



# Building an Equal Justice Judiciary: Progress During the Biden Administration

**To build a federal judiciary that delivers equal justice, we need judges who will protect the rights of all people, no matter their race or background.** This requires federal judges with different perspectives on the law — judges who have worked as civil rights attorneys, public defenders, and public interest lawyers. Our diverse nation also needs judges who reflect and represent all of us. Research shows that demographic and professional diversity on our courts increases public trust in the judiciary and improves judicial decisionmaking.<sup>1</sup> Yet, for far too long, those selecting and confirming federal judges have not made this a priority.<sup>2</sup>

The Leadership Conference on Civil and Human Rights and its Fair Courts Task Force have long advocated for the White House and the Senate to prioritize this diversity and to set the expectation that all judicial nominees possess a demonstrated commitment to civil and human rights.<sup>3</sup> At the start of the Biden administration, the White House Counsel's office joined this effort, requesting that senators recommend diverse nominees with experience as public defenders and civil rights lawyers.<sup>4</sup> Senate Judiciary Committee Chairman Dick Durbin (D-IL) and Senate Majority Leader Chuck Schumer (D-NY) have prioritized the consideration of nominees in committee and the confirmation of nominees on the Senate floor. And on April 7, 2022, the Senate confirmed Judge Ketanji Brown Jackson to be an associate justice of the U.S. Supreme Court — the first Black woman and first former public defender ever to serve on our nation's highest court. We must build upon this progress in order to make our courts live up to the promise of equal justice for all.

## Article III Judicial Nominations in the Biden Administration: By the Numbers<sup>5</sup>

**97** confirmed judges - **1** Supreme Court, **28** circuit court, **68** district court

- Includes **73** women, **46** women of color including Native American women
- Includes **29** public defenders, **17** civil rights lawyers

**51** pending nominees - **9** circuit court, **42** district court

- Includes **25** women, **17** women of color including Native American women
- Includes **7** public defenders, **17** civil rights lawyers

## Pending Nominees: Highlights

**JULIE RIKELMAN**, nominated to the U.S. Court of Appeals for the First Circuit, has devoted her career to pursuing equal justice under the law. As litigation director at the Center for Reproductive Rights, she has defended our right to bodily autonomy, including our right to access abortion. Ms. Rikelman has also defended the freedom to vote. Her commitment to civil and human rights stems from her experiences as a child fleeing Soviet-controlled Kiev to escape religious persecution. Ms. Rikelman will be the first immigrant woman and first Jewish woman to serve on the First Circuit.

Nominee to the U.S. Court of Appeals for the Sixth Circuit **RACHEL BLOOMEKATZ** has an impressive legal background protecting the rights of all people. Throughout her career advancing equal justice, she has defended the freedom to vote and access to the ballot box. Ms. Bloomekatz has also protected the rights of consumers and challenged dangerous policies that would allow teachers without sufficient training to carry firearms.

1. Sen. Maya. "[Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#)." 2017 Wis. L. Rev. 367 (2017).

2. The Leadership Conference on Civil and Human Rights. "[Damage to the Federal Judiciary During the Trump Administration](#)." December 2020.

3. The Leadership Conference on Civil and Human Rights. "[Transition Priorities](#)." November 24, 2020. Pg. 8-9.

4. Remus, Dana. "[Letter to U.S. Senate](#)." December 22, 2020.

5. Data as of December 22, 2022.

**CINDY CHUNG**, nominated to the U.S. Court of Appeals for the Third Circuit, has a vast record of defending people and communities who have experienced hate crimes. Since 2014, she has worked at the U.S. Attorney's Office for the Western District of Pennsylvania, holding several positions including deputy chief of the Major Crimes Section and acting deputy chief of the Violent Crimes Section. She was a responding attorney in the aftermath of the hate-motivated mass shooting of Jewish congregants at the Tree of Life Synagogue. Previously, Ms. Chung worked as a trial attorney in the Civil Rights Division of the U.S. Department of Justice, where she was the first lawyer to bring a case to enforce the Shepard-Byrd Hate Crimes Prevention Act. Ms. Chung will be the first Asian American to ever serve on the Third Circuit.

