



# Judge Amy Coney Barrett: Selected Primary Material

September 28, 2020

On September 26, 2020, President Donald J. Trump announced the nomination of Judge Amy V. Coney Barrett of the [United States Court of Appeals for the Seventh Circuit](#) (“Seventh Circuit”) to fill the vacancy on the Supreme Court caused by Associate Justice Ruth Bader Ginsburg’s death on September 18, 2020.

This Sidebar contains reference information about Judge Barrett, including a biography; a list of publications she authored or coauthored; legislative documentation related to her previous nominations; lists of her written opinions; a list of Supreme Court briefs to which she contributed; and additional resources. For more on Judge Barrett’s nomination to the Supreme Court, please see CRS Report R46562, *Judge Amy Coney Barrett: Her Jurisprudence and Potential Impact on the Supreme Court*, coordinated by Valerie C. Brannon, Michael John Garcia, and Caitlain Devereaux Lewis; and CRS Legal Sidebar LSB10540, *President Trump Nominates Judge Amy Coney Barrett: Initial Observations*, by Victoria L. Killion.

## Biographical Sketch

Judge Barrett was [nominated to the Seventh Circuit on May 8, 2017](#), by President Trump to a seat vacated by Judge John Daniel Tinder. The Senate confirmed Judge Barrett to the seat she currently holds on October 31, 2017. She received her commission on November 2, 2017.

Judge Barrett was born in New Orleans, LA, in 1972. She graduated *magna cum laude* from Rhodes College with a B.A. in 1994 and *summa cum laude* from Notre Dame Law School with a J.D. in 1997. Between 1995 and 1997, she held several summer associate positions at firms in Washington, DC, and New Orleans, LA. She also held a research assistant position at Notre Dame Law School from 1995 to 1996.

From 1997 to 1998, she served as a law clerk for Judge Laurence H. Silberman of the U.S. Court of Appeals for the District of Columbia. From 1998 to 1999, she was a law clerk for Associate Justice Antonin Scalia of the U.S. Supreme Court.

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In 1999, she entered private practice and worked as an associate at Miller, Cassidy, Larroca & Lewin LLP in Washington, DC. In 2001, she joined Baker Botts LLP, also as an associate. According to her committee questionnaire, her practice mostly centered on civil litigation.

Judge Barrett held academic positions as an adjunct faculty member and fellow in law at the George Washington University Law School from 2001 to 2002. In 2007, Judge Barrett was a visiting associate professor of law at the University of Virginia.

Between 2002 and her appointment to the Seventh Circuit, Judge Barrett was a professor of law at Notre Dame Law School where, according to the school's website, she taught constitutional law, civil procedure, evidence, federal courts, and seminars in constitutional theory and statutory interpretation.

Judge Barrett has been admitted to the bars for Virginia and the District of Columbia. She has also been a member of the American Association of Law Schools (2017-2018), Advisory Committee on Federal Rules of Appellate Procedure (2010-2016), and Solicitor General's Resolution Committee to Honor Antonin Scalia (2016).

*Source: Composed by CRS from [the Federal Judicial Center's website](#) visited on September 21, 2020; Judge Barrett's biography on [the University of Notre Dame Law School's website](#) visited on September 23, 2020; the *Almanac of the Federal Judiciary* available online through WestlawNext; and the [Senate Committee on the Judiciary's questionnaire](#) from her confirmation to the Seventh Circuit.*

## Publications

Below is a selection of published legal writing by Judge Barrett. According to the *Almanac of the Federal Judiciary*, "her scholarship focused primarily on constitutional interpretation, statutory interpretation, and the power conferred upon federal courts by Article III." Note: this list does not include material written by other individuals about the judge; however, it does include interviews and articles in which she gave remarks.

