



July 8, 2019

To our fellow Americans:

Our nation has embarked on another campaign season in earnest, and we will soon encounter the predictable stream of ad hominem attacks and negative ads that comes with it. Sadly, the process by which we nominate and confirm Supreme Court justices **could be described in the same manner.**

This should not come as a surprise. With life tenure, each nomination is cast in apocalyptic terms, as neither party knows when its presidents will have another opportunity to make an appointment. The court itself is not blameless, as in recent years it's handed down what many Americans see as overtly political decisions, typically with 5-4 votes.

There is no easy way to move us out of this dynamic, but it has become clear to us that **a strong step in the right direction would be to revisit life tenure at the Supreme Court.**

We choose not to endorse any particular plan here, so long as terms are sufficiently long to maintain judicial independence. But we believe that continuing to concentrate power in the hands of a few individuals, who sit for many decades with almost no oversight and little incentive to compromise, is no longer good public policy, if it ever was. **A court seen by most Americans as a political actor, whose very legitimacy is routinely questioned, and whose appointment process has devolved into farce, is in need of fixing.**

We hope that voters – and by extension, those running in 2020 – will join us in considering the best way to move the country toward a **healthier constitutional balance** and shift the Supreme Court **away from its current role as a battleground in our partisan wars.**

Respectfully (*institution listed for purposes of identification only; not to be construed as an endorsement*),

David Abraham, Professor of Law Emeritus, University of Miami School of Law

Jeffrey Abramson, Professor of Law & Government, University of Texas at Austin School of Law

Bruce Ackerman, Sterling Professor of Law and Political Science, Yale Law School

Neal Allen, Chair and Associate Professor of Political Science, Wichita State University

William Araiza, Professor of Law, Brooklyn Law School

Sahar Aziz, Professor of Law, Rutgers Law School

Asli Bâli, Professor of Law, UCLA School of Law

Ian Bartrum, Professor of Law, University of Nevada Las Vegas William S. Boyd School of Law

Carl Bogus, Professor Law, Roger Williams University School of Law

Harold Bruff, Rosenbaum Professor of Law Emeritus, University of Colorado Boulder Law School

Erwin Chemerinsky, Dean and Jesse H. Choper Distinguished Professor of Law, University of California Berkeley School of Law

Robert Cooter, Herman F. Selvin Professor of Law, University of California Berkeley School of Law

Mary Dudziak, Asa Griggs Candler Professor of Law, Emory University School of Law

Sam Erman, Professor of Law, University of Southern California Gould School of Law

David Faris, Associate Professor of Political Science, Roosevelt University

John Ferejohn, Samuel Tilden Professor of Law, New York University School of Law

Mary Anne Franks, Professor of Law, University of Miami School of Law

Stephen Gillers, Elihu Root Professor of Law, New York University School of Law

Ellen Goodman, Professor of Law, Rutgers Law School

Robert Gordon, Professor of Law, Stanford University

Jamal Greene, Dwight Professor of Law, Columbia Law School

Stephen Griffin, Rutledge C. Clement Jr. Professor in Constitutional Law, Tulane University Law School

Joseph Grodin, Associate Justice (ret.), California Supreme Court; Professor of Law Emeritus, University of California Hastings College of the Law

Dennis Hutchinson, Senior Lecturer in Law, University of Chicago Law School

John Inazu, Sally D. Danforth Distinguished Professor of Law and Religion, Washington University in St. Louis

Ted Kaufman, former U.S. senator, D-Del.; former Professor of the Practice, Duke University School of Law

Richard Kay, Wallace Stevens Professor of Law Emeritus, University of Connecticut School of Law

Raymond Ku, Professor of Law, Case Western Reserve University School of Law

David Landau, Mason Ladd Professor, Florida State University College of Law

Carlton Larson, Professor of Law, UC Davis School of Law

Michael Lawrence, Foster Swift Professor of Constitutional Law, Michigan State University College of Law

Brian Leiter, Karl N. Llewellyn Professor of Jurisprudence, University of Chicago Law School

Gerald Leonard, Professor of Law, Boston University School of Law

Lawrence Lessig, Roy L. Furman Professor of Law and Leadership, Harvard Law School

Sandford Levinson, W. St. John Garwood and W. St. John Garwood, Jr. Centennial Chair in Law, University of Texas at Austin School of Law

Steven Lubet, Edna B. and Ednyfed H. Williams Memorial Professor of Law, Northwestern Pritzker School of Law

Thomas McAfee, William S. Boyd Professor of Law, University of Nevada Las Vegas William S. Boyd School of Law

Thomas Metzloff, Professor of Law, Duke University School of Law

Alan Morrison, Lerner Family Associate Dean for Public Interest and Public Service Law, George Washington University School of Law

Samuel Moyn, Henry R. Luce Professor of Jurisprudence, Yale Law School

Philip Oliver, Byron M. Eiseman Distinguished Professor of Tax Law, University of Arkansas Little Rock William H. Bowen School of Law

Norm Ornstein, Resident Scholar, American Enterprise Institute

Richard Parker, Williams Professor of Justice, Harvard Law School

Joel Paul, Professor of Law, University of California Hastings College of the Law

Michael Perry, Robert W. Woodruff Professor of Law, Emory University School of Law

Harold Pollack, Helen Ross Professor, University of Chicago School of Social Service Administration

Lucas A. Powe Jr., Anne Green Regents Chair in Law, University of Texas at Austin School of Law

Richard Primus, Theodore J. St. Antoine Collegiate Professor of Law, University of Michigan Law School

Aziz Rana, Professor of Law, Cornell Law School

William Reynolds, Jacob A. France Professor Emeritus of Judicial Process, University of Maryland Francis King Carey School of Law

Kermit Roosevelt, Professor of Law, University of Pennsylvania Law School

Peter Schuck, Baldwin Professor of Law Emeritus, Yale Law School

Herman Schwartz, Professor of Law, American University Washington College of Law

Eric Segall, Kathy and Lawrence Ashe Professor of Law, Georgia State University College of Law

Matthew Seligman, Visiting Assistant Professor of Law. Yeshiva University Benjamin N. Cardozo Law School

Theodore St. Antoine, James E. and Sarah A. Degan Professor of Law Emeritus, University of Michigan Law School

Joan Steinman, Distinguished Professor of Law Emerita, Illinois Institute of Technology Chicago-Kent College of Law

Franita Tolson, Vice Dean of Faculty and Academic Affairs and Professor of Law, University of Southern California Gould School of Law

Gerald Torres, Jane M.G. Foster Professor of Law, Cornell Law School

Laurence Tribe, Carl M. Loeb University Professor, Harvard Law School

Robert Tsai, Professor of Law, American University Washington College of Law

Mark Tushnet, William Nelson Cromwell Professor of Law, Harvard Law School

Adam Winkler, Professor of Law, UCLA School of Law

Mary Ziegler, Stearns Weaver Miller Professor, Florida State University College of Law