



October 12, 2020

The Honorable Lindsey Graham
Chairman, Committee on the Judiciary
United States Senate
290 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein
Ranking Member, Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Re: Nomination of Judge Amy Coney Barrett, of Indiana, to be Associate Justice of the Supreme Court of the United States

Dear Chairman Graham and Ranking Member Feinstein:

We, as members of the tenured research faculty at Notre Dame Law School, are fellow faculty and colleagues of Judge Amy Coney Barrett. As a scholarly community, we have divergent political views, as well as commitments to different approaches to judicial methodology and judicial craft. We also have divergent views about the President as well as the timing of this confirmation process and its long-term implications for the future of the Supreme Court. We are united, however, in our judgment about Amy. She is a brilliant teacher and scholar, and a warm and generous colleague. She possesses in abundance all of the other qualities that shape extraordinary judges: discipline, intellect, wisdom, impeccable temperament, and above all, fundamental decency and humanity.

As a teacher, Amy is extremely effective and genuinely inspirational. She has extraordinary presence. She is quick and articulate. Her legal analysis is sharp, and she requires her students to think hard and well. In the classroom she seeks first and foremost to develop her students' capacities to analyze complex legal problems critically. Amy demands their best, and they respect her for it. Our students seek out her classes and counsel. Her three Distinguished Professor of the Year awards are but a small reflection of our students' esteem for how Amy conducts herself. Following her appointment to the U.S. Court of Appeals for the Seventh Circuit, Amy has continued to teach courses at Notre Dame Law School.

As a scholar, Amy has displayed the ability to address hard problems in clear language. Amy has long been an intellectual leader on our faculty. She is creative and insightful, but careful never to push an argument further than law and logic dictate. As a result, she has consistently produced excellent, important articles that are published in top law journals. Here too, she is focused on following ideas where they lead. She works out the problem before her in a clear, reasoned, and principled way, without ideological or political preconceptions. An important characteristic of Amy's scholarship is a lucid, elegant prose. But the characteristic of her scholarly work that shines brightest is Amy's absolute dedication to the rule of law. She considers it America's foundational constitutional commitment to resolve legal disputes in a principled and consistent way.

Amy is also a generous colleague. Indeed, we are hard-pressed to imagine anyone who could be more congenial and helpful. As a full-time member of the faculty, she consistently gave her scarce time to discuss scholarly projects and classroom challenges. Even though her schedule is now more demanding due to her judicial obligations, we can still turn to her for prudent and constructive advice on any issue, large or small, assured of her unfailing support, time, and sage judgment. Amy's presence is most valuable, however, when we disagree. You can be sure that she has keenly listened and fairly considered a position different from her own and responded in a helpful and constructive way. Such collegiality, wisdom, and sound judgment are critical qualities in any jurist.

Being a law professor or, more recently, a federal judge who also teaches law is demanding work, and to succeed as Amy has, a person needs great energy, discipline, and commitment. But any picture of Amy that captures only her professional life is incomplete by half. Family comes first; Amy is a loving spouse and devoted mother of seven children (ages 8-19). She is personable and funny, she lives a full life outside of her work, and she truly cares for others. She would understand the impact of her decisions on the people who stand in the courtroom before her—people who seek a fair hearing and a just solution for the legal problems that they face.

We end as we began, by emphasizing our diverse backgrounds and views. A number of us disagree with the President on many things, and some of us object to the timing of this confirmation process. But we all agree that, given her background and qualifications, Judge Amy Barrett would serve with honor and distinction on the Supreme Court of the United States.*

Sincerely yours,

Roger P. Alford
Professor of Law

Matthew J. Barrett
Professor of Law

Anthony J. Bellia
O'Toole Professor of Constitutional Law

Patricia L. Bellia
William J. and Dorothy K. O'Neill Professor of Law

* University titles are for identification purposes only. The views of individual faculty members do not necessarily represent the views of the University of Notre Dame, Notre Dame Law School, or any other organization or institution with which they are affiliated.

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