**NANCY ABUDU**, nominee to the U.S. Court of Appeals for the Eleventh Circuit, has dedicated her impressive career to defending and protecting our civil rights, including our freedom to vote. After spending years as a civil rights litigator at the ACLU's Voting Rights Project and the ACLU of Florida, Ms. Abudu joined the Southern Poverty Law Center to help establish its Voting Rights Practice Group. She will be the first Black woman on the Eleventh Circuit and the first Black person ever to serve in a Georgia seat on this court.

**BRAD GARCIA**, nominated to the U.S. Court of Appeals for the D.C. Circuit, has a strong record of defending civil rights. For example, he has protected the constitutional rights of people involved in the criminal-legal system, defended abortion access, and protected immigrants from unlawful deportation. Mr. Garcia will be the first Latino judge to serve on the D.C. Circuit.

Judge **TODD EDELMAN**, nominated to the U.S. District Court for the District of Columbia, is an eminently qualified and fair-minded jurist who has devoted his career to equal justice for all. Before joining the Superior Court of D.C., he worked in private practice defending the rights of workers and unions and, through his pro bono work, helped exonerate people who had been wrongfully convicted. Judge Edelman also spent eight years as a public defender, representing clients who could not afford an attorney and ensuring they had access to justice.

Judge **MARGARET GUZMAN**, nominated to the U.S. District Court for the District of Massachusetts, is a distinguished jurist with an outstanding commitment to equal justice. She currently serves as the first justice for the Ayer District Court and was previously an associate justice for the Commonwealth of Massachusetts Trial Court. Prior to her judicial service, Judge Guzman served for 13 years as a public defender, representing clients who could not afford an attorney and helping them navigate the complex criminal-legal system. When confirmed, she will be the first Latina ever to serve on the District of Massachusetts.

Nominated to the U.S. District Court for the Eastern District of New York, **NUSRAT CHOUDHURY** has worked tirelessly challenging discriminatory policies that target communities of color. Throughout her impressive career at the ACLU, Ms. Choudhury has challenged modern-day debtors' prisons, racially discriminatory policies, and unlawful surveillance of religious minorities. She will be the first Muslim woman and first Bangladeshi American ever to serve as a lifetime federal judge.

**NATASHA MERLE**, nominee to the U.S. District Court for the Eastern District of New York, has demonstrated her deep commitment to equal justice throughout her notable career. As the deputy director of litigation at the NAACP Legal Defense and Educational Fund, Inc., she has led critical civil rights lawsuits on the freedom to vote and discriminatory sentencing practices. Ms. Merle has also served as a federal public defender, fighting bias in our criminal-legal system and defending clients who could not afford an attorney.

**JESSICA CLARKE**, nominee to the U.S. District Court for the Southern District of New York, has spent her career working to protect and defend the civil and human rights of all of us. She has served as chief of the Civil Rights Bureau of the New York State Office of the Attorney General since 2019, and has experience investigating and litigating housing discrimination cases as a trial attorney in the Housing and Civil Enforcement Section of the Civil Rights Division of the U.S. Department of Justice.

As director of the voting rights project at the ACLU, nominee to the U.S. District Court for the Southern District of New York **DALE HO** has protected civil rights by defending the freedom to vote. Mr. Ho has successfully challenged the Trump administration's efforts to add a citizenship question to the census and opposed its efforts to exclude unauthorized immigrants from calculations used to determine representation in Congress.

Judge **DANIEL CALABRETTA**, nominated to the U.S. District Court for the Eastern District of California, is an accomplished jurist with a commitment to civil and human rights. He currently serves as the presiding judge of the juvenile court in the Superior Court of California for the County of Sacramento. When he joined that court as a superior court judge in 2019, he became the first openly gay man ever appointed to that court. Judge Calabretta previously worked for the office of the governor as deputy legal affairs secretary and spent five years as deputy attorney general for the California Department of Justice. When confirmed, Judge Calabretta will be the first openly LGBTQ person ever to serve on the Eastern District of California.

