



Support Patricia Millett's Nomination to the D.C. Circuit

July 9, 2013

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, we are writing to express our strong support for the confirmation of Patricia Millett to the U.S. Court of Appeals for the District of Columbia Circuit. As one of the Nation's leading appellate attorneys, Ms. Millett will bring a wealth of experience and impartiality to the court. Given her steadfast commitment to enforcing the rule of law and protecting the roles of courts, Congress, the Executive Branch, and States, Ms. Millett will be an objective and thoughtful voice on the court. We urge the Senate to vote "yes" on her confirmation.

There is no question Patricia Millett will be a highly respected addition to the court, as evidenced by the "Unanimously Well Qualified" rating she received from the American Bar Association and the strong endorsement she earned from 7 former Solicitor Generals. As an appellate litigator, she has argued 32 cases and issued dozens of briefs in the U.S. Supreme Court, 35 cases in the D.C. Circuit and eleven other circuit courts of appeals, and four cases in state appellate courts. From day one, Ms. Millett will be prepared to handle an array of legal issues that the D.C. Circuit addresses, having argued cases in constitutional law, national security, commercial disputes, civil rights, civil and commercial procedure, and administrative law.

In 1985, Patricia Millett earned her B.A. from the University of Illinois with Highest Distinction in political science, before graduating *magna cum laude* from Harvard law School. After clerking for Judge Thomas Tang on the U.S. Court of Appeals for the Ninth Circuit in Phoenix, Arizona, she joined the Appellate Staff of the U.S. Justice Department's Civil Division. In 1996, she began work as an Assistant to the Solicitor General, arguing 25 cases in the Supreme Court and offering dozens of briefings. Millett was instrumental in defending Congress's Fourteenth Amendment right to protect civil rights in the Religious Freedom Restoration Act and the Family and Medical Leave Act, among others. While at the Justice Department, she worked on a number of cases involving classified information and informational security, and received the Attorney General's Distinguished Service Award in 2004 for her work on behalf of the U.S. government. Finally, in 2007 she joined the Appellate Practice at Akin Gump and was instrumental in transforming the firm into a national institution for appellate litigation.

In addition, Ms. Millett has been very active and become a prominent figure in the legal community. She has received numerous accolades, including recently being recognized by The National Journal as one of America's 100 Most Influential Lawyers and in 2012 by Best Lawyers in America for her work in the appellate practice, further substantiating her vast experience in appellate litigation. She serves as a member of nearly a dozen prominent legal associations, including the Supreme Court Fellows Commission, where she was appointed by

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Chief Justice John Roberts. Ms. Millett is deeply passionate about education and community service, serving as an Adjunct Professor of legal writing and advocacy at the George Washington University School of Law for years and speaking regularly to lawyers and law students. She has also been committed to her community for decades as a longtime volunteer in her church, local shelters, and day cares to help the homeless and survivors of domestic violence. Finally, her personal experiences as the wife of a retired U.S. Navy officer and reservist gives her insight into military and defense issues related to this Nation's military families, an important outlook that will be invaluable to the D.C. Circuit.

The Leadership Conference believes Patricia Millett's record makes her an enormously qualified nominee with the intellectual hindsight to make objective decisions on a number of multifaceted and prominent cases that will surely come before the court. Ms. Millett will offer a unique perspective, given that she has represented a wide array of interests for two administrations in the Justice Department. Ms. Millett's nomination to the D.C. Circuit is not only important because of her 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 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." Not only is it contrary to the interests of justice for the court to operate understaffed, it is clear that with fewer active judges on the D.C. Circuit than there were in 2005, the increased workload warrants filling each of the remaining vacant seats on the court.

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 and makes a good-faith effort to provide prompt "advice and consent" by moving Ms. Millett's nomination through the Senate Judiciary Committee and onto the Senate floor as efficiently as is possible. We hope you will support the nomination of Patricia Millett, and vote "yes" to confirm her.

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) 466-2880, or Sakira Cook, Senior Policy Associate at cook@civilrights.org or (202) 263-2894.

Sincerely,

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