

April 27, 2021

Dear Mr. President:

We, the undersigned organizations, write to commend you on your demonstrated commitment to bringing diversity of background and experience to our federal judiciary, and we urge you to highlight that commitment during your upcoming State of the Union address.

Your administration inherited a federal court system in crisis. The Republican Party has stacked the federal courts with ultra-conservative judges who, in more ways than one, do not reflect the American population that they serve. During the Trump administration, the former president appointed 234 federal judges, including three to the U.S. Supreme Court and 54 to the U.S. Courts of Appeals. As a result, one third of the justices on the Supreme Court and 30% of judges on the Courts of Appeals are now Trump appointees. These judges were often confirmed despite records showing open hostility toward communities that they now serve, including communities of color, LGBTQ communities, and women. Moreover, Trump's judicial nominees were the least demographically diverse set of nominees in decades. Eighty-four percent of the former president's judicial nominees were white and 76% were male. They also sorely lacked professional and experiential diversity. While more than a third of Trump's judicial nominees to the Courts of Appeals had prosecutorial experience and more than half had significant experience representing large corporations in court, not a single one had experience as a legal aid lawyer or public defender.

Your administration is, thankfully, acutely aware of this urgently problematic imbalance on the federal courts. Even before you took office, your White House Counsel, Dana Remus, wrote to Senate Democrats to enlist their help in recommending for federal judicial vacancies individuals who "reflect the best of America, and who look like America." She further emphasized that your administration is "particularly focused on nominating individuals whose legal experiences have been historically underrepresented on the federal bench, including those who are public defenders, civil rights and legal aid attorneys, and those who represent Americans in every walk of life." Your selection of seven women of color and four public defenders in your first batch of nominees represented a significant downpayment on that commitment to rebalance the courts.

We were so excited to see this early and enthusiastic support for bringing much-needed balance back to our federal judiciary, and we look forward to working with your administration to see to it that this important objective is met. In order to highlight this important work, which we believe will garner significant support from the American people, we encourage you to include it in your first State of the Union address. This would be especially meaningful because the address will be made just hours after the Senate holds its first hearing on your judicial nominees, who are already breaking new ground in so many ways.

In conclusion, we thank you for your inspiring commitment to prioritizing federal judges by nominating professionally and demographically diverse candidates, and we hope that you will share this important commitment with the American public during your April 28, 2021 State of the Union address.

Sincerely,

American Association for Justice
American Atheists
Demand Justice
Demos
National Asian Pacific American Women's Forum
National Council of Jewish Women

National Employment Lawyers Association
People for the American Way
People's Parity Project
Progressive Turnout Project
Stand Up America