**ARACELI MARTÍNEZ-OLGUÍN**, nominated to the U.S. District Court for the Northern District of California, has spent her entire career in pursuit of equal justice for all. She has defended the rights of immigrants in her work at the National Immigration Law Center and Community Legal Services in East Palo Alto. Ms. Martínez-Olguín also has notable civil rights experience working at the Office for Civil Rights at the U.S. Department of Education, the American Civil Liberties Union's Women's Rights Project and Immigrants' Rights Project, Legal Aid at Work, and the National Day Laborer Organizing Network. When confirmed, she will be the second Latina ever to serve on the Northern District of California.

Justice **ADRIENNE NELSON**, nominated to the U.S. District Court for the District of Oregon, has significant experience as a fair-minded jurist. She currently serves as an associate justice on the Oregon Supreme Court, and previously spent 12 years as a circuit court judge on the Multnomah County Circuit Court. Justice Nelson was the first Black woman to serve on both of these courts. She began her legal career at the Texas Council on Family Violence, supporting efforts to eradicate domestic violence through public policy and direct services, and served for three years as a public defender with Multnomah Defenders, Inc. When confirmed, Justice Nelson will be the first woman of color and first Black woman ever to serve on the District of Oregon.

**JAMAL WHITEHEAD**, nominated to the U.S. District Court for the Western District of Washington, has dedicated his career to defending and protecting the rights of all people. He has an impressive record as a civil rights lawyer, representing people who experienced racial discrimination, sexual harassment, and disability discrimination in the workplace. Mr. Whitehead is also the first nominee from this administration known to be living with a disability. When confirmed, he will be the only Black judge in active service on the Western District of Washington.

Judge **HERNÁN VERA**, nominee to the U.S. District Court for the Central District of California, has dedicated his career to equal justice. Before serving as a judge on the Los Angeles County Superior Court, Judge Vera served for 12 years at Public Counsel, the largest pro bono law firm in the nation, where he created an impact litigation department for economic injustice. Judge Vera also served as an attorney at the Mexican American Legal Defense and Educational Fund.

**TIFFANY CARTWRIGHT**, nominee to the U.S. District Court for the Western District of Washington, possesses an impressive background as a civil rights attorney. Since 2014, she has specialized in civil rights litigation at MacDonald Hoague & Bayless, where she has defended the rights of people who were wrongly convicted of crimes and held police officers accountable for their misconduct. Ms. Cartwright also has an extensive background defending the rights of working people.

### Confirmed Judges: Milestones and Historic Firsts

- Judge **VICTORIA CALVERT** (Northern District of Georgia), first former public defender on Northern District of Georgia
- Judge **TIFFANY CUNNINGHAM** (Federal Circuit), first Black judge on Federal Circuit
- Judge **STEPHANIE DAVIS** (Sixth Circuit), first Black woman from Michigan on Sixth Circuit
- Judge **ANA DE ALBA** (Eastern District of California), first Latina judge on Eastern District of California
- Judge **DANA DOUGLAS** (Fifth Circuit), first woman of color on Fifth Circuit
- Judge **GUSTAVO GELPÍ** (First Circuit), first former public defender on First Circuit
- Judge **LYDIA GRIGGSBY** (District of Maryland), first woman of color on Maryland district court
- Judge **CANDACE JACKSON-AKIWUMI** (Seventh Circuit), first former public defender and second judge of color on Seventh Circuit
- Judge **LAUREN KING** (Western District of Washington), first Native American federal judge in Washington state
- Judge **SHALINA KUMAR** (Eastern District of Michigan), first South Asian judge on any Michigan district court
- Judge **JOHN LEE** (Seventh Circuit), first AAPI judge on Seventh Circuit
- Judge **ANDRE MATHIS** (Sixth Circuit), first Black man from Tennessee on Sixth Circuit
- Judge **SALVADOR MENDOZA** (Ninth Circuit), first Latino/a judge from Washington on Ninth Circuit
- Judge **TAMIKA MONTGOMERY-REEVES** (Third Circuit), first woman of color from Delaware on Third Circuit
- Judge **SARALA NAGALA** (District of Connecticut), first South Asian judge on Connecticut district court
- Judge **ALISON NATHAN** (Second Circuit), second openly LGBTQ woman on any federal appellate court
- Judge **JINSOOK OHTA** (Southern District of California), first AAPI woman judge on Southern District of California
- Judge **FLORENCE PAN** (District of D.C.), first AAPI woman to serve on D.C. district court
- Judge **DORIS PRYOR** (Seventh Circuit), first Black judge from Indiana on Seventh Circuit
- Judge **ZAHID QURAISHI** (District of New Jersey), first Muslim Article III judge
- Judge **REGINA RODRIGUEZ** (District of Colorado), first AAPI judge on Colorado district court
- Judge **DAVID RUIZ** (Northern District of Ohio), first Latino judge on any Ohio district court
- Judge **SUNSHINE SYKES** (Central District of California), first Native American judge on any California district court

