

Louisville law prof who clerked for Kavanaugh touts his character, qualifications for Supreme Court

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As a former clerk for Judge Brett Kavanaugh and a native-born Kentuckian, I believe Kavanaugh will be an excellent Supreme Court justice who is right for America and right for Kentucky. He has been a leading voice for individual liberty and presidential accountability, and his qualifications and character are unsurpassed.

On individual liberty, Kavanaugh wrote the roadmap that a unanimous Supreme Court later followed to protect the privacy interests of a criminal defendant against GPS surveillance. That's one of the reasons why the libertarian Cato Institute's Ilya Shapiro recently called Kavanaugh "a big step forward for constitutional liberty." Shapiro also cited Kavanaugh's ruling in favor of a female defendant based on her lawyer's failure to introduce expert testimony that she suffered from battered-woman's syndrome.

On presidential accountability, Kavanaugh believes a judge must stand up to the president when the executive branch is in violation of the law. That's why he called *United States v. Nixon*, which required disclosure of the Watergate tapes, one of the "greatest moments in judicial history." And it's why, according to progressive Harvard law professor Noah Feldman, Kavanaugh's views support the principle "that the president can be investigated and maybe even indicted unless Congress passes a law saying he can't — which Congress has not done." Of course, a mainstream, evenhanded, and independent-minded legal philosophy is not enough. Qualifications matter too, as does character. And on both counts, Kavanaugh is outstanding.

Let's start with his qualifications. After graduating from Yale Law School, he clerked for three federal judges, including Justice Anthony Kennedy. He went on to argue civil and criminal cases in the Supreme Court and courts throughout the country, teach for a decade at Harvard Law School, publish numerous academic articles in the nation's leading law journals, serve in the White House, and then spend 12 years on the country's most influential court of appeals. Perhaps no statistic better demonstrates Kavanaugh's qualifications better than the fact that 13 of his opinions were later endorsed by the Supreme Court — an unparalleled record of vindication for a federal judge.

Kavanaugh is also a person of impeccable character. I've heard him speak passionately about the importance of family, equality, and public service, and I've witnessed him live those values in

his everyday life. He coaches his little girls' basketball teams. He serves meals to the homeless. And he has been among the leading advocates in the judiciary for a fairer and more inclusive profession. As Lisa Blatt, the leading female advocate of the Supreme Court bar, recently wrote, "other than my former boss, Justice Ruth Bader Ginsburg, I know of no other judge who stands out for hiring female law clerks."

In short, Kavanaugh's legal philosophy, qualifications, and character have made him a superb judge, teacher, and mentor. And they will make him an exceptional justice of the Supreme Court.