

President
Chris Chambers Goodman – Malibu
President-Elect
Renee Galente – San Diego
First Vice-President
Amea Mikadich – San Francisco
District 3 Governor
Second Vice-President
Jessica Lynn Rowe – Redwood City
Affiliate Governor



Secretary
Naomi Dewey – Santa Barbara
Affiliate Governor
Santa Barbara Women Lawyers
Treasurer
Connie L. Chen – Los Angeles
District 7 Governor
Immediate Past President
Kelly Robbins – San Francisco

San Mateo County Bar Association, Women's Section

700 R Street, Ste. 200, Sacramento CA 95811. Tel. (916) 930-9020 · Email: info@cw.org · www.cw.org

GOVERNORS

Amelia Burroughs
District 1 Governor
Louinda V. Lacey
District 2 Governor
Amea Mikadich
District 3 Governor
Dorothy Chou Proudfoot
District 3 Governor
Executive Comm. At-Large

Nicole Sugnet
District 4 Governor
Suzette Torres
District 4 Governor

Sabrina Ashjian
District 5 Governor

Danielle De Smeth
District 6 Governor

Catherine Bidart
District 7 Governor

Connie Chen
District 7 Governor

Allison N. Kneaver
District 7 Governor

Ana M. Storey
District 7 Governor

Betty Francisco
District 8 Governor

Michelle Iallegio
District 9 Governor

Demetria Graves
Affiliate Governor – Black Women Lawyers
Association of Los Angeles

Mike Domingo
Ariel Lee
Co-Affiliate Governors - Contra Costa County
Bar Association Women's Section

Melissa Marsh
Affiliate Governor - Fresno County Women
Lawyers Association

Rebecca Zipp
Affiliate Governor - Lawyers Club of San Diego

Ahtossa Fullerton
Affiliate Governor – Marin County Women
Lawyers

Michelle Philo
Affiliate Governor – Orange County Women
Lawyers

Rebecca Hooley
Affiliate Governor - Queen's Bench Bar
Association

Robin Diem
Mercedes Sequoia
Co-Affiliate Governors – Women Lawyers of
Long Beach

Naomi Dewey
Kate McGuinness
Co-Affiliate Governors - Santa Barbara Women
Lawyers

Wendy Krog
Affiliate Governor - Santa Clara County Bar
Association - Women's Committee

Hon. Susan Formaker
Affiliate Governor - Women Lawyers
Association of Los Angeles
Executive Comm. At-Large

Jacqueline Frederick
Affiliate Governor - Women Lawyers of San
Luis Obispo County

Gina Boer
Bertrish Satarzadeh
Co-Affiliate Governors - Women Lawyers of
Alameda County

Jackie Sueyres
Affiliate Governor - Women Lawyers of
Sacramento

Jessica Lynn Rowe
Affiliate Governor - San Mateo County Bar
Association - Women's Section

Ahtossa Fullerton
Affiliate Governor – Marin County Women
Lawyers

Audrey Hadlock
At-Large Governor

Summer Selleck
At-Large Governor

August 22, 2017

The Honorable Chuck Grassley
Chairman
224 Dirksen Senate Office building
Senate Committee on the Judiciary
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510

RE: OPPOSITION to Division of the Ninth Circuit

Dear Senators Grassley and Feinstein,

On behalf of California Women Lawyers, we appreciate the opportunity to provide this letter in opposition to the legislative proposals pending before the Senate to restructure the Ninth Circuit Court of Appeals. As a 501(c)(6) entity, and the only statewide bar association for women in California, we review introduced legislation to select and champion those bills which further our legislative priorities. Court funding and access to justice are important priorities for California Women Lawyers, and the proposed changes to the Ninth Circuit Court of Appeal do not further those priorities. The changes would be expensive, inefficient, and negatively impact access to justice in the state of California (and beyond).

We understand that most of the judges within the Circuit oppose this restructuring, including dozens of Circuit Court Judges. One of the biggest issues with the proposed restructuring is that California has the lion's share of the cases within the Circuit, which creates a situation where any division of the Ninth Circuit would either place California in its own circuit or in a circuit that would still retain a primarily California-based case load. In either case, the division of the circuit would not provide the kind of balance that critics argue should exist in a separate circuit. As California Women Lawyers understands it, none of the proposals for splitting the Ninth Circuit provides a

superior alternative to the current situation. Furthermore, the questions of what, if any, precedent applies to district courts within any new circuit, has no clear answer.

In a climate of continuing cuts to court budgets, and reduced funding for other access to justice priorities such as the Legal Services Corporation, the tens of millions of dollars in costs for duplicative overhead, startup costs, and reduced efficiencies is a price that we cannot afford to pay. As the ABA notes, splitting the circuits at a time when budgets continue to be slashed and the national deficit grows would not only result in a loss of efficiencies, but also result in steep start-up costs, which the ABA estimates could run as much as \$96 million. In addition, the recurring annual costs may range from \$13 to \$16 million.

As the American Bar Association has concluded in its statement to the Subcommittee on Courts, Intellectual Property, and the Internet (March 16, 2017), there is no compelling evidence that the Ninth Circuit needs restructuring. The former arguments in favor of restructuring to reduce delays and backlog have been rendered moot by continuing technological innovations. The Ninth Circuit has been at the forefront of those innovations.

For all of these reasons, on behalf of California Women Lawyers, we oppose the pending bills, and applaud your efforts to support our federal court system. We urge you to ensure that the Ninth Circuit is adequately resourced rather than restructured. Thank you for your attention to these and so many matters impacting access to justice.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Chambers Goodman", with a long horizontal flourish extending to the right.

Chris Chambers Goodman, Esq.
President, California Women Lawyers