

AFJ NOMINEE REPORT

WILLIAM NARDINI

U.S. Court of Appeals for the Second Circuit

On September 19, 2019, President Trump [nominated](#) William J. Nardini to the U.S. Court of Appeals for the Second Circuit for the seat previously held by [Christopher Droney](#) who assumed senior status on June 30, 2019.

It is critical that the Senate Judiciary Committee carefully review Nardini's record before confirming him. If he and Steven Menashi, President Trump's other pending nominee to the Second Circuit, are both confirmed, the Second Circuit will contain seven Republican appointed judges and six Democratic appointed judges. This would flip the Second Circuit from Democrat to Republican.

William Nardini [graduated](#) with his B.A. from Georgetown University and his J.D. from Yale Law School. Nardini was a Fulbright Scholar and received his LL.M. in European Comparative and International Law at the European University Institute.

Following law school, he clerked for Judges José A. Cabranes and Guido Calabresi, both on the Second Circuit, and Justice Sandra Day O'Connor. Nardini was the U.S. Department of Justice Attaché to Italy from 2010-2014.

He is currently the Criminal Chief of the U.S. Attorney's Office for the District of Connecticut, where he served from 2000-2010, and returned in 2014 after his

work in Italy. Among his notable cases, he investigated the corruption between law enforcement officers and members of the Irish Winter Hill Gang which resulted in the indictment and conviction of former FBI Supervisory Special Agent John Connolly and former Massachusetts State Police Lt. Richard Schneiderhan. *United States v. Connolly*, 341 F.3d 16 (1st Cir. 2003).

Among his writings of interest is an article titled *Passive Activism and the Limits of Judicial Self-Restraint: Lessons for America from the Italian Constitutional Court*. Nardini compared how the Italian and United States Supreme Courts' performed statutory review. He noted that the Italian Supreme Court will interpret the statute and "read in 'missing' parts." Nardini [wrote](#) the American courts can "draw some useful lessons from the Italian practice" by shifting some of the burden of reform to the legislature when forceful judicial action would disrupt the orderly working of government or when crafting remedial orders would push judges into policy making normally reserved for legislators.