



July 22, 2013

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The Honorable Patrick J. Leahy, Chair  
Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Charles Grassley, Ranking Member  
Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

**Re: Women's Bar Association's Endorsement of Cornelia (Nina)  
Pillard for Judge, U.S. Court of Appeals for the District of  
Columbia Circuit**

Dear Chairman Leahy and Ranking Member Grassley:

On behalf of the Women's Bar Association of the District of Columbia (WBA), I am writing to express the WBA's support for the nomination of Cornelia (Nina) Pillard to the U.S. Court of Appeals for the District of Columbia Circuit.

Our principal goal in endorsing judicial candidates is to ensure the appointment of qualified judges and, consistent with that goal, to increase the number of judges who support the mission of the WBA. We consider, in our recommendations, the candidate's background, level of experience, connection to the District of Columbia, record of public service, a demonstrated commitment to the equality of all litigants, and an attention to women's needs and concerns.

We evaluate each candidate for endorsement by reviewing his or her resume and other supporting documentation, and discussing the candidate's skills and character with references. We ask each person contacted specific questions regarding the candidate's qualifications, integrity, temperament, experience, and commitment to the concepts of equal opportunity and equal justice under law.

**Women's Bar Association of the District of Columbia**

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Ms. Pillard is exceptionally well-qualified for the position to which she has been nominated, and we believe that she would be an outstanding addition to the U.S. Court of Appeals for the District of Columbia Circuit. She graduated *magna cum laude* from Harvard Law School, where she served as the Book Review and Commentary Editor of the Harvard Law Review. After graduating, she clerked for Judge Louis H. Pollak on the United States District Court for the Eastern District of Pennsylvania. Ms. Pillard worked as an Assistant Counsel for the NAACP Legal Defense & Education Fund for five years. She then served as Assistant to the Solicitor General at the U.S. Department of Justice from 1994-1997. In 1997, she joined the faculty of the Georgetown University Law Center as an Associate Professor. From 1998-2000, she took leave from the law school to serve as a Deputy Assistant Attorney General in the Office of Legal Counsel in the United States Department of Justice. She subsequently rejoined the faculty, becoming a tenured professor in 2005, where she teaches constitutional law, civil procedure, employment law and policy, and international and transnational law, and has published many law review articles. During her outstanding career, Ms. Pillard has argued nine cases in the U.S. Supreme Court, and drafted briefs in dozens more. She has served as Faculty Co-Director of the Supreme Court Institute since 2011, which provides pro bono help to lawyers preparing for arguments before the Supreme Court.

Ms. Pillard played a pivotal role in two key Supreme Court cases of importance to women. In *United States v. Virginia*, 518 U.S. 151 (1997), as an Assistant to the Solicitor General, Ms. Pillard wrote the briefs submitted by the United States government, which argued that the male-only admissions policy of the Virginia Military Institute (VMI) violated the Equal Protection Clause of the Constitution. VMI and The Citadel in South Carolina were the only two state colleges in the country that still excluded women. The briefs argued, in part, that gender stereotypes cannot provide a valid basis for sex-based distinctions by government actors. In a 7-1 decision, the Supreme Court agreed, and struck down VMI's admissions policy, and The Citadel, too, quickly opened its doors to women. Then, in 2003, as a member of the Georgetown Law faculty, Ms. Pillard volunteered to represent William Hibbs, a state employee who was fired because he sought to take unpaid leave under the Family and Medical Leave Act (FMLA) to care for his wife, in *Nevada Department of Human Resources v. Hibbs*, 538 U.S. 721 (2003). She successfully argued that state employers should be liable for damages for violations of the family leave provisions of the FMLA because Congress intended to remedy sex discrimination in passing the FMLA, and the Court in a 6-3 decision agreed.

Ms. Pillard was honored as the Public Interest Professor of the Year in 2005. She has served on the Board of Directors of the Center for WorkLife Law, and currently serves on the Executive Committee of the Board of Directors of the American Arbitration Association. Moreover, she has dedicated considerable time to mentoring others during her career: she mentored low-income girls through a Big Sister program as a college student; she has mentored countless law students during her 13 years as a professor; and she served on the Board of Friends of the Double Discovery Center at Columbia College, which works with low-income and first generation college Manhattan area youth each year to ensure academic skills building, high school graduation, college entrance and completion, and responsible adulthood.

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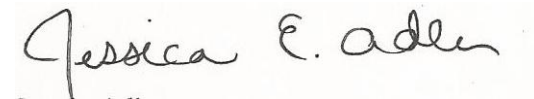
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Ms. Pillard's record of achievement, and unanimous rating of Well-Qualified, the highest rating available, from the ABA's Standing Committee on the Federal Judiciary, reflects her significant talents as an appellate litigator and scholar. Her legal career is remarkable for her accomplishments and the breadth and depth of her experience, and her reputation for fair-mindedness, collegiality, and dedication to principles of equal justice is well founded.

The WBA is proud to support Ms. Pillard's nomination and encourages the Senate to take prompt action to confirm her to the U.S. Court of Appeals for the District of Columbia Circuit. If you have any questions regarding this letter of support, please contact me at 202-898-0055 or at [president@wbadc.org](mailto:president@wbadc.org).

Sincerely,



Jessica E. Adler  
President

cc: Cornelia Pillard, Esq.  
Co-Chairs, WBA Judicial and Executive Endorsement Committee:  
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Ms. Rachel Levinson Waldman  
Ms. Elizabeth Marvin  
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