### Books

- Amy Coney Barrett, Federal Jurisdiction in [The Encyclopedia of the Supreme Court of the United States](#) (2008)
- Amy Coney Barrett, Federal Court Jurisdiction in [American Governance](#) (2016)
- Amy Coney Barrett, Statutory Interpretation in [American Governance](#) (2016)

*Excerpts from these books are available from CRS upon request.*

### Law Journal Articles

- John H. Garvey & Amy V. Coney, [Catholic Judges in Capital Cases](#), 81 Marquette L. Rev. 303 (1998)
  - Amy Coney Barrett, [Stare Decisis and Due Process](#), 74 U. Colo. L. Rev. 1011 (2003)
  - Amy Coney Barrett, [Statutory Stare Decisis in the Courts of Appeals](#), 73 Geo. Wash. L. Rev. 317 (2005)
  - Amy Coney Barrett, [The Supervisory Power of the Supreme Court](#), 106 Colum. L. Rev. 324 (2006)
  - Amy Coney Barrett, [Procedural Common Law](#), 94 Va. L. Rev. 813 (2008)
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- Amy Coney Barrett, [Introduction: Stare Decisis and Nonjudicial Actors](#), 83 Notre Dame L. Rev. 1147 (2008)
- Amy Coney Barrett, [Substantive Canons and Faithful Agency](#), 90 B.U. L. Rev. 109 (2010)
- Amy Barrett, [The Interpretation/Construction Distinction in Constitutional Law: Annual Meeting of the AALS Section on Constitutional Law: Introduction](#), 27 Const. Comm. 1 (2010)
- Amy Coney Barrett, [Precedent and Jurisprudential Disagreement](#), 91 Tex. L. Rev. 1711 (2013)
- Amy Coney Barrett, [Suspension and Delegation](#), 99 Cornell L. Rev. 251 (2014)
- Amy Coney Barrett, [Countering the Majoritarian Difficulty](#), 32 Const. Comment. 61 (2017)
- Amy Coney Barrett & John Copeland Nagle, [Congressional Originalism](#), 19 U. Pa. J. Const. L. 1 (2017)
- Amy Coney Barrett, [Originalism and Stare Decisis](#), 92 Notre Dame L. Rev. 1921 (2017)
- Amy Coney Barrett, [Congressional Insiders and Outsiders](#), 84 U. Chi. L. Rev. 2193 (2017)
- Amy Coney Barrett, David E. Bernstein, Paul D. Clement, Neomi Rao & David R. Stras, [Scalia Forum 2019: Panel Discussion](#), 26 Geo. Mason L. Rev. 19 (2018)
- Amy Coney Barrett, [Assorted Canards of Contemporary Legal Analysis: Redux](#), 70 Case W. Res. L. Rev. 855 (2020)

## Opinion, Editorials, and Letters

- Amy Barrett, [An Unlikely Blogger](#), PrawfsBlawg, Mar. 02, 2008
- Amy Barrett, [Sentencing Guidelines and Retroactivity](#), PrawfsBlawg, Mar. 03, 2008
- Amy Barrett, [Bobby Jindal and Ethics Reform in LA](#), PrawfsBlawg, Mar. 06, 2008
- Amy Barrett, [Grape Vodka, Anyone?](#), PrawfsBlawg, Mar. 10, 2008
- Amy Barrett, [Noogiegate](#), PrawfsBlawg, Mar. 25, 2008
- Amy Barrett, [Statutory Stare Decisis](#), PrawfsBlawg, Apr. 02, 2008

## Other

- Amy Barrett & Neal K. Katyal, [The Suspension Clause, The National Constitution Center's Interactive Constitution](#)
- Christian Myers, [Law Professor Reflects on Landmark Case](#), The Observer, Jan. 21, 2013
- John Nagy, Students, [Faculty Mark 40 Years of Roe](#), Notre Dame Magazine, Jan. 25, 2013

*Source: Compiled by CRS from the Almanac of the Federal Judiciary available through Westlaw; law journal and reviews files on HeinOnline, LexisAdvance and Westlaw; Judge Barrett's biography on the University of Notre Dame Law School's website; and the Senate Committee on the Judiciary's questionnaire from her confirmation to the Seventh Circuit.*

## Written Court Opinions

Below are opinions, listed by date, credited as written by Judge Barrett.

