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September 11, 2013

## **Vote "Yes" on Cornelia Pillard's Nomination to the D.C. Circuit**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, we write to express our strong support for the confirmation of Cornelia Pillard to the U.S. Court of Appeals for the District of Columbia Circuit. Ms. Pillard is a highly accomplished appellate lawyer and law professor with a wealth of diverse experience and a distinguished career in public service. Given her steadfast commitment to enforcing the rule of law and protecting the roles of the courts, Congress, the executive branch, and the states, Ms. Pillard will be an objective, thoughtful, and impartial voice on the court. As a member of the Senate Judiciary Committee we urge the you to vote "yes" on her confirmation.

Cornelia Pillard's credentials are outstanding and have earned her a "Unanimously Well Qualified" rating from the American Bar Association. As an appellate litigator, she has argued dozens of cases and issued more than 25 briefs in the U.S. Supreme Court. At the outset, Ms. Pillard will be prepared to handle an array of legal issues that the D.C. Circuit addresses, since she has argued cases involving constitutional law, national security, civil rights law, and administrative law, and has become a leading expert in arbitration law. Given these qualifications, it is no wonder her nomination has garnered the support of numerous former high-ranking government lawyers and law enforcement officials.

Cornelia Pillard graduated magna cum laude with Distinction from Yale College and magna cum laude from Harvard Law School. She then clerked for Judge Louis H. Pollack on the U.S. District Court for the Eastern District of Pennsylvania. She served in the Office of the Solicitor General from 1994-98, and then as Deputy Assistant Attorney General in the Office of Legal Counsel at the Justice Department from 1998-2000. After leaving the government, Ms. Pillard became a professor of law at Georgetown University Law Center, where she has taught for 15 years.

Ms. Pillard made her mark as a stellar litigator at the Department of Justice, briefing and arguing several landmark cases. She is credited with writing the winning briefs in *U.S. v. Virginia* (1997), which opened to women the last male-only military college, Virginia Military Institute. Ms. Pillard has continued to litigate a number of high profile cases while at Georgetown Law. For example, in *Nevada Dept. of Human Resources v. Hibbs* (2003), she served as lead counsel in the Supreme Court with the Bush administration as co-counsel, successfully representing Mr. Hibbs, a state employee, who was fired for seeking to use the Family and Medical Leave Act (FMLA). The Supreme Court upheld Mr. Hibbs' use of the FMLA in a majority decision written by then-Chief Justice Rehnquist.

In addition, Ms. Pillard has shared her tremendous expertise in appellate litigation with the broader legal community. As co-director of the renowned Georgetown Supreme Court Litigation clinic, she has demonstrated an unbiased approach to the rule of law and provided pro-bono assistance to scores of lawyers preparing for arguments before the Supreme Court.



Her work has not only garnered the respect of advocates of all backgrounds, but many accolades from Supreme Court Justices who have noted the improved quality of arguments in the Court.

Cornelia Pillard's record demonstrates her ability to make objective decisions on a number of multifaceted and prominent cases that will surely come before the court. Ms. Pillard will offer a unique perspective, given that she has represented a wide array of interests during her tenure in the Justice Department and while assisting attorneys at the Supreme Court Litigation Clinic. Her nomination to the D.C. Circuit is important not only because of her impeccable legal credentials and experiential diversity that she brings, but also because of the role this court plays in the administration of justice in our country.

The D.C. Circuit is responsible for deciding uniquely complex and nationally significant cases, with exclusive responsibility for hearing cases on environmental regulations, national security issues, and voting rights. It is also the court that most closely oversees federal agency action on issues including health care, consumer protection, workers' rights, and workplace safety. Yet the D.C. Circuit is operating with nearly one third of its congressionally mandated seats vacant. According to the Administrative Office of the U.S. Courts, "the caseload per active judge on the D.C. Circuit has risen more than 50 percent since 2005." As of December 31, 2012, there were 1,419 pending cases, meaning a caseload of 177.5 cases per active judge. Today, there are three fewer active judges on the D.C. Circuit than there were in 2005 when the case load was just 119 cases per active judge. It is contrary to the interests of justice for the court to operate with such inadequate levels of staffing.

The president has nominated an exceptional and renowned legal advocate to a vacancy on an important federal court. The Senate Judiciary Committee should favorably report out Ms. Cornelia Pillard's nomination onto the Senate floor. We urge you to vote "yes" on her confirmation to the D.C. Circuit.

If you have any questions, please feel free to contact Sakira Cook, Senior Policy Associate, at [cook@civilrights.org](mailto:cook@civilrights.org) or (202) 263-2894.

Sincerely,

Wade Henderson  
President & CEO

Nancy Zirkin  
Executive Vice President