



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## LESBIAN & GAY ELECTED OFFICIALS: IT'S TIME FOR AN LGBT JUDGE ON NEW YORK'S HIGHEST COURT

BRAD HOYLMAN-SIGAL June 6, 2017



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*Letter: Now more than ever, we need judges who will stand up to the Trump administration in order to preserve the freedoms you have helped win for LGBT New Yorkers.”*

ALBANY – The five openly gay members of the State Legislature today urged Governor Cuomo to make history by appointing an LGBT person to succeed the late Judge Sheila

Abdus-Salaam on the New York State Court of Appeals.

In a letter to the Governor, the elected officials -- Senator Brad Hoylman and Assemblymembers Deborah Glick, Daniel O'Donnell, Harry Bronson and Matthew Titone -- argued that efforts by the Trump administration to undermine LGBT rights have highlighted the need to appoint a judge who reflects New York's diverse population and who will help protect Cuomo's LGBT-friendly legacy.

"Now more than ever, we need judges who will stand up to the Trump administration in order to preserve the freedoms you have helped win for LGBT New Yorkers," the five gay state legislators wrote to Cuomo.

Last week, the NYS Commission on Judicial Vacancies recommended seven candidates to fill the seat, including two openly LGBT judges: the Honorable Paul Feinman, Associate Justice, Appellate Division, First Department and the Honorable Rosalyn Richter, Associate Justice, Appellate Division, First Department.

The LGBT elected officials wrote: "Both Justice Feinman and Justice Richter are seasoned jurists who are highly regarded by practitioners, their peers and the LGBT community. Either would be a superlative addition to the Court of Appeals."

The full letter is below:

June 6, 2017

The Honorable Andrew M. Cuomo

Governor of New York State

NYS State Capitol Building

Albany, NY 12224

Dear Governor Cuomo:

We write to urge you appoint the first openly-LGBT person to the New York State Court of Appeals to fill the vacancy of the late Judge Sheila Abdus-Salaam.

The legitimacy of our judicial system depends upon the public being confident that we have a bench that is representative of our diverse population and applies the law without bias. This is of particular importance when the civil liberties of minority groups are threatened, as they are now by the repressive actions being taken by the Trump administration against LGBT people, women, religious and ethnic minorities, and immigrants.

As you know, no member of the Court of Appeals has been an open member of the LGBT community. With the rights of LGBT people and their families at stake, it is urgent that the next member of the Court of Appeals have an intimate familiarity with the unique perspectives of the LGBT community. Now more than ever, we need judges who will stand up to the Trump administration in order to preserve the freedoms you have helped win for LGBT New Yorkers.

Fortunately, you have two excellent judges from whom to choose. For the first time, the Commission on Judicial Nomination has nominated two openly-LGBT judges: the Honorable Paul Feinman, Associate Justice, Appellate Division, First Department; and the Honorable Rosalyn Richter, Associate Justice, Appellate Division, First Department. Both Justice Feinman and Justice Richter are seasoned jurists who are highly regarded by practitioners,

their peers and the LGBT community. Either would be a superlative addition to the Court of Appeals.

New York is past due for inclusion of our LGBT citizens on the state's highest court. It is fitting that you have the opportunity to reshape the bench in this historic manner, given your outstanding support for LGBT rights through Marriage Equality and other legislation, executive actions and your appointment of LGBT judges at the intermediate appellate level. By your naming an openly-LGBT judge to the Court of Appeals, New York would build on this legacy and join other states and territories that have LGBT judges on their highest court, including Hawaii, Massachusetts, Minnesota, Oregon and Puerto Rico.

Thank you for your consideration of our request. Happy Pride.