



September 12, 2018

United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley, Ranking Member Feinstein, and Committee Members:

On behalf of our hundreds of thousands of members across the United States, People For the American Way opposes the nomination of John O'Connor to be a district court judge for the Northern, Eastern, and Western Districts of Oklahoma.

O'Connor has been deemed unqualified for the bench by a disinterested, non-partisan, and unanimous committee of the American Bar Association. The ABA submitted a letter describing the reasons for its negative conclusion:

Regarding professional competence, which encompasses such qualities as intellectual capacity, judgment, writing and analytical abilities, knowledge of the law, and breadth of professional experience, the Committee found Mr. O'Connor to be not qualified. The consensus based on confidential peer review is that Mr. O'Connor lacks sufficient litigation experience, going to the depth and breadth of his law practice to date. His judgment was also found to be deficient.

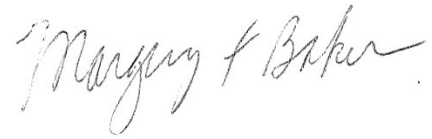
The Committee also evaluated the integrity of Mr. O'Connor by considering his character and general reputation in the legal community as well as the nominee's industry and diligence. In this category as well, Mr. O'Connor was found to be not qualified. The confidential peer review revealed several instances of ethical concerns, including candor with the court, evidence of overbilling of clients and billing practices criticized by courts, an improper ex parte communication with a court, and improper contact with adverse parties in litigation.ⁱ

It is extremely rare for a nonpartisan panel of attorneys to unanimously find a judicial nominee deficient—both legally and ethically—based not only on their own analyses, but also on the confidential evaluations of the local attorneys who are most familiar with him.

Unfortunately, senators have not had an opportunity to ask the nominee about this because his hearing was held prematurely, six weeks before the ABA could complete its evaluation. The Judiciary Committee should not advance a nominee so dramatically unqualified for the federal bench.

We urge you to oppose John O'Connor's nomination.

Sincerely,

A handwritten signature in cursive script that reads "Marge Baker".

Marge Baker
Executive Vice President for Policy and Program

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<https://www.americanbar.org/content/dam/aba/uncategorized/GAO/OConnorLetterofExplanation.authcheckdam.pdf>