

June 5, 2023



**SUPPORT THE CONFIRMATION OF SUSAN DECLERCQ
TO THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN**

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 Susan DeClercq to the U.S. District Court for the Eastern District of Michigan. The Leadership Conference intends to include your position on the confirmation of Ms. DeClercq in our voting record for the 118th Congress.

Ms. DeClercq is dedicated to protecting and advancing equal justice for all and has significant experience enforcing critical civil rights laws — important experience that will greatly benefit the federal bench. Currently, Ms. DeClercq is director and counsel of special investigations at Ford Motor Company. Prior to this, she spent 18 years with the U.S. Attorney’s Office for the Eastern District of Michigan, holding numerous positions including assistant U.S. attorney for the civil rights unit and the defensive litigation unit, civil rights unit chief, and civil division chief. She also spent time in private practice as an associate with Skadden, Arps, Slate, Meagher & Flom, LLP. A graduate of the University of Michigan and Wayne State University School of Law, Ms. DeClercq served as law clerk to Judge Avern Cohn on the U.S. District Court for the Eastern District of Michigan. Her experience and exceptional career would be a tremendous asset to the Eastern District of Michigan.

Ms. DeClercq has a vast record of protecting the rights of all Michiganders. She has worked extensively for those who have been discriminated against based on their disability. For example, she successfully brought suit against the University of Michigan for violating the Americans with Disabilities Act (ADA) after the school refused to reasonably accommodate an employee’s disability.¹ Her work on this case identified a pattern of discrimination by the university, and she successfully negotiated a settlement that included a change in university policy.² In another case, she successfully represented a family who had been denied service at a restaurant because of their children’s genetic skin disorder, securing a generous monetary settlement for the family as well as a change in company policy.³ In addition to her work enforcing the ADA, she also helped enforce a 2003 consent judgment entered against the Detroit Police Department, holding the department accountable after an investigation by the U.S. Department of Justice found ongoing misconduct that included use of excessive force, unlawful detention practices, and poor confinement conditions.⁴ Additionally, during her time in private practice, she co-authored an amicus

¹ *United States v. University of Michigan*, No. 2: 15-cv-12582 (E.D. Mich. 2015).

² *Id.*

³ *United States v. Corral of Westland LLC*, No. 02:13-cv-10717 (E.D. Mich. 2013).


⁴ Press Release, [Justice Department Files Consent Decrees Concluding Investigation of Detroit Police Department](#), U.S. DEPARTMENT OF JUSTICE (June 12, 2003).

brief in the landmark affirmative action case *Grutter v. Bollinger* on behalf of members of Congress supporting the race-conscious admissions standards used by the University of Michigan Law School.⁵ As this impressive portfolio of work illustrates, Ms. DeClercq has a demonstrated commitment to civil and human rights, and she is extremely qualified to serve on the federal bench.

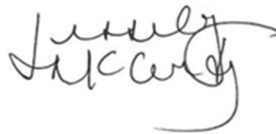
In addition to the important professional experience she would bring to the court, Ms. DeClercq would bring other vital representation to the federal bench. If confirmed, Ms. DeClercq would become the first federal judge of East Asian descent in Michigan⁶ and only the second AAPI woman to be a federal judge in the state's history.⁷ Public trust in the judiciary is bolstered when our courts reflect the rich diversity of our country.⁸ Different lived experiences, especially from communities who have been excluded from serving on our courts, bring varied perspectives to our federal courts that are crucial to improving judicial decision-making.⁹ The confirmation of Ms. DeClercq would be an important step towards ensuring that our federal courts reflect and represent the diversity of our nation.

Ms. DeClercq is an excellent choice for this position, and we strongly urge the Senate to confirm her to the Eastern District of Michigan. If you would like to discuss this matter further, please contact Lena Zwarenstejn, 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

⁵ [Brief](#) for Representative Richard A. Gephardt, *et al*, as amicus curiae, *Grutter v. Bollinger*, 539 U.S. 306 (2003).

⁶ Press Release, [Senators Stabenow and Peters Applaud Nomination of Susan DeClercq to be the United States District Court Judge in the Eastern District of Michigan](#) (May 3, 2023).

⁷ See [Biographical Directory of Article III Federal Judges, 1789-present](#), FEDERAL JUDICIAL CENTER (accessed June 2023).

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

⁹ Kate Berry, [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).