

# Judge Brett M. Kavanaugh

## **Federal Judicial Service**

Judge, U.S. Court of Appeals for the D.C. Circuit

Nominated by President George W. Bush on January 25, 2006, to a seat vacated by Hon. Laurence H. Silberman; confirmed on May 26, 2006.

## **Education**

Yale College, B.A., *cum laude*, 1987

Yale Law School, J.D., 1990

## **Professional History**

Law clerk, Judge Walter K. Stapleton, U.S. Court of Appeals for the Third Circuit, 1990-1991

Law clerk, Judge Alex Kozinski, U.S. Court of Appeals for the Ninth Circuit, 1991-1992

Bristow Fellow, Office of the Solicitor General, U.S. Department of Justice, 1992-1993

Law Clerk, Associate Justice Anthony M. Kennedy, Supreme Court of the United States, 1993-1994

Associate, Office of Independent Counsel Ken Starr, 1994-1997, 1998

Partner, Kirkland & Ellis, LLP, 1997-1998, 1999-2001

Associate Counsel, President George W. Bush, 2001-2003; Senior Associate Counsel, 2003

Assistant to the President and Staff Secretary, President George W. Bush, 2003-2006

Samuel Williston Lecturer in Law, Harvard Law School, 2009-present

**Judge Brett M. Kavanaugh**  
**U.S. Court of Appeals for the D.C. Circuit**

- Judge Kavanaugh is the single most qualified person in the country to serve on the Supreme Court. His credentials are impeccable. He currently sits on the D.C. Circuit—the “Second Highest Court in the Land”—and serves as the Samuel Williston Lecturer in Law at Harvard Law School. He graduated from Yale Law School and clerked for Justice Kennedy.
- Judge Kavanaugh has a proven track record as the type of jurist that President Trump has promised to put on the Supreme Court. With over 300 published opinions, what you see is what you get: a judge who will apply the law as written and enforce the text, structure, and original understanding of the Constitution.
- Judge Kavanaugh’s respect for people threatened by government overreach has demonstrated itself again and again, and he has often rejected attempts by the federal government to impose onerous regulations on private citizens.
- Judge Kavanaugh is a true “judge’s judge.” He’s a thought-leader among his peers on the appellate courts and deeply respected by the Supreme Court. The Supreme Court has endorsed his opinions more than a dozen times, including Kavanaugh dissents that have become the law of the land. His opinions are regularly cited by courts across the country. Of his 48 clerks, 39 have gone on to clerk at the Supreme Court. And one of his clerks (Britt Grant) is even on the President’s list of potential Supreme Court nominees.
- Together with Justice Gorsuch and others, Judge Kavanaugh coauthored *The Law of Judicial Precedent*, a lengthy treatise on the role and importance of *stare decisis*.
- Judge Kavanaugh has devoted his life to public service. He has spent 25 of the last 28 years serving the American people, most notably as Associate Independent Counsel, Associate White House Counsel, Assistant and Staff Secretary to President George W. Bush, and—of course—as a judge.
- Judge Kavanaugh is active in his community. He coaches CYO (Catholic Youth Organization) basketball, acts as a reader at his church, serves meals to needy families, and tutors children at local elementary schools.

**Judge Brett M. Kavanaugh**  
**U.S. Court of Appeals for the D.C. Circuit**

Brett M. Kavanaugh has served for over a decade as a federal judge on the U.S. Court of Appeals for the D.C. Circuit—referred to as the “Second Highest Court in the Land”—building a first-rate judicial record and reputation.

Judge Kavanaugh is a brilliant jurist with impeccable legal credentials and a clear, effective writing style. He is universally respected for his intellect, persuasiveness, and ability to build consensus. He understands that the role of a judge is to faithfully interpret the law, not to legislate from the bench. His authoritative legal opinions are known to shape the law and are often cited by judges around the country.

Alongside his long career of public service, he is a youth basketball coach, a church volunteer, a family man, and a mentor in local schools. He stays active, playing basketball and running. His mother, Maryland Circuit Court Judge Martha Kavanaugh, blazed a trail for women in the legal profession. He and his wife Ashley have two school-aged children.

**Judge Kavanaugh is the best of the best, who builds consensus and decides cases based on the law, not personal policy preferences.**

Judge Kavanaugh once wrote, “The judge’s job is to interpret the law, not to make the law or make policy. So read the words of the statute as written. Read the text of the Constitution as written, mindful of history and tradition. Don’t make up new constitutional rights that are not in the text of the Constitution. Don’t shy away from enforcing constitutional rights that are in the text of the Constitution.”