- [United States v. Barnes](#), No. 17-2574, 883 F.3d 955 (7th Cir. Mar. 1, 2018)
  - [Walton v. EOS CCA](#), No. 17-3040, 885 F.3d 1024 (7th Cir. Mar. 21, 2018)
  - [Webb v. Fin. Indus. Regulatory Auth.](#), No. 17-2526, 889 F.3d 853 (7th Cir. May 8, 2018)
  - [Perrone v. United States](#), No. 16-2437, 889 F.3d 898 (7th Cir. May 14, 2018)
  - [Boogaard v. NHL](#), No. 17-2355, 891 F.3d 289 (7th Cir. May 25, 2018)
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- [Dalton v. Teva N. Am.](#), No. 17-1990, 891 F.3d 687 (7th Cir. June 4, 2018)
- [Fiorentini v. Paul Revere Life Ins. Co.](#), No. 17-3137, 893 F.3d 476 (7th Cir. June 21, 2018)
- [Goplin v. WeConnect, Inc.](#), No. 18-1193, 893 F.3d 488 (7th Cir. June 21, 2018)
- [Wis. Cent. Ltd. v. TiEnergy, LLC](#), No. 17-2343, 894 F.3d 851 (7th Cir. July 3, 2018)
- [United States v. Lee](#), No. 17-2537, 897 F.3d 870 (7th Cir. July 30, 2018)
- [Smith v. Rosebud Farm, Inc.](#), No. 17-2626, 898 F.3d 747 (7th Cir. Aug. 2, 2018)
- [United States v. Williams](#), No. 18-1002, 900 F.3d 486 (7th Cir. Aug. 15, 2018)
- [United States v. Watson](#), No. 17-1651, 900 F.3d 892 (7th Cir. Aug. 17, 2018)
- [Walker v. Price](#), No. 17-1345, 900 F.3d 933 (7th Cir. Aug. 20, 2018)
- [Beley v. Chicago](#), No. 17-1449, 901 F.3d 823 (7th Cir. Aug. 23, 2018)
- [Alvarenga-Flores v. Sessions](#), No. 17-2920, 901 F.3d 922 (7th Cir. Aug. 28, 2018)
- [Cleven v. Soglin](#), No. 17-3332, 903 F.3d 614 (7th Cir. Sept. 10, 2018)
- [EEOC v. Costco Wholesale Corp.](#), Nos. 17-2432 & 17-2454, 903 F.3d 618 (7th Cir. Sept. 10, 2018)
- [Herrington v. Waterstone Mortg. Corp.](#), No. 17-3609, 907 F.3d 502 (7th Cir. Oct. 22, 2018)
- [United States v. Kienast](#), Nos. 17-1840, 17-1989, & 17-2439, 907 F.3d 522 (7th Cir. Oct. 23, 2018)
- [United States v. King](#), Nos. 17-1275, 16-2260, 16-3084, & 16-4212, 910 F.3d 320 (7th Cir. Dec. 6, 2018)
- [Beltran-Aguilar v. Whitaker](#), No. 18-1799, 912 F.3d 420 (7th Cir. Jan. 2, 2019)
