



## Rebecca Taibleson

*Nominee to the U.S. Court of Appeals for the Seventh Circuit*

**COURT**  
Circuit Court

**DATE NOMINATED**  
August 14, 2025

### Introduction

Rebecca Taibleson was nominated to the U.S. Court of Appeals for the Seventh Circuit on August 14, 2025. Throughout law school and across her time as a corporate attorney, prosecutor, and appellate advocate, Taibleson consistently aligned herself with far-right legal movements and figures. Her commitment and loyalty to the far-right movement is unwavering: She even defended her former boss Justice Brett Kavanaugh against credible allegations of sexual assault in his confirmation hearing. Taibleson seems to value partisan loyalty and institutional power over the lived experiences of everyday people, a deeply troubling perspective to bring to a position that would shape the daily lives of millions who aren't in positions of power and influence.

Taibleson regularly championed originalist theories, ensuring that the historic and continuing systemic inequalities woven into the fabric of America continue to shape the legal realities for vulnerable communities in the U.S. Rather than demonstrating a commitment to fairness, equity, and the Constitution, Taibleson's work exhibits a consistent pattern of blocking remedies and justice for victims of abuse, violence, and corporate negligence. From encouraging President Trump to silence dissent online, to undermining transparency in politics, Taibleson has continuously advanced arguments that shield powerful actors from accountability and defend expansive corporate and government authority. Her presence in the federal judiciary will erode the rights of all people and further entrench the court in ideological projects.

### Biography

Taibleson earned her undergraduate degree from Yale University. After attending Standard Law School for her first year, she transferred to Yale University and earned her J.D. in 2010. Her early career was shaped by prominent conservative mentors, including through clerkships with then-Judge Brett Kavanaugh for the U.S. Court of Appeals for the D.C. Circuit and Justice Antonin Scalia on the U.S. Supreme Court.

After her clerkships, Taibleson returned to Kirkland & Ellis LLP, where she had previously worked as a summer associate. Four years later, she joined the U.S. Department of Justice as the assistant to the solicitor general, where she completed work that weakened civil rights and worker protections and cut off victims' access to justice. Taibleson currently serves as the assistant U.S. attorney and appellate chief for the Eastern District of Wisconsin.

Taibleson has been an active member of the Federalist Society since 2007, serving as a panelist for the organization as recently as 2024. She testified in support of her former boss Brett Kavanaugh during his confirmation hearing and shared her experience clerking with him on a panel for the conservative Heritage Foundation.

Taibleson's relatively short legal career still provides powerful insight into what she values: originalist theories that shield powerful actors at the expense of our most vulnerable communities.

## Legal Background

### RESTRICTING ACCESS TO JUSTICE

Taibleson has repeatedly advanced arguments that would make it harder for victims of abuse, negligence, and government misconduct to seek remedies in court.

- In *Dow Chemical & Rockwell International Corp. v. Cook*, she argued that federal law preempted state tort claims brought by residents harmed by years of radioactive waste exposure. A jury had sided with the victims and awarded hundreds of millions in damages, but Taibleson sought to cut off their ability to hold Dow accountable. If she carries this view to the bench, it could translate into rulings that bar state courts from offering redress to victims of corporate harm, leaving families and communities without meaningful remedies.
- In *Torres v. Madrid*, she urged the Supreme Court to find that being shot by police officers did not necessarily constitute a "seizure" under the Fourth Amendment if the victim escaped. This argument, had it prevailed, would have closed off a central avenue for accountability in cases of excessive force. If elevated to the Seventh Circuit, Taibleson could narrow constitutional protections against police brutality, making it even harder for victims to hold law enforcement accountable.
- In *Mutond v. Lewis*, she argued that foreign officials accused of torture should be immune from claims under the Torture Victim Protection Act, opposing relief for an American citizen unlawfully detained and abused abroad. On the bench, such reasoning could weaken U.S. commitments to human rights and signal to survivors of torture or abuse that the courts are unwilling to hear their claims.

These positions reveal a philosophy that treats access to justice as secondary to protecting government and corporate power — a troubling approach for someone nominated to a court of last resort for millions.

