September 12, 2012

The Honorable Richard J. Durbin
711 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

The Honorable Mark Steven Kirk
524 Hart Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Senators Durbin and Kirk:

I am writing both as president of the American Bar Association and as your constituent to urge you to take diversity into consideration when proposing a candidate to President Obama for nomination to become the U.S. Attorney for the Northern District of Illinois.

The ABA, which has nearly 400,000 members, including almost fifty percent of the lawyers in Illinois, is staunchly committed to increasing diversity and eliminating bias in our association, the profession and the justice system. In fact, we believe that achieving these objectives is so important to the pursuit of justice that they constitute one of the four enumerated Goals of the Association.

In 2000, the legal profession was 73 percent male and 88.8 percent White (non Hispanic). Today the profession is 68 percent male and 87.3 percent White (non Hispanic). 2011 Household Data, Annual Averages, Chart 11 at: http://www.bls.gov/cps/cpsaat11.pdf. Progress in achieving diversity has been uneven, slow, and concentrated in low- and mid-level legal jobs. Racial and ethnic groups, sexual and gender minorities, and lawyers with disabilities continue to be underrepresented and face hurdles to advancement throughout the profession.

Over the years, the ABA has emphasized the importance of diversity in the justice system to the perception of fair treatment. This is especially true with regard to individuals in the justice system viewed as holding positions of power. Without a doubt, U.S. attorneys are among the most visible and powerful components of our justice system and, like judges, symbols of government authority.
Our failure to achieve a diverse justice system in the face of the ever-increasing multiculturalism of our nation invites a crisis in public confidence: a justice system that is not representative of the diverse community it serves runs the very real risk of losing its legitimacy in the eyes of those who come before it.

While I, of course, am committed to promoting diversity in the broadest sense of the word, I have chosen as one of my priorities during my year as ABA president to focus on gender diversity. With this in mind, I urge you to take special note that no woman has ever served as U.S. Attorney in the Northern District of Illinois since the position was created in 1857.

I know that you have shared the critical importance of achieving diversity throughout the justice system with your bipartisan vetting commission.

I appreciate your time and would like to take this opportunity to offer the services of the ABA as you proceed with the legislative challenges that you face each day.

Sincerely,

Laurel G. Bellows