

May 11, 2023

VIA EMAIL

United States Senate
Washington, D.C.

Re: *Letter in Support of Nancy Abudu for the U.S Court of Appeals for the Eleventh Circuit*

Dear Senator,

We are writing on behalf of the National Women’s Law Center (the “Law Center”) and the 47 undersigned gender justice organizations to express our support for the nomination of Nancy Abudu to the United States Court of Appeals for the Eleventh Circuit. Ms. Abudu is a legal luminary with a demonstrated commitment to equal justice under law and we urge the Senate to grant her respectful consideration and the swift confirmation she deserves.

Nancy Abudu is a distinguished attorney with a deep understanding of the impact of laws and the Constitution on the rights of women, girls, people of color and LGBTQ+ people and is incredibly qualified to serve on the Eleventh Circuit. Throughout her career, Ms. Abudu has demonstrated a tireless commitment to upholding the Constitutional rights of all people and safeguarding democracy. Ms. Abudu is a renowned voting rights expert, currently serving as the Deputy Legal Director and Director for Strategic Litigation at the Southern Poverty Law Center, where she protects the right of all Americans to vote.¹ Prior to joining SPLC, Ms. Abudu served as a Senior Staff Attorney for the ACLU’s Voting Rights Project.² She has also penned a chapter in *America Votes!: Challenges to Modern Election Law and Voting Rights*,³ and was called to testify before the United States’ House of Representative’s Subcommittee on Elections.⁴ And as the Legal Director for the ACLU of Florida, she fought to protect a range of fundamental rights for women and LGBTQ+ people. Additionally, Ms. Abudu has litigated extensively at the federal appellate level, including before the Eleventh Circuit, and has submitted over 80 briefs to the United States Supreme Court.⁵ Ms. Abudu’s deep expertise on Constitutional rights, including voting rights, attest to her commitment to safeguarding democracy and ensuring that fundamental rights are protected for all Americans.

In addition to the tremendous legal expertise and commitment to equal justice for all Ms. Abudu would bring to the Eleventh Circuit, she also brings much needed professional, gender and racial diversity to the appellate bench. If confirmed, Ms. Abudu would be the first Black

¹ *Nancy Abudu: Strategic Litigation Director*, Southern Poverty Law Center (accessed Apr. 20, 2022) [Nancy Abudu | Southern Poverty Law Center \(splcenter.org\)](https://www.splcenter.org)

² *Id.*

³ *America Votes: Challenges to Modern Election Law and Voting Rights* (Benjamin E. Griffith & John Hardin Young eds., 4th Ed. 2019).

⁴ *Voting Rights and Election Administration in Alabama: Hearing Before the Subcomm. On Elections of the H. Comm. On Admin.*, 116th Cong. (2019) (statement of Nancy Abudu). <https://www.govinfo.gov/content/pkg/CHRG-116hhrg38128/html/CHRG-116hhrg38128.htm>

⁵ *Nancy G. Abudu Fact Sheet*, Alliance for Justice (Jan. 26, 2022) [Nancy G. Abudu Fact Sheet — AFJ](#)

woman and the second woman of color to serve on the Eleventh Circuit Court of Appeals.⁶ The underrepresentation of Black women and other women of color on the Eleventh Circuit is incredibly concerning. The Eleventh Circuit covers Florida, which is 17% Black and 47% people of color,⁷ Alabama which is 27% Black and 35% people of color,⁸ and Georgia, which is 33% Black and 49% people of color,⁹ and yet **not one of the 40 judges** to ever serve on that court has been a Black woman.¹⁰ Despite recent progress in confirming civil rights lawyers to the federal bench,¹¹ lawyers who've spent the bulk of their careers at civil rights and liberties nonprofit organizations, like Ms. Abudu, are vastly underrepresented on the federal bench.¹² Confirming Ms. Abudu to the Eleventh Circuit Court of Appeals is an important step in ensuring that the Eleventh Circuit reflects the diversity of the people that it serves.

Ms. Abudu is one of the brightest legal minds in our nation and has spent her career pursuing equal justice for all to protect the rights of women, people of color, and LGBTQ+ people. Additionally, her confirmation would bring desperately needed racial and gender diversity to both the Eleventh Circuit and the federal bench. The Law Center and the undersigned gender justice organizations respectfully urge the Senate to swiftly confirm Nancy Abudu to the U.S. Court of Appeals for the Eleventh Circuit. Please feel free to contact Erinn Martin, Director of Nominations and Cross-Cutting Policies, at erinnmartin@nwlc.org should you have any questions.

Sincerely,

The National Women's Law Center

A Woman's Choice of Charlotte
A Woman's Choice of Greensboro
A Woman's Choice of Jacksonville
A Woman's Choice of Raleigh
Advocates for Youth
Alliance for Justice
Asian Americans Advancing Justice - AAJC
Bazelon Center for Mental Health Law
Black Women's Health Imperative
Care in Action
Catholics for Choice
Clearinghouse on Women's Issues
Cobalt
Disability Rights Education and Defense Fund

⁶ *Biographical Directory of Article III Federal Judges, 1789-Present*, Federal Judiciary Center (2022), *Biographical Directory of Article III Federal Judges, 1789-present* | Federal Judicial Center (fjc.gov)

⁷ *QuickFacts Florida*, United States Census Bureau (July 1, 2021) U.S. Census Bureau QuickFacts: Florida

⁸ *QuickFacts Alabama*, United States Census Bureau (July 1, 2021) U.S. Census Bureau QuickFacts: Alabama

⁹ *QuickFacts Georgia*, United States Census Bureau (July 1, 2021) U.S. Census Bureau QuickFacts: Georgia

¹⁰ *Biographical Directory of Article III Federal Judges, 1789-Present*, Federal Judiciary Center (2022),

Biographical Directory of Article III Federal Judges, 1789-present | Federal Judicial Center (fjc.gov)

¹¹ *End-Of-Year Report*, Alliance for Justice (2022), pg.15, https://www.afj.org/wp-content/uploads/2023/01/2022_AFJ_EOYReportFINAL.pdf.

¹² Clark Neily, *Are a Disproportionate Number of Federal Judges Former Government Advocates?*, Cato Institute (May 27, 2021) [Are a Disproportionate Number of Federal Judges Former Government Advocates?](https://www.cato.org/insights/are-a-disproportionate-number-of-federal-judges-former-government-advocates) | Cato Institute

Earthjustice
Equal Rights Advocates
ERA Coalition
Esperanza United (formerly Casa de Esperanza: National Latin@ Network)
Feminist Majority Foundation
Girls for Gender Equity
Impact Fund
KWH Law Center for Social Justice and Change
League of Conservation Voters
Lovelace Consulting Services, Inc.
MS Black Women's Roundtable
Muslim Advocates
NARAL Pro-Choice America
NARAL Pro-Choice North Carolina
NARAL Pro-Choice Oregon
National Coalition Against Domestic Violence
National Council of Jewish Women
National Domestic Workers Alliance
National Employment Lawyers Association
National Partnership for Women & Families
National Women's Political Caucus
People For the American Way
People's Parity Project
Planned Parenthood Federation of America (PPFA)
Religious Coalition for Reproductive Choice
Reproaction
Reproductive Equity Now
She Will Rise
The Fund for Women & Girls
UltraViolet
USOW
URGE: Unite for Reproductive & Gender Equity
Victim Rights Law Center