

April 9, 2018

Dear Senator,

We, as reproductive health, rights & justice advocates stand together in declaring our dedication to ensuring and protecting a fair judiciary. Federal courts play a crucial role in interpreting and giving meaning to fundamental legal protections and civil rights, including the inherent rights to equality under the law and to make the most personal decisions—such as whether to have an abortion or use contraception. Court rulings in these and many other areas have a significant impact on the liberty, equality, and dignity of this generation and for generations to come.

The constitutional right to safe and legal abortion has been reaffirmed by the U.S. Supreme Court time and time again. It is a part of the fabric of American jurisprudence. Most recently, in *Whole Woman's Health v. Hellerstedt*, the Court relied on that long standing precedent to hold that medically unnecessary yet burdensome restrictions on abortion access are unconstitutional.

To be qualified for a lifetime position on the federal bench, a nominee must be fair-minded and committed to defending our core constitutional protections, including reproductive freedom. Any nominee willing to place politics or personal ideology above respect for the rule of law poses a grave danger to the health and safety of women and to the stability of American democracy.

The burden is on judicial nominees to prove to the American people that they will uphold the Constitution and dispense justice with respect for our constitutional values of liberty, equality, and justice for all. The American people require judges who will protect our constitutional rights and respect *stare decisis*. Judicial nominees must also demonstrate to the American people that they have the independence to serve as a check on elected officials whose policy actions ignore sound medical or scientific evidence and endanger women's reproductive rights – especially when those actions are arbitrary and capricious.

President Trump came into office repeatedly threatening to nominate individuals to the Supreme Court who would overturn *Roe v. Wade*. Not surprisingly, the majority of his judicial nominees at all levels are extremely conservative, including several who are overwhelmingly anti-choice. The United States Courts of Appeals are considered among the most powerful and influential courts in the United States. Because of their ability to set legal precedent in regions that cover millions of Americans, the United States Courts of Appeals have strong policy influence on U.S. law. Since the U.S. Supreme Court reviews less than 2% of the more than 7,000 to 8,000 cases filed with it annually, the U.S. Courts of Appeals serve as the final arbiter on most federal cases. It is critically important that nominees to both the District and Circuit courts are impartial and dedicated to protecting women's reproductive rights.

It has become crystal clear that the courts are going to be the last - and sometimes only - line of defense against dangerous and unconstitutional attacks by the Trump-Pence Administration on basic civil and human rights. This holds true whether the courts are hearing cases that challenge state laws aimed at shutting down clinics or interfering in medical practice; or

challenges to federal regulations that would allow employers to discriminate and deny coverage of birth control; or cases in which people are standing up to government officials trying to prevent them from getting care they need. The health and lives of millions of women and girls rest in the hands of the federal judiciary.

Given this, it is critical that only fair and independent judicial nominees with a demonstrated commitment to fundamental legal rights be appointed to the federal courts, including both the Supreme Court and the lower courts. Any judicial nominee must, in addition to meeting the necessary requirements of honesty, integrity, character, temperament, empathy, and intellect, demonstrate a commitment to justice, civil rights, equal rights, individual liberties, and the fundamental constitutional rights of equal protection, dignity, and privacy, including the right to a safe, legal abortion.

We will oppose any and all efforts by this Administration to erode the rights that generations have fought so hard to gain. We will not stop fighting to protect and advance the health and rights of individuals in the United States and around the world.

Sincerely,

1. Abortion Care Network
2. Advocates for Youth
3. American Association of University Women (AAUW)
4. American Medical Student Association
5. BiNet USA
6. Black Women for Wellness Action Project
7. Black Women's Health Imperative
8. Catholics for Choice
9. Center for Health and Gender Equity (CHANGE)
10. Center for Reproductive Rights
11. Central Florida Women's Emergency Fund
12. EMILY's List
13. Feminist Majority Foundation
14. Forward Together
15. If/When/How: Lawyering for Reproductive Justice
16. In Our Own Voice: National Black Women's Reproductive Justice Agenda
17. International Women's Health Coalition
18. Mabel Wadsworth Center (Maine)
19. NARAL Pro-Choice America
20. National Abortion Federation
21. National Advocates for Pregnant Women
22. National Asian Pacific American Women's Forum (NAPAWF)
23. National Center for Lesbian Rights
24. National Center for Transgender Equality
25. National Council of Jewish Women

26. National Health Law Program
27. National Institute for Reproductive Health (NIRH)
28. National Latina Institute for Reproductive Health
29. National Network of Abortion Funds
30. National Organization for Women
31. National Partnership for Women & Families
32. National Women's Health Network
33. People For the American Way
34. Physicians for Reproductive Health
35. Planned Parenthood Federation of America
36. Population Connection Action Fund
37. Population Institute
38. Sexuality Information and Education Council of the United States (SIECUS)
39. SisterLove, Inc.
40. SisterReach
41. The National LGBTQ Task Force Action Fund
42. UltraViolet
43. Union for Reform Judaism
44. URGE: Unite for Reproductive & Gender Equity
45. Whole Woman's Health
46. Whole Woman's Health Alliance
47. Young Women United