



The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

RE: Significant Cuts in Recertification of Supreme Court Justices

Dear Governor Cuomo:

The LGBT Bar Association of Greater New York (LeGaL) is dedicated to improving the administration of the law, ensuring full equality for members of the LGBT community, promoting the expertise and advancement of LGBT legal professionals, and serving the larger community. As such, we write with concern regarding the limitation of recertification to only three Justices out of forty-nine across New York State pursuant to Chief Administrative Judge Marks' memorandum of September 29, 2020.

New York's judges apply the many vital laws protecting the rights and dignity of LGBT New Yorkers, on many of which we worked together and which you personally championed and signed into law. I know that you well understand that access to justice is essential to the safety and equality of not just our community members but all New Yorkers, and that the availability of sufficient judges and court personnel is critical to the fair and expeditious administration of justice. When courts are strained by too few judges, magistrates, clerks, and other essential court personnel, it creates a system that is far less responsive to the needs of our communities, especially the many LGBT New Yorkers who may not have the resources to afford counsel.

LeGaL provides extensive legal services to our community members through our Helpline, free drop-in legal clinics, referrals, and impact litigation for some of the most compelling cases affecting LGBT individuals and families. For example, we have litigated or provided pro bono advocacy for numerous cases in which the rights of non-biological/non-adoptive LGBT parents have been at stake and in which swift judicial intervention was required. One of these individuals first came to our clinic in December 2019, after her ex-partner refused to grant her access to the child they had planned to have together and had raised since birth. Even in the absence of the anticipated judicial reduction in forces, it has taken ten months—a substantial delay for anyone and an eternity in the development of a child—before the case has finally come before the Family Court. This is but one example; as our community knows all too well, justice delayed is justice denied.

We appreciate that the current Covid crisis and the lack of needed support from the Federal government has placed our State in an unenviable financial situation. However, we implore you to be mindful of the many LGBT persons and their families who made this great State their home, with the expectation that their rights to equal treatment would be promptly adjudicated and vigorously enforced. It is that access to justice that has made the difference between the diverse and vibrant “City on a Hill” and the inequitable “Tale of Two Cities” that your late father spoke of nearly half a century ago.

We urge you -- for the sake of our community members and of all the people of New York State -- to ensure, now and in the challenging times to come, that our courts are not compromised by inordinate cuts to the number of judges and other court personnel, so that the judiciary remains the institution to which New Yorkers can turn for impartial and swift justice.

Respectfully yours,  
The LGBT Bar Association of Greater New York

A handwritten signature in black ink, reading "Kristen Prata Browde". The signature is written in a cursive, flowing style.

Kristen Prata Browde

President