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July 7, 2009

### VIA HAND DELIVERY

Senator Patrick Leahy  
Chair, Judiciary Committee  
United States Senate  
Attention: Kristine Lucius  
433 Russell Senate Office Building  
United States Senate  
Washington, DC 20510

Re: U.S. Supreme Court Nominee Sonia Sotomayor

Dear Senator Leahy:

As President of the National Association of Women Lawyers (NAWL), and on behalf of NAWL, I am pleased to announce to the Senate Judiciary Committee NAWL's conclusion that Judge Sonia Sotomayor is highly qualified to become an Associate Justice of the United States Supreme Court. The conclusion, based upon Judge Sotomayor's intellectual capacity, her appropriate judicial temperament and her respect for established law and process, has been reported today to the Senate Judiciary Committee.

The NAWL Committee, which includes a distinguished array of law professors, appellate practitioners and lawyers, founded its conclusion upon (i) a comprehensive review of Judge Sotomayor's publicly available writings and decisions and (ii) in-depth personal interviews by Committee members with key individuals having information regarding Judge Sotomayor, the various roles she has fulfilled during the course of her professional life, and her treatment of litigants, attorneys, employees and colleagues, particularly those who are women. A copy of the Committee's Mission and Procedures and its previous statements about nominees to the United States Supreme Court is enclosed.

During the course of the assessment, the NAWL Committee reviewed a substantial number of opinions drafted by Judge Sotomayor, including majority opinions, concurrences, dissents and opinions she wrote or joined in that were reviewed by the United States Supreme Court. Although the Committee emphasized review of cases that might be of particular importance to women, the members of the Committee did not limit their review, focusing on a wide range of criminal and civil issues.

The Committee concluded that Judge Sotomayor consistently has displayed a superior intellectual capacity and a comprehensive understanding of the issues with which she was presented. Her ability to analyze statutory and case law was found to be excellent and her judicial reasoning sound.

In certain areas involving issues of importance to women and within the scope of the NAWL Committee's review, such as domestic violence and reproductive choice, the Committee had no decisions of Judge Sotomayor to review. There were, however, many cases where the issues involved government-sponsored violence against women (arising in the asylum context) in which Judge Sotomayor displayed a sensitive understanding of the impact of forced sterilization and forced abortion on mothers and their partners. Similarly, Judge Sotomayor displayed great knowledge and understanding of the impact of gender and race-based comments and behavior in the workplace, although her sensitivity to the plight of the plaintiffs in these cases did not necessarily translate into findings favoring those individuals unless a solid basis in law existed on which to base their claims.

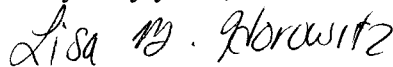
Judge Sotomayor's decisions and the information developed by the NAWL Committee demonstrate that while Judge Sotomayor is not afraid to disagree with her colleagues if her legal analysis leads her there, she has a strong preference for following judicial precedent. The information developed by the Committee also establishes her lack of gender, racial, ethnic or religious bias and her willingness to maintain an open mind, deciding cases on the record before her.

Importantly, the Committee found Judge Sotomayor's judicial temperament to be appropriate. She is generous in her explanations to *pro se* litigants while at the same time enforcing legal procedure and principles. She was found to have treated all litigants, attorneys, court personnel, and, in particular for the Committee's review, women in the courts, with the utmost respect and professionalism in and out of the courtroom.

The Committee, therefore, concluded that Judge Sotomayor has the intellectual capacity, the appropriate judicial temperament and respect for established law and process needed to be an effective Supreme Court Justice and is highly qualified to serve as an Associate Justice of the United States Supreme Court.

The National Association of Women Lawyers is the leading national voluntary organization devoted to the interests of women lawyers and women's rights. Founded over 100 years ago, NAWL has members in all 50 states and engages in a variety of programs and activities to advance its mission. Members of the NAWL Committee for the Evaluation of Supreme Court Nominees are appointed by the President of NAWL and include a distinguished array of law professors, appellate practitioners and lawyers concentrating in litigation, with diverse backgrounds from around the country and who work in a variety of professional settings. The Committee independently reviews and evaluates the qualifications of each Presidential nominee to the United States Supreme Court with an emphasis on laws and decisions regarding women's rights or that have a special impact on women. More information may be found at [www.nawl.org](http://www.nawl.org).

Very truly yours,



Lisa B. Horowitz

Enclosure