



December 14, 2020

The Honorable Mitch McConnell
The Honorable Charles Schumer
United States Senate
Washington, DC 20510

Dear Senate Majority Leader McConnell and Senate Minority Leader Schumer:

I write to you as a constituent of the Seventh Circuit and as the Chair of Courts Matter Illinois, representing the people who live and vote in Illinois and whose lives will be most affected by your actions on the nomination of Thomas Kirsch to the United States Court of Appeals for the Seventh Circuit. I am sending this letter in opposition to the nominee for many reasons, not the least of which is that no judicial nominations should be considered at this time.

The attention of our elected officials, especially those of you in the Senate, should be laser-focused on the pandemic and finding solutions to the issues of the people in this nation who need assistance with food, employment, and housing security. As the numbers of COVID-positive cases increases daily and the death toll in this nation quickly moves toward 300,000, we should not be focused on lifetime appointments to the federal judiciary.

Courts Matter Illinois also opposes the nomination of Thomas Kirsch to the Seventh Circuit because it would make it the only all white circuit in the nation. That is deplorable. The Seventh Circuit includes Illinois, Indiana and Wisconsin, all of which are richly diverse states. More than 7 million people of color live in the Seventh Circuit. They and the rest of the people in these three states deserve a diverse judiciary to represent their needs. They were denied that opportunity when Senate Majority Leader Mitch McConnell refused a hearing for President Obama's nominee for this very seat — Myra Selby — a highly qualified Black lawyer from Indiana. The Republican-led Senate blocked Justice Selby's confirmation from the time she was nominated in January 2016 until the end of the Obama administration. The seat was then filled by Amy Coney Barrett, keeping the Seventh Circuit white.

We do not believe that this is the time for any nominations to be considered, voted on, or confirmed. We are in a transition period and it is time to focus only on what is the most pressing business. The Trump administration has made a mockery of the federal judiciary, aided by the Senate Judiciary Committee, in its rush to confirm as many federal judicial positions as possible during his term. In so doing, the federal judiciary has become less diverse (Trump nominees are 90% white), many of his nominees bring

scant qualifications to their role on the federal bench, and most have had little time before the Judiciary Committee to present and defend their credentials to serve our nation on the federal courts. This has been a sham process for much of this administration and in the waning days of this administration, it is time for this to stop. We say: NO MORE NOMINEES. And, that certainly includes Thomas Kirsch.

We ask you, on behalf of the people of the Seventh Circuit to stop. Please set aside all work on judicial nominations and focus on COVID-relief and other truly pressing matters of state. We deserve nothing less from our elected officials.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carole Levine".

Carole Levine, Chair
Courts Matter Illinois

6101e North Sheridan Road, #10A
Chicago, IL 60660
CaroleLevine@comcast.net
224-805-1200
CourtsMatterIllinois@gmail.com
[Facebook.com/CourtsMatterIllinois/](https://www.facebook.com/CourtsMatterIllinois/)