

January 24, 2023



**SUPPORT THE CONFIRMATION OF JUDGE MYONG JOUN
TO THE U.S. DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS**

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 Myong Joun to the U.S. District Court for the District of Massachusetts. The Leadership Conference intends to include your position on the confirmation of Judge Joun in our voting record for the 118th Congress.

Judge Joun's impressive legal career and significant experience as a fair-minded jurist will make him a great addition to this court. Currently, Judge Joun is an associate justice of the Boston Municipal court. Prior to his appointment to the bench, he was a solo practitioner at his own firm, Joun Law Office. He also spent time in private practice as an associate with the Law Offices of Howard Friedman, P.C. Additionally, he trained future lawyers as a trial advocacy workshop instructor at Harvard Law School. Judge Joun is a graduate of the University of Massachusetts and Suffolk University Law School. He is deeply involved in his community, including having served on the board of directors of the American Civil Liberties Union of Massachusetts and the Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association. As Judge Joun's long record in public service and commitment to equal justice demonstrate, he is well qualified for this seat.

Judge Joun brings much needed and underrepresented experience to the judiciary. Prior to serving on the bench, Judge Joun spent many years in private practice focused on criminal defense matters. During that time, he successfully represented a class of more than 5,000 women who, while awaiting arraignment, were unlawfully strip-searched at a county jail.¹ He secured a \$10 million settlement on behalf of the women as well as a change in the procedures used by the city of Boston.² In another set of cases, he represented two separate clients who were falsely arrested and severely injured by the same police officer who possessed a long history of unaddressed misconduct complaints.³ Judge Joun's work on this case led to the retirement of the police officer and a settlement for his clients.⁴ Judge Joun also successfully litigated a case against the Massachusetts Department of Correction, which refused to reasonably accommodate a man who was incarcerated and unable to walk without a cane — violating the Americans with Disabilities Act.⁵ The case was eventually settled, with Judge Joun acquiring a monetary settlement

¹ *Mack v. Suffolk County*, 191 F.R.D. 16 (D. Mass. 2000); *Ford v. Suffolk County*, 154 F. Supp. 2d 131 (D. Mass. 2001); No.: 98-12511-NG (D. Mass. 2005).

² *Id.*

³ *Brown v. Town of Dracut et al.*, No.: 10-10030-WGY (D. Mass. 2011); *Chandler v. Town of Dracut et al.*, No.: 11-10195-JLT (D. Mass. 2013).

⁴ *Id.*

⁵ *Shedlock v. Dep't of Corr.*, SUCV 1998-03631; 2003-P-371; SJC-09135 442 Mass. 844 (2004).

and appropriate accommodations for the man.⁶ In addition, he maintained a robust pro bono practice, including accepting assignments from the Committee for Public Counsel Services to represent those unable to afford an attorney — ensuring they had access to justice.

Judge Joun also represented the interests of working people. He successfully represented a class of employees after their employer failed to pay earned overtime wages in violation of the Fair Labor Standards Act.⁷ Similarly, he successfully represented eight bus drivers suing their employer for non-payment of wages and illegal deductions from their earnings, ultimately settling the case with a very favorable settlement for the bus drivers.⁸ In 2002, before the Massachusetts Commission Against Discrimination, Judge Joun successfully represented a woman who was discriminated against when a school hired an inexperienced male athletics coach despite her being a highly experienced coach.⁹ The commission additionally ordered the city to require all town employees to complete a comprehensive training on gender-based discrimination.¹⁰ Judge Joun has shown a dedication to public service and the protection of people’s rights throughout his career, and this experience will serve him well in this position.

Beyond the professional experience that Judge Joun would bring to the District of Massachusetts, he would also bring important lived experiences. There are more than 520,000 Asian American people living in Massachusetts,¹¹ yet, if confirmed, Judge Joun would be the first Asian American man to ever sit on this court.¹² Further, if confirmed, he would be the first Asian American man to sit on any court located in the First Circuit.¹³ Public trust in the judiciary is bolstered when our courts reflect the rich diversity of our country.¹⁴ Different lived experiences, especially from communities that have been excluded from serving on our courts, bring varied perspectives to our federal courts that are crucial to improving judicial decision-making.¹⁵ The confirmation of Judge Joun would be an important step towards ensuring that our federal courts reflect and represent the diversity of our nation.

Judge Joun is an excellent choice for this position, and we strongly urge the Senate to confirm him to the U.S. District Court for the District of Massachusetts. If you would like to discuss this matter further,

⁶ *Id.*

⁷ *Lin et al. v. Chinatown Restaurant Corp, et al.*, No.: 09-11510-GAO, 771 F. Supp. 2d 185 (D. Mass. 2011).

⁸ *Chen et al. v. Double Sparkle Inc. (d/b/a Sunshine Travel), Sunrise Boulevard LLC (d/b/a Sunshine Travel), Morning Sun Bus Company Inc., Coach America LLC, New England Coach Express LLC, et al.*, No. 2009- 4224, (Suffolk Super. Ct. 2013).

⁹ *Poore v. Town of Harwich et al.*, MCAD No. 98-BEM-1091 (Nov. 12, 2004).

¹⁰ *Id.*

¹¹ [QuickFacts](#), U.S. CENSUS BUREAU (Accessed November 2022).

¹² See [Biographical Directory of Article III Federal Judges, 1789-present](#), FEDERAL JUDICIAL CENTER (Accessed November 2022).

¹³ *Id.*

¹⁴ See Maya Sen, [Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#), WIS. L. REV. 367 (2017).

¹⁵ See 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).



please contact Lena Zwarensteyn, senior director of the fair courts program, at (202) 466-3311. Thank you for your consideration.

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