



March 30, 2023

**VIA HAND DELIVERY AND EMAIL**

The Honorable Andrea Stewart-Cousins  
Majority Leader and Temporary President of the New York State Senate  
Legislative Office Building 907  
Albany, NY 12248  
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The Honorable Carl E. Heastie  
Speaker of the New York State Assembly  
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Dear Speaker Heastie and Majority Leader Stewart-Cousins:

The Dominican Bar Association (DBA) is an organization of legal professionals and law students, which supports Latino members of the legal profession, particularly attorneys and law students of Dominican ancestry, in their pursuit of higher posts in the legal profession and other facets of influence in the United States. Ensuring that the judiciary of New York State reflects the diverse fabric of New York is paramount, and the Dominican Bar Association stands firm in its commitment to accomplish this noble feat. Following the troubling and ultimately failed confirmation process of the Hon. Hector D. LaSalle, who if confirmed would have become the first Latino Chief Judge of the Court of Appeals, the Commission on Judicial Nomination provided Governor Hochul with a new list of recommended candidates for the role of Chief Judge of the Court of Appeals of New York. This new list includes three current Associate Judges of the Court of Appeals, however contains no Latino representation, despite the large pool of talented Latino jurists in New York State who should have, at a minimum, a meaningful opportunity to apply for consideration to serve as an Associate Judge of the Court of Appeals.

The DBA strongly advocates for judicial application processes for judgeships at all levels within New York State to be constitutional, transparent, ethical, equitable, and inclusive. Assembly Bill A.5983 (Lavine)/Senate Bill S.6061 (Hoylman-Sigal), currently under consideration by the New York State Assembly and on the New York State Senate Calendar, directly interferes with each of these timely and essential objectives for the viability of the effective administration of justice within New York State. We respectfully submit that this bill interferes with the fair consideration of qualified jurists, and in the instant case, blocks the fair consideration of qualified Latino jurists who did not apply for the Chief Judge vacancy and wish to apply to the Associate Judge vacancy at the moment a vacancy is generated.

Notwithstanding the substantive representation concerns that this bill poses, this bill would also unjustly interfere with the constitutional role of the Commission on Judicial Nomination, as they recommended this list of names for the current vacancy in the Chief Judge role, not the Associate Judge role. Thus, the Commission has not had a full and fair opportunity to contemplate that their recommendations for the Chief Judge role would be used to fill subsequent vacancies.

Accordingly, the DBA respectfully urges Members of the New York State Assembly and Senate to promote diversity in the judiciary, uphold the Constitution of the State of New York, and ensure that full and fair consideration of all qualified jurists, including Latino jurists, is not unjustly stripped by legislation such as Assembly Bill A.5983 (Lavine)/Senate Bill S.6061 (Hoylman-Sigal).

Respectfully,



**Jeffrey J. Saavedra, Esq.**  
President, Dominican Bar Association

cc:

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