

Statement of Luke McCloud, Former Law Clerk to Judge Kavanaugh

Mr. Chairman, Ranking Member Feinstein, and Members of the Committee. I am honored by the opportunity to speak with you today about my former boss, and my current mentor and friend, Judge Kavanaugh.

I had the privilege of serving as one of Judge Kavanaugh's law clerks from 2013 to 2014. During that time, I worked closely with the judge, day in and day out, helping him prepare for arguments and draft opinions. I witnessed firsthand the judge's approach to deciding cases large and small, and what I saw leaves no doubt that Judge Kavanaugh would make an outstanding Supreme Court Justice.

Judge Kavanaugh is a fair-minded and independent jurist. Regardless of the parties to the case, or the issues being litigated, Judge Kavanaugh worked hard to understand every argument and perspective. There was always another opinion to read, another piece of the record to review, another angle to explore. That was true even when a case turned on legal issues the judge knew well; he never looked for an easy answer, or assumed that he had already considered the relevant points. Judge Kavanaugh pushed himself to master every aspect of the cases he worked on, and he expected his clerks to do the same.

Judge Kavanaugh and I did not always see eye to eye about what the law required. But the judge did not want clerks who reflexively agreed with him, or who never offered a contrary opinion. Just the opposite, Judge Kavanaugh has made a point of surrounding himself with a diverse group of law clerks—diverse ideologically, diverse racially, and from diverse backgrounds—so that he can better understand all sides of a given issue. I can vividly recall spending hours with my fellow clerks gathered around the judge's desk, debating the meaning of some statutory phrase, or the best way to understand a precedent. Invariably, the opinions that Judge Kavanaugh produced reflected his careful consideration of, and respect for, views other than his own.

Moreover, when we disagreed, I always knew that Judge Kavanaugh had come to his position honestly, based on a rigorous analysis of the strengths and weaknesses of the arguments before him. There was no hidden agenda or partisan axe to grind. Just the law—always the law.

These qualities have earned Judge Kavanaugh a sterling reputation for his work on the bench. But Judge Kavanaugh has also shown himself to be a leader in the judiciary when he is outside of chambers. I especially admire Judge Kavanaugh's efforts as an advocate for those who are underrepresented in the legal

profession. He regularly speaks to diverse law student associations to encourage their members to apply for clerkships. The judge also actively mentors the minority students he teaches, helping them become future leaders within the law.

Judge Kavanaugh's commitment to promoting the careers of minority attorneys is also apparent from his own clerk hiring. Of his 48 law clerks, 13 are racial minorities, including five African Americans. These percentages are nearly unheard of among his judicial peers. Many of the judge's minority law clerks have gone on to clerk for the Supreme Court. I am fortunate to count myself among them. But I would not even have applied for that position had it not been for the support and encouragement of Judge Kavanaugh.

Again and again during the year I worked for him, Judge Kavanaugh showed himself to be a model of judicial excellence. But even more than his intelligence and his diligence, it is Judge Kavanaugh's character—his fundamental decency and kindness—that inspired me then, and continues to inspire me now. Despite being one of the most prominent judges of his generation, Judge Kavanaugh remains humble and gracious. He is unfailingly polite to everyone he interacts with at the courthouse, from his colleagues on the bench, to litigants, to the court's professional staff. Judge Kavanaugh also volunteers regularly in his community, and encourages all he knows to do the same. He is, in short, a dedicated public servant, in the truest sense of those words.

I will always be proud of the time I spent as Judge Kavanaugh's law clerk, and I am prouder still to support his confirmation to the Supreme Court.

Thank you.