

December 14, 2022

Dear Senators:

On behalf of the Alliance for Justice (AFJ), The Leadership Conference on Civil and Human Rights, National Women’s Law Center, People For the American Way, and the undersigned 97 organizations, we write to express deep concern about the lack of independence and fairness of the United States Supreme Court in light of the most recent allegations about infiltration and influence in the nation’s highest court as [reported](#) by the New York Times. We applaud the efforts for a review of these allegations and the calls for an ethics code for the Supreme Court. We urge you to take immediate action launching an investigation into these and other reports that call into question the ethical standards to which Supreme Court justices are held. Additionally, we urge swift legislative action to implement judicial ethics reforms for the Supreme Court, and the continued prioritization of the confirmation of fair-minded federal judicial nominees who will respect and uphold the rights of all people, not just the powerful few.

We need a Supreme Court that works for everyone, not just the wealthy and powerful. But right now, the Court is not working for all of us. Efforts to coordinate with and embolden the ultra-conservative, anti-civil and human rights agenda are not only unethical — they are anti-democratic. Attempts to rig the Court’s decisions, roll back our rights, and harm our communities are unacceptable. The Court’s recent decisions have nakedly enshrined ideology as law, overturning decades of precedent on issues of fundamental rights including voting rights, right to abortion, labor rights, and gun safety. As Chief Justice Roberts said at his confirmation hearing, “Precedent plays an important role in promoting stability and evenhandedness. It is not enough that you may think the prior decision was wrongly decided.”¹ Yet, this overturning of precedent that is foundational to the recognition of many of our civil and human rights is harmful to us and our communities. In addition to these devastating rulings, allegations such as the ones recently reported and many others further undermine public trust in an independent judiciary.² We need immediate action so that we continue moving closer to the day when there is equal justice under law for everyone.

First, we applaud the Senate Judiciary Committee for quickly announcing that it will review the allegations, and we urge a thorough investigation. For too long, reports of blatant ethical violations have gone uninvestigated. The Supreme Court is the highest court in the American judicial system, and its decisions shape the lives of every person in America and often turn on

¹<https://www.npr.org/templates/story/story.php?storyId=484>

² An Alliance for Justice report released earlier this year, entitled [Accountable To None: The Urgent Need for Supreme Court Ethics Reforms](#), cataloged multiple additional allegations of extrajudicial and political misconduct by Supreme Court justices.

the vote of a single justice. The integrity and impartiality of each justice matters. Last term, the Court overturned decades of precedent to dismantle the constitutional right to abortion; undermined the separation of church and state; jeopardized the ability of states to enforce common sense gun violence prevention measures; undermined the EPA's ability to enforce safeguards for our climate and environment; and much more. In this upcoming term, the Court has already considered [cases](#) with implications for millions of Americans, on issues like civil rights, racial gerrymandering, LGBTQ rights, and the criminal justice system. We need to know that the justices who pen these momentous decisions have integrity and are committed to the rule of law.

Second, we strongly urge Congress to pass judicial ethics legislation as soon as possible to bolster accountability and transparency and enhance public trust in our judiciary. While all other federal judges are required to follow the Code of Conduct for United States Judges (the "Code") — a set of ethical guidelines codified and enforced by the U.S. Judicial Conference — the Supreme Court justices merely use the Code for "guidance." With confidence in the Supreme Court at an [all-time low](#) and our democracy in peril, Congress must act in the absence of the Court doing so voluntarily. Several pieces of legislation have been recently introduced that seek to bolster accountability and transparency and enhance public trust in our judiciary.³

Third, we need the Senate to continue to confirm more ethical, fair-minded, and highly-qualified judicial nominees who possess a demonstrated record of protecting the rights of all people. Much progress has been made to confirm professionally and demographically diverse nominees, and we urge you to continue to make this a top priority, especially in the final weeks of this congressional session.

Thank you for your commitment to making our institutions work for everyone. We look forward to continuing to work with you to strengthen our federal judiciary so that it lives up to the promise inscribed above the Supreme Court entrance: equal justice under law.

Sincerely,

Alliance for Justice
The Leadership Conference on Civil and Human Rights
National Women's Law Center
People For the American Way
AAUW Naperville Area
Advocates for Youth

³ See, e.g., Judicial Ethics and Anti-Corruption Act of 2022 (S. 4177); Supreme Court Ethics, Recusal, and Transparency Act of 2022 (S. 4188); 21st Century Courts Act of 2022 (S.4010), and Supreme Court Ethics Act (S. 2512).

American Atheists
American Constitution Society
American Federation of State County and Municipal Employees
American Federation of Teachers
Americans United for Separation of Church and State
Andrew Goodman Foundation
Brave New Films
Catholics for Choice
CBFD Indivisible San Diego
Center for Biological Diversity
Center for Digital Democracy
Center for Popular Democracy
CenterLink: The Community of LGBT Centers
Clean Water Action
Clearinghouse on Women's Issues
Coalition of Labor Union
Cobalt
Collective Power for Reproductive Justice
Commissioner Nancy Metayer (Coral Springs, FL)
Committee for a Fair Judiciary (CFJ)
Community Catalyst
DC Justice Lab
Democratic Messaging Project
Earthjustice
Equal Justice Society
Equality California
Feminist Majority Foundation
Forests Forever
Freedom from Religion Foundation
Girls for Gender Equity
Great Plains Action Society
Greenpeace USA
Houston Coalition Against Hate
Human Rights Campaign
If/When/How: Lawyering for Reproductive Justice
Indivisible
Indivisible CA Green Team
Indivisible Marin
Indivisible Northern Nevada
Japanese American Citizen's League
LatinoJustice PRLDEF
League of Conservation Voters
League of United Latin American Citizens (LULAC)
Louisiana Coalition for Reproductive Freedom
NARAL Pro-Choice America
National Council of Jewish Women

National Council of Jewish Women, Atlanta Section
National Council of Jewish Women, Austin
National Council of Jewish Women, Bergen County Section
National Council of Jewish Women, Chicago North Shore
National Council of Jewish Women, Cleveland Section
National Council of Jewish Women, Greater Dallas Section
National Council of Jewish Women, Greater Houston Section
National Council of Jewish Women, Greater Miami Section
National Council of Jewish Women, Greater Rochester Section
National Council of Jewish Women, Louisville Section
National Council of Jewish Women, Milwaukee Section
National Council of Jewish Women, Nashville Section
National Council of Jewish Women, New York
National Council of Jewish Women, Sacramento
National Council of Jewish Women, St Louis Section
National Council of Jewish Women, Utah Section
National Council on Independent Living
National Education Association
National Employment Law Project
National Health Law Program
National Immigration Law Center
National Organization for Women
National Partnership for Women & Families
National Urban League
Natural Resources Defense Council (NRDC)
New Pennsylvania Project
Oregonizers
People's Parity Project
Planned Parenthood Federation of America (PPFA)
Population Connection Action Fund
Race Forward
Religious Coalition for Reproductive Choice
Reproaction
Reproductive Health Access Project
Rooted in Resistance
Sakhi for South Asian Women
Secure Elections Network
SEIU
SIECUS: Sex Ed for Social Change
The Secular Coalition for America
The Workers Circle
True North Research
Union of Concerned Scientists
URGE: Unite for Reproductive & Gender Equity
Validate the Vote USA.org
Venice Resistance

Victim Rights Law Center
Violence Policy Center
Voices for Progress