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In the nomination of John G. Roberts, Jr.

To be Chief Justice of the United States

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I am not here today to discuss Judge Roberts's judicial opinions or his political views. Instead, I hope to give you some insight into John Roberts, the man--whom I have had the privilege and pleasure of knowing for almost twenty years. The President could not have made a better choice to be Chief Justice of the United States.

I am a lifelong Democrat. John worked for two Republican Administrations and was put on the bench by a third; I served in President Carter's White House, indeed worked for Sarah Weddington, who successfully argued Roe v. Wade, and I campaigned for President Clinton. I mention this because my political views have not "disqualified" me from being in John's close circle of friends. Over the two decades we have known each other, John has never tried to impose any Administration's views on me, much less his own. I can tell you that he would not be someone I enjoyed being around so much if he had a doctrinaire approach to life.

John was a member of a long-standing group beach house on the Delaware shore, and in fact that's where he met his wife Jane. I know from first-hand experience that it was definitely a bipartisan beach house, and they all, including John, celebrated each other's successes in various Administrations.

Then, as now, when issues of the day come up around a dinner table, John always approaches them from a legal, not political, point of view. I recall John discussing one of his cases while still in private practice that involved a moratorium on development on Lake Tahoe. Tahoe-Sierra Preservation Council v. Tahoe Regional Planning Agency (2002). This case had special importance to me and my husband Ed because we own property in the area. In his remarks, there was never a bit of "environmentalist vs. developer" analysis from John. His discussion hinged on the narrow point of law in front of the court -- whether a 30-year long moratorium on development constituted a taking of the per se variety.

John is truly a lawyer's lawyer. His intellectual curiosity, especially about the law, is immense. While still in private practice, he and my father, Charles Alan Wright, a legal scholar whom some of you on the Committee knew, had an on-going exchange over the fine points of various cases, really just for the pleasure of the discussion. And it was not just loyalty to an old friend that brought John to see my father argue the last Supreme Court case of his career, Ruhrgas AG v. Marathon Oil Co et al. (1999). The truth is, John is passionately interested in almost every aspect of the law. He and I are both long-time members of the American Law Institute, and have been together at many of those functions

over the years. He is capable of intelligently discussing any area of the law that comes up -- which is not the case for many of us who have toiled in one field of the law for our entire careers. In fact, when John was initially nominated to the Supreme Court this summer, he was in the middle of teaching a course on international trade law—not a subject that comes before the court on which he currently sits, but by no means beyond John's legal ability and intellectual interest.

There is of course more to John than the law. He enjoys a number of interests, including a broad and eclectic taste in reading, as well as swimming with his children in the local community pool. And he loves golf. Not surprisingly for one to whom rules and procedure are so important, he can be a stickler for applying the rules of golf – but only to himself. If he is playing with a lesser golfer—like me, for example—he never imposes his approach to the rules more broadly which might impede my enjoyment of the game.

John has always been supportive of women and aware of the difficult life choices that many of us have faced. As his wife Jane and I made the long march to law firm partnership and then motherhood (we became friends in 1984, the year we both clerked on the Court of Appeals for the Fourth Circuit), he was unstinting in his encouragement. When I had successes in my Washington law practice, John applauded them; when my daughter Sierra turned three and I decided to become a full-time volunteer he understood and supported the reasons for that decision too. He is happy to join in any discussion that Jane and I might have -- whether we are strategizing how to get a new client, or ruminating about when to start swimming lessons for our kids. John is definitely a man who respects smart women: his wife has two more degrees than he has.

While some men may give only lip service to the importance of their wives' careers, John's support of Jane's work is constant and genuine. And the Roberts household, and how it runs, reflects this. Jane Roberts worked from home when Josie and Jack were infants, and John looked after the children during her evening conference calls. Just recently, when Jane's family in New York held a celebration on the same day that she needed to be away on law firm business, John dressed and packed the children for the trip, drove them to New York, and spent several days at Sullivan family functions as a single parent — thinking nothing of it. In fact, the concept of equal partnership is carried out in their home to the point where, they each put one of the children to sleep every night, and the next night they switch.

Indeed, witnessing John's dedication to his children makes me proud to have a man like him on our Nation's highest Court. I serve as the volunteer Chairman of the Dallas Children's Advocacy Center. Each morning we open our doors to children in need of hope and healing; children who were abused and destroyed by the very people who should love them the most.

The Robertses are out-going, and have always enjoyed having people over to their house. Jane is mainly the one who cooks, and John, among other things, is always in charge of setting the table. He does know his limits, though. Jane puts out one place setting and John carefully does the rest by following her example. There is a modesty in his attitude at all times -- a humility and lack of pretense -- that still disarms me. When Jane was turning 40 and John wanted to give her a surprise party, he didn't race ahead with bold plans that pleased him. Instead, he pondered what might make her most happy, and when he wondered if his choices were right, he called a friend for advice.

John is a very likable, congenial person and the Court will benefit from his persuasive ability, tact, and personal attributes. It is not a given that lawyers, especially super smart ones, have good social skills. From what I have heard, the Justices increasingly make up their minds about cases alone in their chambers. Maybe as Chief Justice, John can help reverse this trend and the Court will produce greater consensus in its opinions. He will also bring a dry, often self-deprecating wit to the proceedings. Sometimes this brand of humor is hard to discern on paper. I laughed, and groaned, to see articles picking apart a flippant sentence John wrote when he was much younger about whether homemakers should be encouraged to become lawyers. I could hear the smile in his voice when I read these remarks – and felt certain that he had found yet another way to make fun of himself and show his awareness of all those "lawyer jokes" people love to tell. Rather than suggesting that women shouldn't become lawyers, he was openly speculating: Do we really want more lawyers in the world?

From my perspective, how someone handles disappointments in life says more about them than how they handle success. John's life does seem charmed, I know. And he's publicly demonstrated how elegantly he handles success. But I've seen some private struggles which he's managed with equal dignity and poise. He and Jane went through considerable effort and anguish to have children, sometimes wondering if, as prospective first-time parents in their forties, it would ever happen. It took a long time to arrange their first adoption – and it fell through just days before the baby was due to come home with

them. I was pregnant myself at the time, and wondered how hard it must have been to seem so close to their dream and watch it slip away. But rather than being angry or devastated, John and Jane remained calm and positive.

Career disappointments came too. John's first two nominations to the Court of Appeals for the D.C. Circuit were not acted on by the Senate, before he was confirmed to the bench eleven years later. Again, I remember wondering what it must have been like for him – to be so close only to have the possibility disappear. For eleven years, he never showed any bitterness about it. Instead, he appeared to relish the challenge of his years in private practice.

He seemed perfectly accepting of the possibility that he would never become a judge. But I, and I'm sure many others, believed that if merit truly determines judicial appointments, it could only be a matter of time before he would be on the bench – and even on the Supreme Court.

What do all of these highly personal impressions of John indicate for this Committee's consideration of him as a nominee? I have heard from dozens of people who were surprised that a committed Democrat was supporting John's nomination. They seem reassured to hear such a positive endorsement from someone who has known John in many unguarded private moments. I can assure you, and the American public, that what you see is what you get: John Roberts is smart, tolerant, collegial, of even temperament, and loves the law. From my experience, John Roberts has no agenda other than to apply the law as it is written. It will be a great credit to this Committee, and to the rest of the Senate, for his nomination to be speedily approved.