- [United States v. Hagen](#), No. 18-1579, 911 F.3d 891 (7th Cir. Jan. 2, 2019)
- [Yafai v. Pompeo](#), No. 18-1205, 912 F.3d 1018 (7th Cir. Jan. 4, 2019)
- [Rainsberger v. Benner](#), No. 17-2521, 913 F.3d 640 (7th Cir. Jan. 15, 2019)
- [Ruderman v. Whitaker](#), No. 17-1689, 914 F.3d 567 (7th Cir. Jan. 29, 2019)
- [United States v. Moody](#), No. 18-1837, 915 F.3d 425 (7th Cir. Feb. 7, 2019)
- [United States v. Vaccaro](#), No. 18-1753, 915 F.3d 431 (7th Cir. Feb. 7, 2019)
- [United States v. Terry](#), No. 18-1305, 915 F.3d 1141 (7th Cir. Feb. 14, 2019)
- [Sansone v. Brennan](#), Nos. 17-3534 & 17-3632, 917 F.3d 975 (7th Cir. Mar. 6, 2019)
- [Herrera-Garcia v. Barr](#), Nos. 18-1511 & 18-3196, 918 F.3d 558 (7th Cir. Mar. 18, 2019)
- [Williams v. Norfolk Southern Corp.](#), No. 18-2517, 919 F.3d 469 (7th Cir. Mar. 19, 2019)
- [United States v. Briggs](#), No. 18-1415, 919 F.3d 1030 (7th Cir. Mar. 27, 2019)
- [United States v. Cherry](#), No. 18-1157, 921 F.3d 690 (7th Cir. Apr. 17, 2019)
- [Carter v. City of Alton](#), No. 18-2636, 922 F.3d 824 (7th Cir. Apr. 30, 2019)
- [Varlen Corp. v. Liberty Mut. Ins. Co.](#), No. 17-3212, 924 F.3d 456 (7th Cir. May 16, 2019)
- [Weil v. Metal Techs., Inc.](#), Nos. 18-2556 & 18-2440, 925 F.3d 352 (7th Cir. May 29, 2019)
- [Casillas v. Madison Ave. Assocs., Inc.](#), No. 17-3162, 926 F.3d 329 (7th Cir. June 4, 2019)
- [Acevedo v. Cook Cty. Officers Electoral Bd.](#), No. 18-2979, 925 F.3d 944 (7th Cir. June 5, 2019)
- [Fessenden v. Reliance Std. Life Ins. Co.](#), No. 18-1346, 927 F.3d 998 (7th Cir. June 25, 2019)
- [Doe v. Purdue Univ.](#), No. 17-3565, 928 F.3d 652 (7th Cir. June 28, 2019)
- [Emmis Comm. Corp. v. Ill. Nat'l Ins. Co.](#), No. 18-3392, 929 F.3d 441 (7th Cir. July 2, 2019). *This opinion was withdrawn on rehearing on Aug. 21, 2019.*
- [Conroy v. Thompson](#), No. 17-3624, 929 F.3d 818 (7th Cir. July 11, 2019)

