

July 11, 2022



**SUPPORT THE CONFIRMATION OF ROOPALI DESAI  
TO THE U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we write to express our strong support for the confirmation of Roopali Desai to the U.S. Court of Appeals for the Ninth Circuit.

Ms. Desai's distinguished career advancing equal justice makes her extremely well qualified for this seat on the Ninth Circuit. Since 2007, she has worked at Coppersmith Brockelman PLC, first as an associate and now as a partner. Prior to this, she was an associate at Lewis Roca Rothgerber Christie. She has also worked to train future lawyers as a professor at the University of Arizona College of Law. A graduate of the University of Arizona Honors College, the University of Arizona College of Public Health, and the University of Arizona School of Law, she clerked for Judge Mary Schroeder on the U.S. Court of Appeals for the Ninth Circuit. She is deeply involved in her community, including serving on the board of directors for the American Civil Liberties Union of Arizona and the Arizona Center for Law in the Public Interest, a non-profit public interest law firm seeking to protect the rights of all Arizonians. Ms. Desai possesses vast and complex experience protecting the rights of all people and is an exceptional choice to serve on the Ninth Circuit.

Ms. Desai has extensive civil and human rights law experience, and she has particularly distinguished herself in the field of election law. She leads Coppersmith Brockelman's elections, political, and public law group, where she has been an integral part of the litigation team that challenged the onslaught of baseless election fraud allegations that were brought after the 2020 presidential election. She successfully represented the Arizona secretary of state in a case alleging election misconduct and seeking to overturn the results of the 2020 presidential election, a claim that the federal court said was without merit.<sup>1</sup> She also secured the release of official documents showing that the intent of the Arizona Senate's "audit" investigating unsupported claims of election fraud was to perpetuate the "Big Lie" and overturn the election results.<sup>2</sup> In addition to her vast experience protecting the freedom to vote and the integrity of our elections, Ms. Desai defended the rights of unions,<sup>3</sup> is holding the Arizona State Department of Child Safety accountable for abuse and neglect of foster children in their care,<sup>4</sup> and protected public safety by successfully defending the legality of public health efforts, including mask mandates in schools to keep

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<sup>1</sup> *Bowyer v. Ducey*, No. CV-20-02321-PHX-DJH, 2020 WL 7238261 (D. Ariz. Dec. 9, 2020).

<sup>2</sup> *Fann v. Kemp*, No. 1 CA-SA 21-0141, 2021 WL 3674157 (Ct. App. Aug. 19, 2021).

<sup>3</sup> *United Food & Commercial Workers Local 99 v. Bennett*, 817 F. Supp. 2d 1118 (D. Ariz. 2011); 934 F. Supp. 2d 1167 (D. Ariz. 2013).

<sup>4</sup> *Am. C.L. Union v. Arizona Dep't of Child Safety*, 240 Ariz. 142, 377 P.3d 339 (Ct. App. 2016).



children safe during a global pandemic.<sup>5</sup> This breadth and depth of litigation experience, together with her commitment to equal justice, would make her a tremendous addition to the federal judiciary.

In addition to the important professional experience she would bring to the Ninth Circuit, it is also notable that, if confirmed, Ms. Desai would be the first South Asian judge to serve on the U.S. Court of Appeals for the Ninth Circuit.<sup>6</sup> Not only would her confirmation be vital for the Ninth Circuit, which is home to millions of AAPI people, but for the federal appellate courts overall, as Ms. Desai would be only the fifth AAPI woman to serve on a federal circuit court.<sup>7</sup> Public trust in the judiciary is crucial to its function, and is it bolstered when the bench better reflects the communities it serves.<sup>8</sup> Additionally, this diversity of professional and lived experiences also improves judicial decision-making.<sup>9</sup> Ms. Desai would bring vital and much-needed lived and professional experiences to the federal bench.

Ms. Desai is well-qualified to serve on the federal bench, and we strongly urge the Senate to confirm her to the Ninth Circuit. If you would like to discuss this matter further, please contact Lena Zwarensteyn, senior director of the fair courts program, at (202) 466-3311. Thank you for your consideration.

Sincerely,

Maya Wiley  
President & CEO

Jesselyn McCurdy  
Executive Vice President of Government Affairs

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<sup>5</sup> *Arizona School Boards Association, Inc. et al. v. State Of Arizona*, No. CV-21-0234 (Ariz. Sup. Ct. Jan. 6, 2022).

<sup>6</sup> See [President Biden Names Nineteenth Round of Judicial Nominees](#), THE WHITE HOUSE (June 15, 2022).

<sup>7</sup> See [Biographical Directory of Article III Federal Judges](#), 1789-present, FEDERAL JUDICIAL CENTER (accessed June 2022).

<sup>8</sup> Sen, Maya, [Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#), 2017 WIS. L. REV. 367 (2017).

<sup>9</sup> Berry, Kate, [Building a Diverse Bench: Selecting Federal Magistrate and Bankruptcy Judges](#), BRENNAN CENTER FOR JUSTICE AT NYU SCHOOL OF LAW AND AMERICAN BAR ASSOCIATION JUDICIAL DIVISION (2017).