**Judge Kavanaugh has an impressive career of public service.**

Judge Kavanaugh was confirmed by the U.S. Senate on May 26, 2006, to the U.S. Court of Appeals for the D.C. Circuit. Sixteen current Senators—including one sitting Democrat—voted to confirm him.

Prior to serving on the court, Judge Kavanaugh had broad experience in private practice and in government service. He served in the White House as Senior Associate White House Counsel and eventually as Staff Secretary to President George W. Bush. Earlier in his career, he served as Associate Counsel to the Independent Counsel, Ken Starr; a Bristow fellow in the Office of Solicitor General; and a partner at Kirkland & Ellis LLP, where he specialized in appellate litigation.

**Judge Kavanaugh’s academic credentials are superb.**

After graduating with honors from Yale College in 1987, Judge Kavanaugh graduated from Yale Law School in 1990, where he was a Notes Editor on the *Yale Law Journal*. He clerked for Justice Anthony Kennedy of the Supreme Court, Ninth Circuit Judge Alex Kozinski, and Third Circuit Judge Walter Stapleton.

## **Judge Brett M. Kavanaugh**

Judge Kavanaugh has impeccable academic credentials and professional experience.

- Yale College, B.A., *cum laude*; Yale Law School, J.D.
- Law Clerk to Justice Kennedy, Judge Stapleton (3d Cir.), Judge Kozinski (9th Cir.)
- Bristow Fellow, Office of the Solicitor General, U.S. Department of Justice
- Assistant to the President and Staff Secretary; Senior Associate White House Counsel; Associate White House Counsel
- Partner, Kirkland & Ellis LLP
- Associate Independent Counsel, authored parts of the Starr Report
- Samuel Williston Lecturer in Law, Harvard Law School

Judge Kavanaugh is an All-American Judge with a commitment to his country and community.

- Life-long member of the D.C. community
- Avid sports fan, who plays and coaches basketball and runs marathons
- Involved in his community through extensive charity work

Judge Kavanaugh has an outstanding judicial record from his 12 years on the bench.

- Exactly the sort of judge the President promised, and exactly what the American people want: follows the law, not his policy preferences.
- A judge's judge:
  - The Supreme Court has endorsed his opinions more than a dozen times
  - His 100 most-cited opinions have been cited by more than 210 judges across the country
  - More than 50 circuit court opinions discuss or cite one of his concurrences or dissents

Judge Kavanaugh is a mainstream judge who should be easily confirmed.

- Senators from both parties told the White House they wanted a real judge with outstanding credentials, who will respect precedent
- Judge Kavanaugh is all of that and then some
- Confirmed to the D.C. Circuit with bipartisan support

## **The Nomination Process**

**Top Line: The nomination of Judge Brett Kavanaugh resulted from the most thorough, wide-ranging selection process in history.**

- No Administration has ever launched a more thorough selection process for a Supreme Court nominee.
- President Trump chose from a public list of 25 of the finest legal minds in our country—last updated in November 2017, after the confirmation of Neil Gorsuch and after the President had confirmed a number of his own lower court nominees.
- A team of lawyers from the White House Counsel’s Office and the Department of Justice studied and analyzed the writings and backgrounds of these candidates.
- Starting immediately after Justice Kennedy’s announcement that he was taking senior status, President Trump, the Vice President, and the White House Counsel met and spoke with numerous Senators—Republican and Democrat—over the past two weeks, seeking their advice.
- Dozens of Senators provided their advice. Many asked the President to pick a nominee who has impeccable credentials, a brilliant legal mind, and has exhibited integrity, humility, and a judicial temperament in his or her career.
- President Trump, working with the Vice President and the White House Counsel, narrowed the list over the ten days since Justice Kennedy’s announcement.
- The President selected Judge Brett Kavanaugh—a mainstream judge with impeccable credentials who has twelve years of distinguished service on the U.S. Court of Appeals for the D.C. Circuit.
- During the selection process, Judge Kavanaugh made no commitments on positions he would take on particular legal issues, and he was not asked to do so. As a Justice, he will decide cases independently and according to the law, exactly as he has done on the D.C. Circuit.
- President Trump has nominated a mainstream candidate with a proven record of deciding cases carefully and with due respect for precedent. He should be swiftly confirmed to the Supreme Court.