## Confirmed Judges: Highlights

President Biden has nominated exceptional lawyers from diverse backgrounds who are now serving on the bench. For example, Justice [KETANJI BROWN JACKSON](#) (U.S. Supreme Court) is the first Black woman and first former public defender to serve on our nation's highest court. She comes to the Supreme Court with impeccable qualifications, including nearly ten years of experience as a fair-minded jurist and service on the U.S. Sentencing Commission. Judge [ROOPALI DESAI](#) (U.S. Court of Appeals for the Ninth Circuit, Arizona) has spent much of her impressive career safeguarding our civil rights, including the freedom to vote. She is the first South Asian judge ever to serve on the Ninth Circuit. As a former public defender, Judge [ARIANNA FREEMAN](#) (U.S. Court of Appeals for the Third Circuit, Pennsylvania) has handled hundreds of cases on behalf of clients who could not afford counsel, helping to defend and protect the rights of many people. Judge Freeman is the first woman of color and first Black woman ever to serve on this court. Judge [NINA MORRISON](#) (U.S. District Court for the Eastern District of New York) spent 20 years at the Innocence Project, working to exonerate those serving time for crimes they did not commit. As a result of her tireless efforts, 30 people were freed from prison or death row. She is the second openly LGBTQ judge on this court. Judge [ELIZABETH HANES](#) (U.S. District Court for the Eastern District of Virginia) previously served as a magistrate judge for this court. She has significant experience protecting the rights of consumers, as well as helping people navigate the criminal-legal system during her time as an assistant federal public defender. Judge [NANCY MALDONADO](#) (Northern District of Illinois) dedicated her career to defending and protecting the rights of working people, particularly migrant farmworkers. She is the first Latina to serve as a lifetime federal judge in Illinois.

These are just a few of the many exceptional judges confirmed by the Senate during the Biden administration.

## Opportunities Ahead

In order to build a judiciary dedicated to equal justice, we must ensure that all federal judicial vacancies are filled with qualified nominees committed to civil and human rights. The Senate must confirm the exceptional nominees that are pending. We also call on the Senate and the Biden administration to make diversity a continued priority and support more diverse nominees, including more Latino and Latina nominees, Native American nominees, LGBTQ nominees, and nominees with disabilities. Appellate courts like the 4th Circuit, 5th Circuit, and 11th Circuit frequently hear cases that impact civil rights, including the freedom to vote and reproductive freedom. We need fair-minded judges on every court — especially on courts making decisions that threaten our rights.

Additionally, we need to work to modernize our courts so that our federal judiciary can fairly and more efficiently administer justice. The last time Congress significantly increased lower court judgeships to keep up with population increases was more than 30 years ago. With many courts burdened by exceptionally high caseloads, delays are compromising access to justice for people across the country. It is necessary for Congress to authorize new circuit court and district court judgeships to meet our current needs. Furthermore, Congress must legislate more fairness into our judiciary and strengthen our democracy by shoring up ethics and transparency reforms.

For more information, please visit [civilrights.org/courts](https://civilrights.org/courts) or contact Samantha Cyrulnik-Dercher at [cyrulnikdercher@civilrights.org](mailto:cyrulnikdercher@civilrights.org).