

January 12, 2022



**SUPPORT THE CONFIRMATION OF JUDGE ALISON NATHAN 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 230 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 Judge Alison Nathan to the U.S. Court of Appeals for the Second Circuit.

Judge Nathan is a fair-minded jurist committed to equal justice, and she would be an excellent addition to the Second Circuit. Since 2012, she has served as a judge on the U.S. District Court for the Southern District of New York. Prior to this, she worked in public service as the special counsel to the solicitor general in the Office of the Attorney General of New York and as special assistant to the president and associate counsel in the White House Counsel's Office. She also was an associate at Wilmer Cutler Pickering Hale and Dorr LLP. Additionally, Judge Nathan has helped train future lawyers, teaching at both Fordham University School of Law and New York University School of Law. Following graduation from both Cornell University and Cornell Law School, Judge Nathan served as a law clerk for Associate Justice John Paul Stevens on the U.S. Supreme Court and Judge Betty Fletcher of the U.S. Court of Appeals for the Ninth Circuit. Given Judge Nathan's commitment to and experience in protecting and recognizing the rights of all people, she is exceptionally qualified to serve on the Second Circuit.

Throughout her tenure as a federal judge, Judge Nathan has demonstrated her even-handed approach to the law and commitment to civil and human rights. For example, Judge Nathan protected the freedom to vote for thousands of New Yorkers,¹ upheld the constitutional due process rights of detained immigrants facing deportation proceedings,² and recognized the rights of all students to be able to access equitable education.³ For more than 10 years, Judge Nathan has served as a superb jurist, and throughout her career she has been fair and worked to ensure the rights of all people are recognized. She is eminently qualified for this role.

The confirmation of Judge Nathan would also bring important lived experience to our federal judiciary. If confirmed, Judge Nathan would be only the second openly LGBTQ woman to serve on any federal appellate court. 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

¹ *Common Cause/New York v. Brehm*, 432 F. Supp. 3d 285 (S.D.N.Y. 2020).

² *Vazquez Perez v. Decker*, No. 18-CV-10683 (S.D.N.Y. 2020).

³ *E.G. v. City of New York*, No. 20-cv-9879 (S.D.N.Y. 2020).

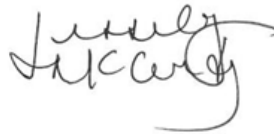
country.⁴ Additionally, different lived experiences, especially from underrepresented communities, bring varied perspectives to our federal courts that are crucial to improving judicial decision-making.⁵ There are more than 11 million adults in the United States who identify as LGBTQ, with 937,000 of them living in the Second Circuit.⁶ Judge Nathan's important lived and professional experiences would be an asset to the Second Circuit.

Judge Nathan is an extremely qualified nominee, and we strongly urge the Senate to confirm her to the Second Circuit. If you would like to discuss this matter further, please contact Lena Zwarenstejn, Senior Director of the Fair Courts Program, at (202) 466-3311. Thank you for your consideration.

Sincerely,



Wade Henderson
Interim President & CEO



Jesselyn McCurdy
Executive Vice President of Government Affairs

⁴ Berry, Kate, [*Building a Diverse Bench: Selecting Federal Magistrate and Bankruptcy Judges*](#), Brennan Center for Justice at NYU School of Law and American Bar Association Judicial Division (2017).

⁵ Maya Sen, [*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).