



The Honorable Dick Durbin
Chairman
Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, DC, 20510

The Honorable Sheldon Whitehouse
Chairman
Senate Judiciary Subcommittee on
Federal Courts, Oversight, Agency
Action, & Federal Rights
530 Hart Senate Office Building
Washington, DC, 20510

July 19, 2023

Dear Chairman Durbin and Senator Whitehouse:

On behalf of Campaign Legal Center (CLC), I write in support of Supreme Court ethics reform, and to encourage the Senate Judiciary Committee to advance legislation on this important topic during its upcoming markup. I also thank you again for the opportunity to testify before the Committee earlier this year on how the Supreme Court's ethics rules lag behind those of the legislative and executive branches.¹

As outlined in my written testimony,² CLC believes that public trust in the judiciary can be increased by establishing specific and relevant ethics practices for the Supreme Court that have already proven effective in our other two branches of federal government. In particular, the Supreme Court needs: 1) a formal internal ethics enforcement body to advise Justices about their legal obligations and to investigate alleged misconduct; 2) a binding code of conduct; 3) a requirement for full disclosure of privately sponsored travel; and 4) a formal recusal compliance procedure.

Over the last decade, the absence of these essential ethics provisions has resulted in persistent concerns implicating actual or perceived conflicts of interest involving Justices across the ideological spectrum and appointed by presidents of both political parties. As a result, Supreme Court ethics reform is not, and should not be considered, a partisan issue.

¹ *Supreme Court Ethics Reform*, Hearing Before the S. Comm. on the Judiciary, 118th Cong. (May 2, 2023), <https://www.judiciary.senate.gov/committee-activity/hearings/supreme-court-ethics-reform>.

² *Id.* (Statement of Kedric Payne).

CLC urges every member of the Senate Judiciary Committee to recognize that it is critical for the public's trust in all our democratic institutions that the Supreme Court be held to the highest possible ethical standards. If the Court is unwilling or unable to adopt such standards for itself, then Congress must act.

Sincerely,

/s/ Kedric Payne

Kedric Payne
Vice President, General Counsel, and
Senior Director of Ethics
Campaign Legal Center