

February 25, 2022

The Honorable Charles Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Republican Leader  
United States Senate  
Washington, DC 20510

The Honorable Dick Durbin  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Chuck Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

**Re: Strong Letter of Support from Black Women Law Professors for Judge Ketanji Brown Jackson to Serve as Associate Justice of the United States Supreme Court**

As more than 200 Black women law professors, we write to express our unequivocal support for the nomination and appointment of Judge Ketanji Brown Jackson to the Supreme Court of the United States. We have eagerly awaited the opportunity for President Biden to follow through on his commitment to nominate and appoint the first Black woman to the Court, and we are ecstatic that he has chosen Judge Jackson to fill this historic position. With nearly ten years of service as a federal judge, experience clerking for Supreme Court Justice Stephen Breyer and two lower-court judges, and a record of leadership on the United States Sentencing Commission, she will make an incredible Supreme Court Justice. She has already been confirmed three times on a bipartisan vote, including less than one year ago in June 2021 for a seat on the United States Court of Appeals for the D.C. Circuit. We urge you to confirm her for appointment to the Supreme Court of the United States without delay.

When Justice Thurgood Marshall retired in 1991 after 24 years of service on the Supreme Court, his colleague, Justice Sandra Day O'Connor, penned this reflection:

*Although all of us come to the Court with our own personal histories and experiences, Justice Marshall brought a special perspective. His was the eye of a lawyer who saw the deepest wounds in the social fabric and used the law to help heal them. His was the ear of a counselor who understood the vulnerabilities of the accused and established safeguards for their protection. His was the mouth of a man who knew the anguish of the silenced and gave them a voice.*

*At oral arguments and conference meetings, in opinions and dissents, Justice Marshall imparted not only his legal acumen but also his life experiences, constantly pushing and prodding us to respond not only to the persuasiveness of legal argument but also to the power of moral truth.*

— Sandra Day O’Connor, [\*Thurgood Marshall: The Influence of a Raconteur\*](#), 44 Stanford Law Review 1217, 1217-18 (1992)

As her words demonstrate, Justice O’Connor, the first woman to serve on the Supreme Court, recognized the importance of having a court that reflects the diversity of experiences, perspectives, and backgrounds in our great nation.

Each year, the Court decides some of the most contentious and difficult questions facing the nation. Its opinions affect all individuals living in the United States. Justice O’Connor regarded diversity to be of great significance to the Court because it enhanced the justices’ deliberations behind the scenes and, ultimately, enriched the drafting of their opinions, concurrences, and dissents. President Reagan, who nominated Justice O’Connor, acknowledged the significance of diversity in the judiciary as well when he pledged to appoint more women to the courts “in an effort to bring about a better balance on the federal bench.” Lou Cannon, [\*Reagan Pledges He Would Name a Woman to the Supreme Court\*](#), Washington Post (Oct. 15, 1980).

Throughout the history of the United States, laws have been created, enacted, interpreted, and enforced predominantly by white men. Today, although white men comprise roughly 30 percent of the nation’s population, they make up more than 70 percent of the federal judiciary. Conversely, according to [a 2022 report from the Pew Research Center](#), of the 3,843 people who have served as federal judges throughout our nation’s history, only 70 have been Black women. That is fewer than two percent, far below Black women’s representation among the population in the United States.

The Supreme Court is [“charged with ensuring the American people the promise of equal justice under law and, thereby, also functions as guardian and interpreter of the Constitution.”](#) Representation matters. It is essential to fairness, justice, and the Court’s legitimacy. All of these are weakened when its justices neither look like the rest of the United States nor reflect the values of a segment of society.

For these reasons, we support President Biden’s nomination of a Black woman to the Supreme Court. Black women are vital contributors to our nation’s democracy and must not be excluded from critical institutions within our constitutional democracy. The bench is deep. There is a large and diverse pool of highly qualified candidates with exceptional credentials that are equal to or exceed those of many of the most respected justices in our history.

Judge Ketanji Brown Jackson is eminently qualified for this critical position. She is one of the brightest legal minds in the country with a well-rounded set of experiences in the legal system and judiciary that will make her an exceptional Supreme Court Justice. Of particular note, her experience includes service as a public defender, a first for the Supreme Court, which will enable her to contribute an important new perspective to the Court. Throughout her career, whether it was as a Supreme Court law clerk, the Vice Chair of the United States Sentencing Commission, or a federal trial court or appellate court judge, Judge Ketanji Brown Jackson has repeatedly shown that she has the legal acumen, temperament, experience, character, integrity, and dedication to the Constitution and rule of law that is needed to serve on the nation’s highest court.

We, the undersigned, as Black women educating the next generation of lawyers who will serve on our courts, in our legislatures, and in other roles in our justice system, urge the United States Senate swiftly, and with bipartisan support, to confirm Ketanji Brown Jackson as the next Associate Justice on the Supreme Court of the United States.

Please note that we have signed this letter in our individual capacity. Institutional affiliation is noted for identification purposes only.

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