

July 10, 2017

The Honorable Charles Grassley, Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

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

Re: Nomination of Stephanos Bibas to the United States Court of Appeals for the Third Circuit

Dear Chairman Grassley and Ranking Member Feinstein,

It is my privilege to write in support of the nomination of Stephanos Bibas to the United States Court of Appeals for the Third Circuit. I am a junior law professor who has benefitted from Stephanos' mentorship and worked with him closely as a colleague. On the basis of that experience—and as a former Third Circuit law clerk myself—I am confident that Stephanos will be an outstanding federal appellate judge.

I met Stephanos in 2013, when I sought his advice about pursuing a career in legal academia. I had recently left a job as a public defender and was working as a law clerk. We had no prior connection; I simply admired his academic work. I had just read *The Machinery of Criminal Justice*, and his diagnosis of a massively overburdened and mechanistic system that had lost touch with the humanity of the people caught up in it resonated with my experience in indigent defense. Stephanos was characteristically generous. He took the time to meet with me—a total stranger—and, afterward, to read drafts of my early scholarship. Several years later I had the good fortune to join Penn Law School as a Fellow with the Quattrone Center for the Fair Administration of Justice. In the two years I spent there, Stephanos was an invaluable mentor and colleague. We worked together on a number of projects, including a set of recommendations for improving fairness and reducing racial disparities in Delaware's criminal justice system. Stephanos provided continuous input on my own scholarship, and helped me navigate the process of applying for law faculty positions.

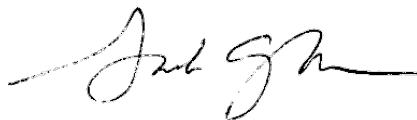
I cannot overstate Stephanos' professional generosity. Few law professors have schedules as full as he does, and few are as available to their junior colleagues. Stephanos has spent countless hours talking with me about criminal justice law and policy, reading my drafts, and helping to hone my thinking—as he does for many others. He is extremely respectful. He takes other people's ideas and experience seriously without regard to rank. As a judge, Stephanos will bring this spirit of generosity to his interactions with colleagues, law clerks and litigants alike.

Stephanos is also one of the most deeply humane people I know. Legal academia has not always been friendly to women, let alone to women with children and a working spouse. As a gay woman in that situation I have sometimes found this career path to be daunting. Stephanos has been an antidote to that anxiety. He has understood from the start that my wife and daughter are my absolute priority. Every career conversation we have ever had began and ended with them. Of the many wonderful mentors to whom I am indebted, no one has been more empathic. I believe that empathy is an essential quality for a judge and will make Stephanos a great one.

The last thing about Stephanos that I would like to convey, although I will be repeating many others, is his powerful and versatile intellect. Stephanos' approach to the law has broad sweep—he always sees the big picture—but is also deeply attuned to the experience of the particular individuals and communities the law affects. This is evident in his scholarship, especially his pioneering work on plea-bargaining, which explores power asymmetries in the plea-bargaining process and illuminates the ways in which legal and institutional dynamics can exacerbate social inequality. It is a theme that Stephanos has continually raised in our conversations, in our work together, and in his input to my own work. As a jurist, Stephanos will be attentive to both the letter of the law and to the lived reality of law on the ground. He will also be open-minded. He and I do not agree on every question of law and policy, but Stephanos is always eager to hear the best case against him, and always willing to be convinced.

Having clerked twice in the Third Circuit, I feel deep loyalty to the Third Circuit bench. I am thrilled that the President has nominated Stephanos Bibas to join it. I enthusiastically recommend that the Senate confirm his appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra G. Mayson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Sandra G. Mayson
Assistant Professor of Law (designate)
University of Georgia School of Law*

cc: The Honorable Robert Casey, Jr.
The Honorable Christopher Coons
The Honorable David Perdue
The Honorable Pat Toomey

* Institutional affiliation is for purposes of identification only. Position begins August 1, 2017.