

JONES DAY

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October 11, 2020

The Honorable A. Mitchell McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

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

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

Re: Judge Amy Coney Barrett

Dear Senators:

I write in support of Judge Amy Barrett's nomination as Associate Justice of the United States Supreme Court and to offer you the perspective of a former law clerk on the U.S. Supreme Court, a private practicing attorney, and a working parent. From every viewpoint, Judge Barrett has my unqualified support.

I first met Amy in the Fall of 1998, when we both clerked on the U.S. Supreme Court—Amy clerked for Justice Scalia, while I clerked for Justice O'Connor. Amy was one of the few clerks our year who commanded the respect, intellectually and personally, of every law clerk regardless of the clerk's legal philosophy. She accomplished that feat (and it is a feat) through a combination of empathy, genuine intellectual curiosity, and a wicked grasp of the law. While I cannot disclose details about the cases decided in our year, I can confidently represent that Amy worked on some of the most difficult ones and was widely admired for her ability to distill complex issues into a few critical questions without any predisposition about the outcome of a case. Amy's approach to the law was so honest, smart and thoughtful that even those who disagreed with her could not fault her analysis, and walked away on respectful terms despite holding a differing view. Thus, even though Amy and I would disagree at times, we were friends due to our mutual love of the law and of open and sincere debate.

My admiration only grew as Amy became Professor Barrett and then Judge Barrett, and I became a partner at Jones Day. As a practicing attorney, I am dedicated to the rule of law—the principle that everyone should be protected by and accountable to well-known, equally-applied, fundamentally fair, and independently-enforced legal rules. Without the rule of law, the government’s exercise of authority would be arbitrary, and our rights would be unpredictable at best, non-existent at worst. Judge Barrett’s scholarship and opinions quickly set her apart in the legal community because of her dedication to and respect for the rule of law. She has adhered to a fair and consistent legal framework regardless of the outcome, the issue or the parties involved. She values a fair and equal application of the law to all.

Finally, I write as a working mother for whom Judge Barrett serves a role model. When we clerked, Amy and I would frequently end our workday with a jog around the Mall. I remember one jog where we discussed Justice O’Connor’s difficulty as a woman finding a paid attorney position after graduating from law school. Amy was so grateful for the achievements of Justices O’Connor and Ginsburg. Today, Judge Barrett’s life honors their hard work. She is at the pinnacle of professional success. But she has never compromised herself or her personal goal of raising a family with her partner, Jesse Barrett. In her public success, day-to-day juggle of work and family, and support from a partner sharing the family responsibilities, Judge Barrett is a bright light for working parents everywhere. Judge Barrett’s elevation to the U.S. Supreme Court as an Associate Justice would be a tribute to the legacy of her phenomenal predecessor.

Very truly yours,



Traci L. Lovitt