

UNITED STATES DISTRICT COURT

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September 21, 2007

President George W. Bush
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

Please accept this letter as my resignation from the United States District Court for the District of Utah, effective on November 5, 2007.

More than six years ago, you bestowed tremendous confidence in me by nominating me to serve in this position. Since my confirmation, I have tried to work energetically and effectively in handling the many cases that have come before me. As I have done so, I have always tried to bear in mind the many words of wisdom I received from Senator Hatch, an outstanding trial lawyer in his previous career, including his admonition that every litigant and advocate be treated with the utmost courtesy and dignity.

I have been especially honored to serve on the same court as so many distinguished jurists. I filled a seat so capably held for many years by Judge David Sam. Chief Judge Dee Benson and, more recently, Chief Judge Tena Campbell, have ensured, through their capable administration, that the District of Utah is held in high esteem by the public and lawyers alike. And my other colleagues on the bench – Judges Dale Kimball, Ted Stewart, Bruce Jenkins, Tom Greene, and David Winder and Utah’s Magistrate Judges – have set a high standard that I have attempted to follow.

In the past few weeks, two primary factors have led me to do something that I never thought possible – leaving this important public service position. First, the S.J. Quinney College of Law at the University of Utah has offered me a chance to return to pursue teaching and scholarship there. Many interesting things are happening at the College of Law these days, including exciting research by the criminal law faculty and the development of the new Utah Criminal Justice Center. Returning to the College of Law will give me time to pursue research in my area of greatest scholarly interest – crime victims’ rights. I have several important books and articles on this topic that I would like to turn to as quickly as possible.

Related to this opportunity is the coincidental offer from the National Crime Victim Law Institute to litigate crime victims cases across the country on its behalf. As you know, many indigent crime victims have unmet legal needs in the criminal justice system, particularly because

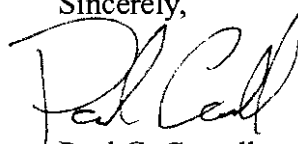
the content of victims' rights remains largely undeveloped in the courts. Because of my academic specialization on this topic, I hope to be particularly effective in advocating on their behalf.

And finally, I would be less than completely candid if I did not mention the uncertainty surrounding judicial pay as a factor in my decision. With three talented children approaching college years, it has been difficult for my wife and me to make financial plans. As you know, this year federal judges have yet to receive even a cost of living pay increase. Your much-appreciated proposal to raise judicial salaries has yet to be acted on by Congress. I would like to ensure that my children will have the same educational opportunities that I had. How to achieve that within the constraints on current judicial pay is more than a difficult task. My wife and I have concluded that we may not be able to do what we have always planned to do unless I make some changes.

After much soul searching and supportive discussions with my wife, Trish, I have decided that I can best serve the public and my family by returning to not only one of the finest law schools in the country, but also the very best criminal justice law program in the country – which now includes the new and exciting Utah Criminal Justice Center. Returning to the S.J. Quinney College of Law will allow me to pursue teaching and scholarship while simultaneously working to represent indigent crime victims as a public interest litigator.

I hope that making this decision after more than five years of service on the bench, I will not disappoint the trust you reposed in me by nominating me to this position. I am delaying the effective date of my resignation until November 5 in the hope that doing so will provide sufficient time for you to nominate a successor, giving the Senate the opportunity, if it chooses, to quickly fill the vacancy and avoid any disruption to the smooth functioning of this court. At the same time, announcing my decision today will permit the College of Law to attend to its plans for future faculty hiring.

Again, I truly appreciate the opportunity you have given me to serve this country in this position.

Sincerely,

Paul G. Cassell
United States District Judge

PGC/ye

cc: Chief Circuit Judge Deanell Tacha, Tenth Circuit Court of Appeals
Chief Judge Tena Campbell and all other judges in the District of Utah
The Attorney General of the United States