³ *Texas v. EEOC*, No. 21-194, 2022 WL 4835346 (N.D. Tex. Oct. 1, 2022).

²⁴ Kelly McEvers, [In Florida, People With Past Felony Convictions Can't Vote, But That Could All Change](#), NPR (Nov. 2, 2018).

²⁵ *Jones v. Governor of Florida*, 975 F.3d 1016 (11th Cir. 2020).

²⁶ Ann E. Marimow, [*Trump's lasting legacy on the judiciary is not just at the Supreme Court*](#), THE WASHINGTON POST (Jan. 29, 2023).

²⁷ Nate Raymond, [*Trump-appointed judge boycotts Yale for law clerks over 'cancel culture'*](#), REUTERS (Sept. 30, 2022).

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³⁵ The White House, Press Release: [*President Biden Announces Fourth Slate of Judicial Nominations*](#) (June 15, 2021) (on file with author).

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³⁸ [*Support the Confirmation of Tana Lin to the U.S. District Court for the Western District of Washington*](#), The Leadership Conference on Civil and Human Rights (July 13, 2021).

³⁹ [*Support the Confirmation of Beth Robinson to the U.S. Court of Appeals for the Second Circuit*](#), The Leadership Conference on Civil and Human Rights (Sept. 13, 2021).

⁴⁰ [*Support the Confirmation of Jennifer Sung to the U.S. Court of Appeals for the Ninth Circuit*](#), The Leadership Conference on Civil and Human Rights (Sept. 13, 2021).

⁴¹ [*Support the Confirmation of Judge Holly Thomas to the U.S. Court of Appeals for the Ninth Circuit*](#), The Leadership Conference on Civil and Human Rights (Oct. 18, 2021).

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⁴³ [*Support the Confirmation of Charlotte Sweeney to the U.S. District Court for the District of Colorado*](#), The Leadership Conference on Civil and Human Rights (Nov. 17, 2021).

⁴⁴ [*Support the Confirmation of Nina Morrison to the U.S. District Court for the Eastern District of New York*](#), The Leadership Conference on Civil and Human Rights (Feb. 17, 2022).

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