

From: Pottebaum, Nic D. EOP/WHO <Nicholas.D.Pottebaum@who.eop.gov>

To: Pottebaum, Nic D. EOP/WHONicholas.D.Pottebaum@who.eop.gov

CC: Hoelscher, Douglas L. EOP/WHODouglas.L.Hoelscher@who.eop.gov

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Subject: WHAT YOU NEED TO KNOW | Judge Brett M. Kavanaugh

Attachments: Kavanaugh Packet for Public.pdf

ATT00001.htm

State Leaders and Staff,

Attached you will find a background packet on Judge Brett M. Kavanaugh. In addition, below and attached you will find a factsheet on 'What you Need to Know.'

WHAT YOU NEED TO KNOW | Judge Brett M. Kavanaugh

- 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.
- 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.
 - o 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.
 - o 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.
 - o 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.
 - o 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 Kavanaugh has impeccable academic credentials and professional experience.
 - o Yale College, B.A., *cum laude*, Yale Law School, J.D.
 - o Law Clerk to Justice Kennedy, Judge Stapleton (3d Cir.), Judge Kozinski (9th Cir.)
 - o Bristow Fellow, Office of the Solicitor General, U.S. Department of Justice
 - o Assistant to the President and Staff Secretary; Senior Associate White House Counsel; Associate White House Counsel
 - o Partner, Kirkland & Ellis LLP
 - o Associate Independent Counsel, authored parts of the Starr Report
 - o Samuel Williston Lecturer in Law, Harvard Law School
- Judge Kavanaugh is an All-American Judge with a commitment to his country and community.
 - o Life-long member of the D.C. community
 - o Avid sports fan, who plays and coaches basketball and runs marathons
 - o Involved in his community through extensive charity work
- Judge Kavanaugh has an outstanding judicial record from his 12 years on the bench.
 - o Exactly the sort of judge the President promised, and exactly what the American people want: follows the law, not his policy preferences.
 - o 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.
 - o Senators from both parties told the White House they wanted a real judge with outstanding credentials, who will respect precedent
 - o Judge Kavanaugh is all of that and then some
 - o Confirmed to the D.C. Circuit with bipartisan support

Please let us know if you have any questions.

Thanks,
Nic

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Nicholas D. Pottebaum
Deputy Director
White House Office of Intergovernmental Affairs
O: 202-456-2132 | C: 202-881-7803 | E: Nicholas.D.Pottebaum@who.eop.gov