

Dear Senators:

I write to express my opposition to Governor Scott's nominations of Christina Nolan and Michael Drescher to the Vermont Supreme Court and urge you to vote no on their nominations. For over seventeen years, I have worked as a legal services attorney in Vermont providing civil legal representation to low-income, disabled, BIPOC, and other marginalized Vermonters. Prior to that, I clerked at the Vermont Supreme Court for two years.

Fundamentally, the job of a Vermont Supreme Court Justice is to exercise sound, independent judgment and uphold the rule of law for the equal benefit of all who access the Vermont courts. Based on their past experience and actions, I have serious reservations about Attorney Nolan's and Drescher's ability to effectively fulfill the duties required of Vermont Supreme Court Justices. More generally, it sends the wrong message in this time of federal law enforcement escalation and encroachment to appoint two former U.S. Attorneys who served under the current President. Further, these candidates would bring similar background, primarily in federal criminal law to the bench, and lack a deep knowledge of our state judicial system.

Attorney Nolan has exhibited a staggering lack of good judgment. As reported in the Bennington Banner, she illegally entered a Vermont courthouse with a gun in her bag. Her claim that it was a mere oversight is equally, if not more, concerning. Her action exhibited an unacceptable lapse in professional judgment for any attorney let alone one that hopes to hold a position of significant authority in the judiciary. We should hold Vermont Supreme Court Justices to the highest standards.

Attorney Drescher's recent actions in his role as the top federal prosecutor in the state suggest an unwillingness to use independent judgment and uphold the principles of the Constitution. Despite the weak, specious basis for the federal government's detainment of immigrant students who exercised their First Amendment right to express opinions that are unpopular with the current administration, Attorney Drescher misused his prosecutorial discretion and proceeded to aggressively prosecute the government's case against them. His articulated defense in committee hearings, that he was merely doing his job, calls into question his ability to exercise independent judgment and to uphold Constitutional values – two fundamental duties of the position he currently seeks.

This Committee has the important task of assuring that the next appointees to the Vermont Supreme Court can use sound judgment and promote the rule of law in our state at a time when it is rapidly eroding at the federal level. In furtherance of that mission, I urge you to oppose the nominations of Christina Nolan and Michael Drescher.

Sincerely,

Grace B. Pazdan, Esq.
Montpelier, Vermont