## FIRST AMENDMENT & FREE EXPRESSION

Taibleson has also advanced positions that would erode the First Amendment's protections for free expression. In *Trump v. Knight First Amendment Institute*, she defended President Trump's practice of blocking critics on Twitter. Her argument, if accepted, would have given presidents and other officials sweeping authority to silence dissent in online forums where official business and policy are communicated. On the Seventh Circuit, this reasoning could encourage judges to expand government authority to control speech in digital spaces — the modern public square. The result would be a chilling effect on public criticism and reduced transparency around government action.

## CIVIL RIGHTS & WORKER PROTECTIONS

Taibleson has repeatedly defended agencies against claims of discrimination, often minimizing the rights of workers and marginalized individuals:

- In *Nalini Bidani v. McDonough*, she opposed a VA employee's claims of harassment tied to medical leave.
- In *Jamesetta McFarland-Lawson v. Todman*, she defended HUD against a former employee alleging discrimination based on disability, race, gender, and veteran status.
- In *Tina Schingeck v. McDonough*, she again opposed a nurse's claim of discrimination against the VA.

In each case, Taibleson's position aligned with institutions over individuals. If confirmed, this pattern suggests she would likely approach employment discrimination claims with skepticism, making it harder for workers — particularly those from marginalized communities — to have their perspectives understood and their cases decided fairly. Over time, this could erode meaningful enforcement of federal civil rights laws in the workplace.

## CORPORATE & SPECIAL INTEREST POWER

Taibleson consistently aligned herself with corporate interests and efforts to expand special-interest influence in politics.

- In *Americans for Prosperity Foundation v. Becerra*, she sided with dark-money groups against California's disclosure rules, advancing arguments that would make it nearly impossible for regulators to require transparency. If she adopts the same stance on the bench, she could undermine campaign finance laws and open the door for even greater influence of undisclosed money in politics.
- In *United States v. Gary*, she argued against meaningful relief for defendants whose guilty pleas had been undermined by constitutional errors. Favoring efficiency and conviction rates over fairness, she embraced an approach that risks eroding the due process protections guaranteed in criminal proceedings. As a judge, she could use similar reasoning to uphold flawed convictions and weaken safeguards against wrongful prosecution.

Her approach in these cases reflects a consistent preference for insulating powerful actors — corporations, government prosecutors, political elites — while downplaying the rights of individuals and the public.

### **FAR-RIGHT ADVOCACY & LOYALTY TO JUSTICE KAVANAUGH**

Taibleson's ideological commitments extend beyond the courtroom. She has been an active participant in the Federalist Society, championing originalism as the sole legitimate method of constitutional interpretation — an approach used to roll back reproductive freedom, weaken civil rights protections, and limit government authority to address pressing social needs.

During Justice Brett Kavanaugh's confirmation hearings, Taibleson testified in support of her former boss and dismissed Dr. Christine Blasey Ford's testimony as a matter of perspective, framing her own professional loyalty as a reason to discount allegations of sexual assault. This episode underscored her tendency to favor institutional power and partisan loyalty over lived experience and accountability — a troubling outlook for a lifetime judicial nominee that is supposed to remain fair and impartial. On the bench, this bias could manifest in decisions that minimize the voices of survivors, marginalized individuals, and help powerful and possibly corrupt institutions avoid transparency and accountability.

### **CONCLUSION**

Throughout her career, Taibleson has embraced a judicial philosophy that favors corporations and powerful institutions at the expense of fundamental rights and freedoms. She's worked to narrow access to the courts, and she frames constitutional protections in ways that minimize individual rights. If elevated to the Seventh Circuit, she would wield enormous influence over the enforcement and development of important laws and rights potentially shaping precedent for decades in ways that close the courthouse doors to ordinary people.

The Seventh Circuit Court of Appeals is often the final word on issues affecting millions of people in Illinois, Indiana, and Wisconsin. Rebecca Taibleson's record demonstrates that she would use that power not to expand fairness or protect people's rights, but to entrench barriers to justice, protect corporations and institutions that have hurt people, and advance far-right legal agendas. Her consistent pattern — defending corporate polluters, shielding law enforcement from accountability, undermining free speech protections, and aligning with dark-money interests — leaves little doubt that it may not be possible for Taibleson to be fair and impartial. The Senate should reject her nomination to the U.S. Court of Appeals for the Seventh Circuit.