

July 13, 2021



SUPPORT THE CONFIRMATION OF MYRNA PÉREZ 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 Myrna Pérez to the U.S. Court of Appeals for the Second Circuit.

Ms. Pérez's extensive experience and her pursuit of equal justice for all make her exceptionally qualified to serve on the Second Circuit. For 15 years, she has worked to defend the right to vote and safeguard our democracy as counsel for the Brennan Center for Justice at New York University School of Law (the Brennan Center). She now leads the Brennan Center's Voting Rights and Election Program, directing complex civil litigation, research, and policy advocacy and supervising a team of attorneys and researchers dedicated to this work. Additionally, Ms. Pérez has helped train future lawyers, teaching at both Columbia Law School and NYU School of Law. Previously, she served as a fellow at Relman Colfax, PLLC, where she worked on issues of fair housing, fair lending, disability, and employment discrimination. A graduate of Yale College, Harvard University's John F. Kennedy School of Government, and Columbia Law School, Ms. Pérez clerked for Judge Julio Fuentes of the U.S. Court of Appeals for the Third Circuit and Judge Anita Brody of the U.S. District Court for the Eastern District of Pennsylvania. She is also deeply committed to serving her community. For example, she serves on the board of Grace Community Services, a nonprofit that helps serve food-insecure people, and is a member of the Hispanic National Bar Association. An extremely accomplished lawyer, Ms. Pérez is eminently qualified to serve as a federal appellate judge.

Ms. Pérez's background in voting rights and election law is especially notable, as civil rights lawyers are broadly underrepresented on the federal bench.¹ At the Brennan Center, she has served as counsel in more than 50 cases in state and federal courts, including the U.S. Supreme Court and numerous federal circuit courts of appeal. She has prepared amicus briefs for Voting Rights Act cases before the U.S. Supreme Court² and directed legal teams in high-profile litigation involving the right to vote for millions of people.³ As a legal academic and advocate, Ms. Pérez has studied and understands the importance of

¹ See Buchanan, Maggie Jo. "[The Startling Lack of Professional Diversity Among Federal Judges](#)." *Center for American Progress*. June 17, 2020; "[Broadening the Bench: Professional Diversity and Judicial Nominations](#)." *Alliance for Justice*. February 6, 2014.

² See, e.g., *Brnovich v. Democratic Nat. Comm.*, No. 19-1257, 2021 U.S. LEXIS 670 (Jan. 25, 2021) (brief of the Brennan Center for Justice as amicus curiae supporting respondents, 2021 WL 260090); *Shelby County v. Holder*, 570 U.S. 529 (2013) (brief of the Brennan Center for Justice as amicus curiae supporting respondents, 2013 WL 417738).

³ See, e.g., *Rick Scott for Senate v. Snipes*, No. CACE 18-026470 (Cir. Ct. 17th Jud. Cir., Broward Cnty., Fla. 2018); *Gruver v. Barton* (N.D. Fla., No. 1: 19-cv-121), consolidated with *Jones v. DeSantis*, 462 F. Supp. 3d 1196 (N.D. Fla. 2020), rev'd sub nom *Jones v. Governor of Florida*, 975 F.3d 1016 (11th Cir. 2020).

ensuring free and fair elections for all and protecting the right to vote.⁴ It is vital that our judiciary reflects the diversity of the legal profession, including voting rights attorneys and other lawyers tasked with protecting and defending our democracy.

In addition to her impressive qualifications, Ms. Pérez's lived experience would also bring important perspectives to the judiciary. If confirmed, Ms. Pérez, a daughter of Mexican immigrants, would be the only Latina to serve on the Second Circuit⁵ and the first Latina to serve on this court since the elevation of Associate Justice Sonia Sotomayor to the U.S. Supreme Court 12 years ago.⁶ The Second Circuit is home to more than 4.9 million immigrants⁷ and nearly 4.4 million Hispanic or Latino/a individuals.⁸ It is important to have judges who share experiences and characteristics with the people their decisions impact. The legitimacy of courts and the decisions they make relies on public trust, and judicial diversity helps improve that trust as well as judicial decision-making.⁹ Diversity also helps ensure that rulings reflect a wide variety of viewpoints, especially from perspectives and communities that have historically been excluded from the judiciary.¹⁰

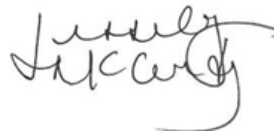
Throughout her career, Ms. Pérez has demonstrated a strong commitment to safeguarding the most fundamental constitutional and legal rights and protections. Her record protecting access to the ballot box and strengthening our democracy is needed on the federal judiciary, and she is exceedingly qualified to serve on the Second Circuit.

We strongly urge the Senate to confirm Myrna Pérez to the Second Circuit. If you would like to discuss this matter further, please contact Lena Zwarensteyn, 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, e.g., Goldfeder, Jerry and Pérez, Myrna. "[New York Still Needs More Reform](#)." *New York Law Journal*. April 22, 2021; Goldfeder, Jerry and Pérez, Myrna. "[Protecting the Right to Vote](#)." *New York Law Journal*. February 25, 2021; Pérez, Myrna and Lau, Tim. "[How to Restore and Strengthen the Voting Rights Act](#)." *Brennan Center for Justice*. January 28, 2021.

⁵ "[Biographical Directory of Article III Federal Judges, 1789-present](#)." *Federal Judicial Center*. Accessed July 2021. Search includes all women judges for the Second Circuit whose race or ethnicity includes "Hispanic."

⁶ *Id.*

⁷ "[2019 American Community Survey 1-Year Estimates](#)." *United States Census Bureau*. Accessed July 2021. Search includes foreign-born population of Connecticut, New York, and Vermont.

⁸ *Id.* Search includes residents of Connecticut, New York, and Vermont who identify as Hispanic or Latino/a.

⁹ Sen, Maya. "[Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#)." 2017 *Wis. L. Rev.* 367 (2017).

¹⁰ *Id.*