

July 10, 2019

The Honorable Lindsey Graham, Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Office Building  
Washington, DC 20510

The Honorable Dianne Feinstein, Ranking Member  
Committee on the Judiciary  
United States Senate  
331 Hart Senate Office Building  
Washington, DC 20510

**Re: Nomination of Justin R. Walker to be United States District Judge for the  
Western District of Kentucky**

Dear Chairman Graham and Ranking Member Feinstein:

We are members of the faculty at the Louis D. Brandeis School of Law at the University of Louisville.<sup>1</sup> We write in support of the President's nomination of our colleague, Justin Walker, to serve as a judge on the U.S. District Court for the Western District of Kentucky. Although we are a diverse group with varying perspectives on the law, we share in common the view that Justin will be an exemplary judge who will serve the Western District and the federal bench extraordinarily well. He is highly qualified by reason of his intelligence, work ethic, thoughtfulness, and temperament. Justin is a thoughtful colleague who places his students above all else. His collegiality, dedication to others, and impressive intellect will be of great benefit to the federal bench.

There is no question that Justin meets every test of intellectual ability needed to be an outstanding federal judge. His background suggests as much, including his success at Harvard Law School and the ringing endorsement of retired Supreme Court Justice Anthony Kennedy, for whom Justin clerked after law school. Our experience with Justin as a colleague has given us first-hand knowledge of his ability, and we cannot speak highly enough about him on this score. Many of us have had the opportunity to sit in on one or more of Justin's classes as part of the review process for tenure and promotion. He shows wonderful depth in his discussions of the law, which are uniformly articulate and clear to allow for his audience to understand his reasoning. That benefits the students in Justin's classes, and it will apply equally powerfully to those reading his opinions should he be confirmed.

The same qualities of intellectual rigor and clarity of thought have been on display during the frequent faculty workshops that have been conducted at the law school, at which scholars from law schools around the country come to present works in progress. Justin's comments and questions have always advanced the discussion, prompting thoughtful, engaging dialog that

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<sup>1</sup> It is important to stress that we write as individual members of the faculty, and do not purport to speak on behalf of the School of Law or the University.

constitutes the very best of what the legal academy can and should be: an exchange of ideas between people of varying positions that challenges everyone to do their best work. Justin's own scholarship has been first-rate, taking up difficult and complex issues of constitutional law (with a particular emphasis on separation of powers and the role of the administrative state). He brings a fresh perspective to well-rehearsed debates, leading those who engage his work to rethink their own ideas. The quality of Justin's work as a teacher and scholar has put on display the intellectual gifts that will serve him well on the bench.

Justin is also a tireless worker. Since joining our faculty in 2015, he has taught perhaps the most labor-intensive course on our schedule, the Lawyering Skills class for first-year students. In Lawyering Skills, our students learn the fundamentals of legal reasoning and writing, the key skills they will need in all their other courses and – eventually – as practicing lawyers no matter what field of law they specialize in. Teaching that course successfully requires intensive preparation to provide the students innumerable exercises both in and outside of class. Grading all of the many assignments that are typical in Lawyering Skills is one of the most challenging tasks any member of our faculty must perform, especially doing so in a way that provides constructive and timely feedback to the students. Justin has made the course a virtual showpiece of how to engage students, which requires a special investment of time, energy, and effort. He will bring that same commitment to his work on the bench, with equally admirable results.

In the current climate, where many have commented on the divisive nature of our politics and (it seems) every judicial nomination is an occasion for partisan combat, there is a greater need than ever for thoughtful, open-minded judges whose work creates both the perception and the reality of being willing to engage with those who have differing perspectives. Justin has always been exactly that kind of colleague, and we have no doubt he will be that kind of judge. Every litigant who comes before Judge Walker, whether in civil or criminal cases, can be confident he will be open to their arguments and carefully consider the opposing positions in light of the applicable law. Collectively, we have had literally hundreds of conversations with Justin in which he has unfailingly been open to positions that differ from his own, while still being confident and able in defending his own position. In this way, the qualities of a great judge mirror those of a wonderful law professor, and Justin has them in abundance.

Finally, Justin has the temperament to be a wonderful federal judge. He is patient, careful not to jump to conclusions without taking the time to carefully consider all sides of an issue or argument, generous, and conscientious. In dealing with students, Justin balances a desire to promote their success with an understanding of the importance of holding them to high standards so that they will be well-prepared for the rest of law school (since Justin works primarily with first-year students) and eventually to be practicing lawyers. In countless ways, he has gone out of his way to create opportunities for his students to reach their goals, showing his generosity of spirit and careful attention to the details of what makes for a successful legal education. He has a disarming and often self-effacing sense of humor. We cannot imagine a situation in his courtroom that Justin would be unable to handle effectively.

In sum, we are confident that Justin Walker will be an outstanding federal judge. We have seen in his work as our colleague that he has all the qualities of intellect, industry,

thoughtfulness, and temperament that are essential for a judge. While there is no doubt that some of us will disagree with some of the decisions he renders in the years to come if he is confirmed (and some of us may take the opportunity to express that disagreement, as law professors are wont to do), there is also no doubt that the respect we have for Justin today will not change. He will perform his duties as a judge with the same excellence and professionalism that have marked his tenure on our faculty. We recommend him to the Committee, and the Senate, without reservation.

Sincerely,

Jamie R. Abrams  
Professor of Law

Leslie W. Abramson  
Professor of Law

Craig Anthony (Tony) Arnold  
Boehl Chair in Property & Land Use  
and Professor of Law

R. Thomas Blackburn  
Professor of Law

Peter Scott Campbell  
Technical Services Librarian

Colin Crawford  
Dean and Professor of Law

Ariana R. Levinson  
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