- [Carello v. Aurora Policemen Credit Union](#), No. 18-2887, 930 F.3d 830 (7th Cir. July 15, 2019)
  - [Graham v. Arctic Zone Iceplex, LLC](#), No. 18-3508, 930 F.3d 926 (7th Cir. July 23, 2019)
  - [United States v. Walker](#), No. 18-3529, 931 F.3d 576 (7th Cir. July 23, 2019)
  - [Mathews v. REV Rec. Grp., Inc.](#), No. 18-1982, 931 F.3d 619 (7th Cir. July 26, 2019)
  - [Chronis v. United States](#), No. 17-3093, 932 F.3d 544 (7th Cir. July 29, 2019)
  - [Torry v. Chicago](#), No. 18-1935, 932 F.3d 579 (7th Cir. Aug. 2, 2019)
  - [Smith v. Ill. Dep’t of Trans.](#), No. 18-2948, 936 F.3d 554 (7th Cir. Aug. 21, 2019)
  - [Lexington Ins. Co. v. Hotai Ins. Co., Ltd.](#), No. 18-1141, 938 F.3d 874 (7th Cir. Sept. 12, 2019)
  - [United States v. Atwood](#), No. 18-2113, 941 F.3d 883 (7th Cir. Oct. 24, 2019)
  - [Groves v. United States](#), No. 17-2937, 941 F.3d 315 (7th Cir. Oct. 25, 2019)
  - [PMT Mach. Sales, Inc. v. Yama Seiki USA, Inc.](#), No. 18-3484, 941 F.3d 325 (7th Cir. Oct. 28, 2019)
  - [Clanton v. United States](#), No. 18-3060, 943 F.3d 319 (7th Cir. Nov. 7, 2019)
  - [Green v. Howser](#), No. 18-2757, 942 F.3d 772 (7th Cir. Nov. 7, 2019)
  - [United States v. Allgire](#), No. 19-2348, 946 F.3d 365 (7th Cir. Dec. 26, 2019)
  - [Lett v. Chicago](#), No. 19-1463, 946 F.3d 398 (7th Cir. Jan. 6, 2020)
  - [Elston v. Cty. of Kane](#), No. 19-1746, 948 F.3d 884 (7th Cir. Jan. 28, 2020)
  - [A.F. Moore & Assocs., Inc. v. Pappas](#), Nos. 19-1971 & 19-1979, 948 F.3d 889 (7th Cir. Jan. 29, 2020)
  - [Crosby v. Chicago](#), Nos. 18-3693 & 19-1439, 949 F.3d 358 (7th Cir. Feb. 5, 2020). *This opinion was amended.*
  - [Gadelhak v. AT&T Servs., Inc.](#), No. 19-1738, 950 F.3d 458 (7th Cir. Feb. 19, 2020)
  - [United States v. Geary](#), No. 19-2299, 952 F.3d 911 (7th Cir. Mar. 13, 2020)
  - [United States v. Young](#), No. 18-3679, 955 F.3d 608 (7th Cir. Apr. 7, 2020)
  - [Vega v. Chi. Park Dist.](#), Nos. 19-1926 & 19-1939, 954 F.3d 996 (7th Cir. Apr. 7, 2020)
  - [O’Neal v. Reilly](#), No. 19-2981, 961 F.3d 973 (7th Cir. June 9, 2020)
  - [Morales v. Barr](#), No. 19-1999, 963 F.3d 629 (7th Cir. June 26, 2020). *This opinion was amended.*
  - [Purtue v. Wis. Dep’t of Corr.](#), No. 19-2706, 963 F.3d 598 (7th Cir. June 26, 2020)
  - [Ruckelhaus v. Cowan](#), No. 19-2770, 963 F.3d 641 (7th Cir. June 26, 2020)
  - [United States v. Kennedy-Robey](#), No. 19-2421, 963 F.3d 688 (7th Cir. June 29, 2020)
  - [J.S.T. Corp. v. Foxconn Interconnect Tech. Ltd.](#), No. 19-2465, 965 F.3d 571 (7th Cir. July 13, 2020)
  - [Estate of Biegert v. Molitor](#), No. 19-2837, 968 F.3d 693 (7th Cir. July 31, 2020)
  - [Wallace v. Grubhub Holdings, Inc.](#), Nos. 19-1564 & 19-2156, 970 F.3d 798 (7th Cir. Aug. 4, 2020)
  - [VHC, Inc. v. Comm’r of Internal Revenue](#), Nos. 18-3717 & 18-3718, 968 F.3d 839 (7th Cir. Aug. 6, 2020)
  - [Shakman v. Clerk of the Circuit Ct. of Cook Cnty.](#), No. 19-2772, 969 F.3d 810 (7th Cir. Aug. 12, 2020)
  - [Pittman v. Cty. of Madison](#), No. 19-2956, 970 F.3d 823 (7th Cir. Aug. 14, 2020)
  - [Burlaka v. Contract Transp. Servs. LLC](#), No. 19-1703, --- F.3d ----, 2020 U.S. App. LEXIS 26713, 2020 WL 4915630 (7th Cir. Aug. 21, 2020)
  - [Protect Our Parks, Inc. v. Chi. Park Dist.](#), Nos. 19-2308 & 19-3333, --- F.3d ----, 2020 U.S. App. LEXIS 26714, 2020 WL 4915631 (7th Cir. Aug. 21, 2020)
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- [United States v. Sparkman](#), No. 17-3318, --- F.3d ----, 2020 U.S. App. LEXIS 28100, 2020 WL 5247575 (7th Cir. Sept. 3, 2020)

