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October 31, 2013

Support Judge Robert L. Wilkins' Nomination to the D.C. Circuit

Dear Senate Judiciary Committee Member:

On behalf of The Leadership Conference on Civil and Human Rights, we write to express our strong support for the confirmation of Judge Robert L. Wilkins to the U.S. Court of Appeals for the District of Columbia. As one of the nation's leading judges, Mr. Wilkins will bring a wealth of experience and impartiality to the court. Given his steadfast commitment to enforcing the rule of law and protecting the roles of the courts, Congress, the executive branch, and the states, Judge Wilkins will be an objective, thoughtful, and impartial voice on the court. We urge you to vote in favor of his confirmation.

There is no question Robert Wilkins is eminently qualified and will be a highly respected addition to the D.C. Circuit, as evidenced by the "Unanimously Well Qualified" ratings he received from the American Bar Association and from the U.S. Court of Appeals. On May 20, 2010 he was nominated by President Obama to the U.S. District Court for the District of Columbia and confirmed unanimously on December 22, 2010. Since his confirmation, he has earned a reputation as a conscientious and fair-minded jurist who dutifully follows the law, as observed by the Wall Street Journal Editorial Board. If confirmed to the D.C. Circuit, Judge Wilkins would be the first judge on the U.S. District Court for the District of Columbia to be elevated to that court in nearly 50 years. It is clear that from day one, Judge Wilkins will be prepared to handle the array of legal issues that the court addresses, having spent a good portion of his legal career in public service as a litigator working to protect the rights of individuals in marginalized communities.

Robert Wilkins earned his Juris Doctorate from Harvard Law School, where he served as the Executive Editor of the *Harvard Civil Rights-Civil Liberties Law Review*. After graduation, he clerked for the Honorable Earl B. Gilliam on the U.S. District Court for the Southern District of California. He then spent over a decade at the Public Defender Service (PDS) for the District of Columbia – one of the most competitive public defender offices in the nation – first as a staff attorney, and later as Special Litigation Chief. He championed cases ranging from exposing the appalling conditions in the D.C. Receiving Home for Children, to exposing the violation of various consent decree provisions by Oak Hill Youth Center due to overcrowding and inadequate medical care, housing conditions, food, and education. During his time at PDS, he also served on the D.C. Truth-in-Sentencing Commission and the D.C. Advisory Commission on Sentencing, which laid the groundwork for the D.C. Sentencing Guidelines later adopted in 2004. In 2002, he became a partner at Venable LLP, where he specialized in white-collar defense, intellectual property, and complex civil litigation, and led the litigation team representing the post-bankruptcy management of Enron in a major Wall Street case.

Moreover, Judge Wilkins is an active and distinguished community leader. Prior to joining Venable in 2002, Judge Wilkins left his work at PDS to volunteer full-time to help establish



and create the National Museum of African American History and Culture. With a bipartisan group of U.S. Senators, Judge Wilkins drafted a bill to establish a blue ribbon, bipartisan Presidential Commission to write a plan for creating the museum, which passed the House by voice vote and the Senate by unanimous consent, and was signed by President Bush into law in 2001. In 2002, the Senate appointed Judge Wilkins to the Presidential Commission, which unanimously endorsed a plan that led to a bill that passed the House by a vote of 409-9 and unanimously in the Senate in 2003. Additionally, Judge Wilkins has been celebrated as a prominent figure in the legal community for his deep passion and commitment to upholding the civil rights and liberties of all Americans. He has received numerous accolades, including in 2007 being recognized by the Washingtonian Magazine as one of “Washington’s Top Lawyers”, and by the Legal Times in 2008 as one of the “90 Greatest Washington Lawyers of the Last 30 Years.”

The Leadership Conference believes Robert Wilkins’ record makes him an enormously qualified nominee with the ability to make objective decisions on a number of multifaceted and prominent cases that will surely come before the court. His nomination to the D.C. Circuit is not only important because of his impeccable credentials, but equally critical 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 such issues as 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, at 185 cases, “the caseload per active judge on the D.C. Circuit has risen more than 50 percent since 2005.” Even if the inexplicably deemed “unneeded” final three seats were filled today, each active judge would have a higher caseload than when the Senate considered the confirmation of Thomas Griffith to the eleventh seat in 2005, when the case load was just 119 cases per active judge. Failing to fill all the seats on the D.C. Circuit not only threatens justice, it also creates unmanageable caseloads that unnecessarily clog the system.

The president has done his job by nominating an exceptional and renowned legal advocate to a vacancy on an important federal court. It is imperative that the Senate now does its job by moving Judge Wilkins’ nomination through the Senate Judiciary Committee and onto the Senate floor as efficiently as is possible. We urge you to support him.

Thank you for your cooperation. If you have any questions, please feel free to contact Nancy Zirkin, executive vice president, at zirkin@civilrights.org or (202) 263-2880, or Sakira Cook, senior policy associate, at cook@civilrights.org or (202) 263-2894.

Sincerely,

Wade Henderson
President & CEO

Nancy Zirkin
Executive Vice President