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NINTH CIRCUIT

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December 12, 2017

Via Email

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

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

Re: Hearing on December 13, 2017 regarding the
Nomination of Magistrate Judge Charles B. Goodwin to the
United States District Court for the Western District of Oklahoma

Dear Chairman Grassley and Ranking Member Feinstein:

I chaired the American Bar Association Standing Committee on the Federal Judiciary from August 2016 through August 2017, and in that capacity I oversaw the evaluation of Magistrate Judge Charles Goodwin in connection with his nomination to the United States District Court for the Western District of Oklahoma. I write this correspondence in support of the Standing Committee's rating of Magistrate Goodwin as "Not Qualified."

The Standing Committee conducted its evaluation using its standard process outlined in the "Backgrounder" (https://www.americanbar.org/groups/committees/federal_judiciary.html) and, in doing so, considered only the criteria of integrity, professional competence, and judicial temperament. The Standing Committee's concerns centered upon Magistrate Judge Goodwin's work ethic and availability to perform judicial duties. As set forth in the Backgrounder, integrity encompasses a nominee's industry and diligence, and professional competence includes a nominee's judgment. Magistrate Judge Goodwin's work habits, including his frequent absence from the courthouse until mid-afternoon, raised doubt for a majority of the Standing Committee's members with respect to Magistrate Judge Goodwin's ability to fulfill the demands of a federal judge appointed under Article III of the United States Constitution. Inaccessibility issues generated concerns about the timely and efficient administration of justice.

The Standing Committee was generally of the view that Magistrate Judge Goodwin could ultimately exhibit the requisite capability, industry and availability to allay its work ethic and accessibility concerns, but, at this point, that the indications received were sufficiently significant to warrant the rating issued. I hasten to note that no issues were noted regarding Magistrate Judge Goodwin's judicial temperament, intellectual capacity, writing and analytical abilities, knowledge of the law, or breadth of professional experience.

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I hope this letter is helpful, and I am grateful for the opportunity to present this brief explanation regarding the Standing Committee's rating of Magistrate Judge Goodwin.

With kindest personal regards, I am,

Respectfully,

A handwritten signature in blue ink that reads "Nancy Scott Degan". The signature is written in a cursive, flowing style.

Nancy Scott Degan
Immediate Past Chair (2016-2017)

NSD/dme

cc: Pamela A. Bresnahan, Chair (2017-2016)
Denise A. Cardman, Staff Counsel to ABA Standing Committee on the Federal Judiciary