



September 13, 2021

**SUPPORT THE CONFIRMATION OF JUSTICE BETH ROBINSON TO THE U.S.
COURT OF APPEALS FOR THE SECOND CIRCUIT**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 220 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we write to express our strong support for the confirmation of Justice Beth Robinson to the U.S. Court of Appeals for the Second Circuit.

Justice Robinson's distinguished career and demonstrated dedication to civil rights make her eminently qualified to serve on the Second Circuit. Her tireless work on litigation and policy advocacy were instrumental in advancing the rights of the LGBTQ community and laid the groundwork to make Vermont one of the first states to recognize marriage equality for same-sex couples. Justice Robinson has spent the last 10 years serving as an Associate Justice on the Vermont Supreme Court. Prior to her judicial service, she specialized in employment law with a focus on workers' compensation claims, supporting the rights of working people during her nearly two decades as a civil litigator. After graduating from Dartmouth College and the University of Chicago Law School, she clerked for Judge David B. Sentelle of the U.S. Court of Appeals for the District of Columbia Circuit. Her strong civil rights background and commitment to administering fair and impartial justice make her an excellent choice to serve as a federal appellate judge.

Justice Robinson's commitment to advancing the rights of people who have been historically marginalized is remarkable. An early advocate for marriage equality, she co-founded and directed several state organizations, including the Vermont Freedom to Marry Task Force. Justice Robinson served as co-counsel in *Baker v. State of Vermont*, and she successfully argued that the state's exclusion of same-sex couples from marriage rights denied them of protections guaranteed under the Vermont Constitution.¹ As a result, Vermont became the first state to pass a law recognizing the right of same-sex couples to enter a civil union.² Indeed, Justice Robinson advocated to make Vermont the fifth state to allow same-sex couples to marry and the first to do so by legislation.³ This watershed moment helped advance full recognition of marriage for same-sex couples across the country.

¹ *Baker v. State*, 170 Vt. 194, 229, 744 A.2d 864, 889 (1999) at 4

² Vt. Stat. tit. 15, § 1201 *et seq.*

³ See Abby Goodnough. "[Gay Rights Groups Celebrate Victories in Marriage Push](#)." *The New York Times*. April 7, 2009.



The confirmation of Justice Robinson would also mark a significant and much overdue milestone for our federal judiciary. Justice Robinson was the first out LGBTQ justice on the Vermont Supreme Court, and if confirmed, she would be the first openly lesbian judge to serve on any federal appellate court.⁴ The importance of a judiciary that reflects the community it serves cannot be overstated. Public trust in the judiciary is vital and is bolstered when our courts reflect the rich diversity of our country.⁵ There are over 11 million adults in the United States that identify as LGBTQ, with 937,000 of them living in the Second Circuit.⁶ Different lived experiences, especially from underrepresented communities, bring varied perspectives to our federal courts which are crucial to improving judicial decision-making.⁷

For the entirety of her distinguished career, Justice Robinson has shown a dedication to equal justice. We strongly urge the Senate to confirm Justice Robinson to the Second Circuit. If you would like to discuss this matter further, please contact Lena Zwarenstejn, Senior Director of the Fair Courts Campaign, at (202) 466-3311. Thank you for your consideration.

Sincerely,

Wade Henderson
Interim President & CEO

Jesselyn McCurdy
Interim Executive Vice President of Government Affairs

⁴ See Trudy Ring. “[Biden Announces Two Lesbian Nominees to Federal Judiciary](#).” *The Advocate*. August 5, 2021.

⁵ See Sen, Maya. “[Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#).” 2017 Wis. L. Rev. 367 (2017).

⁶ See Kerith J. Conron & Shoshana K. Goldberg. “[Adult LGBT Population in the United States](#).” *The Williams Institute*. July 2020.

⁷ See Sen, Maya. “[Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#).” 2017 Wis. L. Rev. 367 (2017).