## Concurring

- [Chazen v. Marske](#), No. 18-3268, 938 F.3d 851 (7th Cir. Sept. 9, 2019)
- [Williams v. Wexford Health Sources, Inc.](#), No. 19-1018, 957 F.3d 828 (7th Cir. Apr. 30, 2020)
- [Yafai v. Pompeo](#), No. 18-1205, 924 F.3d 969 (7th Cir. May 23, 2019). *This is a per curiam opinion denying rehearing.*
- [United States v. Wilson](#), No. 19-2503, 963 F.3d 701 (7th Cir. June 30, 2020)

## Dissenting

- [Schmidt v. Foster](#), No. 17-1727, 891 F.3d 302 (7th Cir. May 29, 2018)
- [Sims v. Hyatte](#), No. 18-1573, 914 F.3d 1078 (7th Cir. Feb. 1, 2019)
- [Kanter v. Barr](#), No. 18-1478, 919 F.3d 437 (7th Cir. Mar. 15, 2019)
- [McCottrell v. White](#), No. 17-2295, 933 F.3d 651 (7th Cir. July 29, 2019)
- [Cook Cty. v. Wolf](#), No. 19-3169, 962 F.3d 208 (7th Cir. June 10, 2020)
- [United States v. Rutherford](#), No. 19-3012, 810 Fed. App'x 464 (7th Cir. June 23, 2020) (unpublished order).
- [United States v. Uriarte](#), No. 19-2092, --- F.3d ----, 2020 U.S. App. LEXIS 29234, 2020 WL 5525119 (7th Cir. 2020)

*Source: Compiled by CRS by searching for opinions written by Judge Barrett in [the opinions database on the Seventh Circuit's website](#), and the Seventh Circuit opinions files in LexisAdvance and Westlaw.*

## Legislative Documentation

Below is a selection of legislative materials concerning Judge Barrett's confirmation to the Seventh Circuit. Please note, this list does not include floor speeches on the nominee.

### Hearings

- Amy Coney Barrett, [Questionnaire for Nominee to the Supreme Court](#), S. Comm. on the Judiciary. 116th Cong. (Sep. 28, 2020)
- [Committee Questionnaire for Confirmation Hearings on the Nomination of Amy Coney Barrett To Be Circuit Judge for the Seventh Circuit: Hearing Before the S. Comm. on the Judiciary](#), 115th Cong. (Sept. 6, 2017). Note: the Hearing also contains Judge Barrett's responses to questions for the record. (An [unofficial transcript](#) is available via CQ.com; however, a subscription is required.)

### Congressional Record

- [Nominations](#), 163 Cong. Rec. S2819 (May 8, 2017).
  - [Executive Reports of Committee](#), 163 Cong. Rec. S6358 (Oct. 5, 2017).
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- [Executive Session](#), 163 Cong. Rec. S6838 (Oct. 26, 2017).
- [Cloture Motion](#), 163 Cong. Rec. S6866 (Oct. 30, 2017).
- [Executive Session](#), 163 Cong. Rec. S6886 (Oct. 31, 2017).
- [Confirmations](#), 163 Cong. Rec. S6934 (Oct. 31, 2017).

*Source: Compiled by CRS by searching the Congressional Record on CQ.com for the Judge's name.*

## News Coverage and Statements

### White House

- Press Release, [President Donald J. Trump Announces Intent to Nominate Judge Amy Coney Barrett to the Supreme Court of the United States](#) (September 26, 2020)
- Press Release, [Remarks by President Trump Announcing His Nominee for Associate Justice of the Supreme Court of the United States](#) (September 26, 2020)
- Fact Sheets, [Judge Amy Coney Barrett's Exceptional Legal Experience, Expertise, and Judicial Record Make Her the Right Choice to Serve on the Supreme Court](#) (September 26, 2020)

## Additional Resources

Law Library of Congress, [Nominations Pending for the U.S. Supreme Court](#)

## Author Information

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