

May 30, 2023



**SUPPORT THE CONFIRMATION OF JUDGE ANA DE ALBA
TO THE U.S. COURT OF APPEALS FOR THE NINTH 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 Ana de Alba to the U.S. Court of Appeals for the Ninth Circuit. The Leadership Conference intends to include your position on the confirmation of Judge de Alba in our voting record for the 118th Congress.

Judge de Alba possesses impressive judicial experience and a civil rights background that will greatly benefit the Ninth Circuit. Currently, Judge de Alba serves as a fair-minded judge on the U.S. District Court for the Eastern District of California. Prior to this, she was a judge on the Superior Court of California, County of Fresno. Before her judicial service, Judge de Alba spent 12 years in private practice at Lang, Richert & Patch, PC, first as an associate and then as a partner. She has also worked to train future lawyers as an adjunct professor at San Joaquin College of Law. In addition, Judge de Alba is dedicated to serving her community. For instance, she served as a board member for numerous organizations, including the Central Valley Access to Justice Coalition, Rape Counseling Services of Fresno, California Rural Legal Assistance, Inc., and Legal Aid at Work. Judge de Alba is a graduate of the University of California, Berkeley and the University of California, Berkeley School of Law. Her experience and exceptional career in employment law will be a tremendous asset to the Ninth Circuit.

Judge de Alba's career has been particularly steeped in defending the rights of working people, having litigated numerous complex cases on workplace harassment and discrimination. For example, she secured favorable settlements for a farmworker who was sexually assaulted by her supervisor,¹ a woman who was sexually exploited by a Fresno County behavioral health counselor while she was under his care,² and a fast food worker who received sexually explicit messages and pictures from her supervisor.³ Judge de Alba also successfully challenged a denial of benefits on behalf of an employee who had been continually harassed by her coworkers, ultimately forcing her to quit.⁴ In addition to her full caseload while in private practice, Judge de Alba established and ran a Workers' Rights Clinic, which provided free legal services to workers unable to afford an attorney.⁵ Run collaboratively with Legal Aid at Work, the Consulate of Mexico in Fresno, Central California Legal Services, Inc., and her firm at the time, Lang, Richert &

¹ *Guzman v. Family Ranch Inc.*, No. 17C-0165 (Kings Cnty. Super. Ct.).

² *Lee v. Cnty. of Fresno*, No. 13CECG03170 (Fresno Cnty. Super. Ct.).

³ *Camacho v. OCAT, Inc.*, No. 1 ICECG03424 (Fresno Cnty. Super. Ct.).

⁴ *Panduro v. De La Mora*, No. 6000121 (Cal. Emp. Dev. Dep't Fresno Off. of App.) (2017).

⁵ [Workers' Rights Clinic](#), LEGAL AID AT WORK (Accessed May 2023).

Patch, PC, the clinic has helped hundreds of workers to understand their rights and navigate complex legal and administrative systems to achieve justice.⁶

Judge de Alba has helped to root out disparities in the criminal-legal system. During her time on the superior court, she oversaw two special treatment courts for vulnerable youth involved in the criminal-legal system.⁷ These collaborative courts — Unity Court and Family Behavioral Health Court — provide mentorship, treatment programs, and educational opportunities as alternatives to incarceration.⁸ Judge de Alba's career has been dedicated to making sure people have access to qualified legal services and protecting the rights of working people — bringing much needed experience to this court.

In addition to the important professional experience that she would bring to the bench, Judge de Alba also would bring important lived experiences. The daughter of Mexican immigrants, Judge de Alba's devotion to workers' rights stems from working alongside her family as farmworkers under unsafe and unfair working conditions.⁹ When she was confirmed just last year to the U.S. District Court for the Eastern District of California, she became the first Latina judge to ever serve on that court.¹⁰ The Ninth Circuit is home to more than 20 million people who identify as Hispanic or Latino/a.¹¹ Yet, if confirmed to this position, Judge de Alba would be only the fourth Latina judge to ever serve on the Ninth Circuit.¹² To strengthen public trust in the judiciary, our courts should reflect the communities they serve.¹³ Diversity of experience, both personal and professional, helps improve judicial decision-making.¹⁴ The confirmation of Judge de Alba would be an important step towards ensuring that our federal courts reflect and represent the diversity of our nation.

Judge de Alba is an excellent choice for this position, and we strongly urge the Senate to confirm her to the U.S. Court of Appeals for the Ninth 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.

⁶ Press Release, [New Fresno Workers' Rights Clinic](#), LEGAL AID AT WORK (April 18, 2012).

⁷ [Collaborative Courts Division](#), Superior Court of California, County of Fresno (Accessed May 2023).

⁸ Collaborative Courts Division, [Overview- Unity Court](#), Superior Court of California, County of Fresno (Accessed May 2023); Collaborative Courts Division, [Overview- Family Behavioral Health Court](#), Superior Court of California, County of Fresno (Accessed May 2023).

⁹ Juan Esparza Loera, [Ana de Alba, daughter of farmworkers, will be Eastern District Court's first Latina judge](#), FRESNO BEE (July 18, 2022).

¹⁰ See [Biographical Directory of Article III Federal Judges, 1789-present](#), FEDERAL JUDICIAL CENTER (accessed May 2023).

¹¹ [QuickFacts](#), U.S. CENSUS BUREAU (Accessed May 2023) (The Ninth Circuit hears appeals from all federal district courts in [Alaska](#), [Arizona](#), [California](#), [Hawaii](#), [Idaho](#), [Montana](#), [Nevada](#), [Oregon](#) and [Washington](#)).

¹² *Id.*

¹³ Maya Sen, [Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#), 2017 WIS. L. REV. 367 (2017).

¹⁴ Kate Berry, [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).

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Sincerely,

A handwritten signature in cursive script that reads "Maya Wiley".

Maya Wiley
President & CEO

A handwritten signature in cursive script that reads "Jesselyn McCurdy".

Jesselyn McCurdy
Executive Vice President of Government Affairs