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**New York County Lawyers Association Issues Statement  
on Senator Gianaris Remarks and Ad Hominem Attacks on Members of the Court**

The New York County Lawyers Association (NYCLA), which represents 7500 attorneys, today issued the following statement:

We feel compelled to address the incursion upon judicial independence represented by the recent remarks of the New York State Senate's deputy leader, Michael Gianaris. Judicial independence is fundamental to a free society and a foundational principle which NYCLA has supported throughout its existence. Senator Gianaris has urged that the selection process for the next Court of Appeals Chief Judge be transmuted from the impartial selection process mandated in the Article Six of the New York State Constitution to a brazenly political process.

Meddling in the judicial selection process is dangerous. Senator Gianaris inappropriately asserts that people who have held certain jobs would somehow be better judges than people who have held other jobs. Candidates for judicial office should be evaluated based on qualifications and temperament. There should not be a political or employment "litmus test" for judicial office. Additionally, Senator Gianaris claims that Judge DiFiore and Judges Singas, Garcia, and Cannataro (whom he refers to as Judge DiFiore's "three acolytes") did "damage" to the Court and sullied its standing by deciding cases differently from the way he thinks those cases should have been decided.

We are all entitled to take issue with decisions, however, we oppose these irresponsible ad hominem attacks against judges who are not permitted to respond.

NYCLA condemns these ad hominem attacks on members of the court. We also condemn this attempt to short circuit the judicial nomination process to give effect to the result-oriented

political views of Senator Gianaris and others. This attempt cannot be reconciled with the independence of the Judicial Nominating Commission and the independence of the judiciary itself. We have seen what happens when politics intrudes on the nomination process in the Supreme Court of the United States. We should strive to avoid that in the New York Court of Appeals, which is one of the most important common law courts in the land.

### **About the New York County Lawyers Association**

The New York County Lawyers Association ([www.nycla.org](http://www.nycla.org)) was founded in 1908 as one of the first major bar associations in the country that admitted members without regard to race, ethnicity, religion or gender, and has a long history of supporting the rights of LGBTQ+ people. Since its inception, NYCLA has pioneered some of the most far-reaching and tangible reforms in American jurisprudence. For more information on NYCLA please visit [nycla.org](http://nycla.org).

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