



President Joe Biden
The White House
1600 Pennsylvania Ave NW
Washington, D.C. 20050

May 23, 2022

Dear President Biden,

The National Association for Public Defense (NAPD) and its 30,000 members applaud your Administration's approach to judicial nominations. As you consider filling a judicial vacancy in the Western District of North Carolina, we encourage you to (1) continue to build racial and gender diversity on the federal bench; and (2) continue to nominate former public defenders.

Throughout American history, white male jurists have dominated the federal bench. That trend has continued into the modern era: today, over 70% of federal judges are white, and over 60% are men.¹ Your Administration has upended this trend. Under your leadership, over 75% of judicial nominees have been women, and over 60% have been persons of color.

Similarly, former prosecutors are vastly overrepresented on the federal bench, outnumbering defense attorneys four-to-one.² Indeed, in 2020, just 7% of all federal judges were former public defenders.³ Here, too, your Administration is making history. Approximately 40% of your nominees for the federal bench have previously served as public defenders.

The Western District of North Carolina is emblematic of a dated, monolithic approach to judicial appointments. Women, persons of color, and former public defenders have long been absent from that bench. While NAPD does not endorse a particular nominee, we encourage your Administration to continue its historic work diversifying the bench. We hope the federal judiciary, federal litigants, and the American people continue to benefit from your historic work.

Sincerely,

Geoff Burkhart
President, National Association for Public Defense

¹ <https://www.acslaw.org/judicial-nominations/diversity-of-the-federal-bench/>

² <https://www.cato.org/study/are-disproportionate-number-federal-judges-former-government-advocates#introduction-summary-findings>

³ <https://www.arnoldventures.org/stories/the-rise-of-public-defense-attorneys-on-the-judiciary>