

September 13, 2021

The Honorable Richard J. Durbin
Chairman, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Chuck E. Grassley
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Grassley:

We write to support the nomination of Vermont Supreme Court Justice Beth Robinson to the United States Court of Appeals for the Second Circuit. We have each served as Solicitor General for Vermont and are currently co-chairs of the Vermont Bar Association's Appellate Section. Collectively, we have years of experience arguing appeals at the Vermont Supreme Court and the Second Circuit. We have argued dozens of appeals in front of Justice Robinson and observed many more. Justice Robinson is an exceptional jurist and well-qualified to serve on the Second Circuit. We urge the Committee to forward her nomination to the full Senate for confirmation.

Justice Robinson has a ten-year track record on the Vermont Supreme Court that illustrates her objectivity, fairness, and the depth and breadth of her legal knowledge. Her judicial opinions are uniformly well-researched, carefully reasoned, thorough, and elegantly written. At oral argument, Justice Robinson is always well-prepared, asking the most critical questions and requiring both sides to address the weaknesses in their positions. Although this can be an intimidating experience for an advocate, Justice Robinson treats those appearing before her with respect and courtesy, regardless of whether they are a self-represented litigant, a familiar local practitioner, or an out-of-state attorney arguing at the Vermont Supreme Court for the first time.

Over the years, we both have won and lost cases in front of Justice Robinson. The experience of losing is more telling. Although no attorney enjoys losing a hard-fought case, a good judge explains the court's decision in a way that assures the advocates—and more importantly, their clients—that their arguments were fully considered and fairly addressed. This has been our experience with Justice Robinson. Win or lose, advocates have the opportunity to make their best case and be heard.

Justice Robinson's remarkable career as an advocate for equal rights before taking the bench is well-known. Since becoming a judge, Justice Robinson has also demonstrated her commitment to improving the administration of justice and addressing barriers to access for underserved groups. She has devoted countless hours working to improve services for unrepresented litigants. She and her colleagues on the Court have worked throughout the pandemic to keep the state courts open and functioning while protecting public health and safety. Her effectiveness in these matters of court administration comes as no surprise. In our experience serving on court committees and continuing legal education panels with Justice Robinson, we can attest to her collegiality, wise counsel, and work ethic.

Among members of the Vermont bar, Justice Robinson's nomination has been greeted with genuine pleasure and pride that Vermont will be represented on the Second Circuit by such an exceptional jurist. There can be no doubt as to her qualifications and integrity. She represents the best of our state and profession.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bridget C. Asay".

Bridget C. Asay,
Partner, Stris & Maher LLP

A handwritten signature in blue ink, appearing to read "Benjamin D. Battles".

Benjamin D. Battles
Vermont Solicitor General