



# National Conference of Women's Bar Associations

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April 12, 2016

The Honorable Charles E. Grassley  
Chairman, Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Patrick J. Leahy  
Ranking Member, Committee on the Judiciary  
United States Senate  
437 Russell Senate Building  
Washington, D.C. 20510

Re: Confirmation Hearings of Hon. Merrick Garland

Dear Chairman Grassley and Ranking Member Leahy:

The National Conference of Women's Bar Associations is pleased and honored to submit this letter urging the United States Senate expeditiously to consider the pending nomination of The Honorable Merrick Garland to fill the current vacancy on the United States Supreme Court.

The National Conference of Women's Bar Associations (NCWBA) is an organization of women's bar associations, representing approximately 35,000 women lawyers across the nation. As "an association of associations," the NCWBA advocates for the equality of women in the legal profession and in society by mobilizing and uniting women's bar associations to effect change.

As members of women's legal communities across the country, our members have a deep understanding of the importance the Supreme Court plays for women and their families. The Supreme Court's interpretation of the Constitution and laws that affect the legal rights of women and girls influence us for generations. It is critical for the Court to be in full force, doing its job for everyone across this country. The recent unfortunate "non-decisions" forced by the 4-4 ties of the understaffed Supreme Court clearly demonstrate the urgency of this need.

Article II of the Constitution requires the President, "with the advice and consent of the Senate," to appoint judges to the Supreme Court. Through this section, the Framers placed in the hands of the executive and legislative branches of our government a duty to ensure that the third pillar of our democracy, our courts, would be protected from entanglement in partisan politics.

President Obama has fulfilled his constitutional duty by nominating Judge Merrick Garland--the Chief Judge of the federal appellate court widely recognized as second only to the Supreme Court in importance and a jurist with impressive and impeccable credentials--to fill the vacant seat on the U.S. Supreme Court. We trust that the United States Senate will also fulfill its Constitutional duty, and move forward with hearings on the nomination. While the Senate's "advice and consent" mandate requires time for reasoned debate and consideration, delaying the confirmation process until a new president is inaugurated and leaving the Court to function for an extended period of time with a vacancy undermines the rule of law and fundamentally impairs the Supreme Court's power to serve its constitutional role as arbiter of disputes.

The refusal to consider the nomination of Judge Merrick Garland, in derogation of both history and precedent, will cause additional litigants and citizens to suffer needless delays and effectively eliminate each citizen's right to a substantive judicial decision rendered by a full Supreme Court. Judge Merrick Garland, a jurist of distinction and impeccable credentials, deserves to be considered expeditiously and fairly by the Senate with a hearing and a clear up-or-down vote.

Respectfully submitted,

A handwritten signature in black ink that reads "Katherine L. Brown". The signature is written in a cursive, flowing style.

Katherine L. Brown

President