

September 13, 2021

Via Email and U.S. Mail

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The Honorable Charles E. Schumer
Majority Leader
United States Senate
Room S-221, The Capitol
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Room S-230, The Capitol
Washington, D.C. 20510

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

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

Re: Nomination of Justice Beth Robinson to the United States Court of Appeals for the Second Circuit

Dear Majority Leader Schumer, Minority Leader McConnell, Chair Durbin and Ranking Member Grassley:

I am honored to submit this letter in support of the nomination of Vermont Supreme Court Justice Beth Robinson to be a judge on the United States Court of Appeals for the Second Circuit. Justice Robinson's nomination is an inspired choice, and if confirmed, she will be an extraordinary addition to that august and historic court.

I have been a licensed attorney in the Vermont bar for over thirty years. During that time, I served twelve years as an Assistant United States Attorney, was honored to be a presidentially-appointed U.S. Attorney under President Obama from 2009-2015, and I have been a litigation partner in two different leading Vermont law firms. (I also had the privilege of serving as a counsel to the U.S. Senate Committee on the Judiciary, under then-Committee Chair Joseph R. Biden and then-Subcommittee Chair Patrick J. Leahy, from 1991 to 1994). I believe these experiences help me provide this Committee with reliable and probative insight into Justice Robinson's career and role in Vermont law, and her fitness to serve as a judge on the United States Court of Appeals.

As a litigator, Justice Robinson earned the reputation as a lawyer willing to take on challenging issues in a principled, sophisticated and pragmatic way. Perhaps the leading example of this is her pathbreaking work in *Baker v. State*, the landmark Vermont case finding same sex unions to be protected under the common benefits clause of the Vermont State Constitution. This decision prompted enactment of Vermont's civil unions statute, which received broad bi-partisan and popular support. It is a truly seminal case, and a phenomenal example of the use of our civil justice system to effect real change to the lives of everyday citizens.

As United States Attorney, I dealt with Justice Robinson in her role as counsel to Vermont State Governor Shumlin. I recall most vividly her leadership in implementing Governor Shumlin's strategy to address the opioid crisis. Justice Robinson was a pragmatic and engaged partner with her federal counterparts, as we all attempted to confront as best we could the dire challenges opioid addiction presented our communities. Attributes that she demonstrated in that context that are relevant to this Committee's consideration were that she was thoughtful, well-prepared, and applied a strong analytical approach to this crucial public policy problem. She displayed a willingness to apply new solutions to solve vexing social problems, but also a strong respect for prior practices and roles which had been beneficial over the long-term. Measured, even-keeled, sincere, hard-working and practical are words I would use to describe her approach to these issues.

As a longtime litigator in Vermont, I believe Justice Robinson has deservedly earned a distinct, relevant and widely-held reputation during her time as an Associate Justice of the Vermont Supreme Court. The hallmarks of that reputation, which clearly repeat themselves from other stages of her career, to my mind include the following: a very careful and learned approach to judicial decision-making; keen analytic ability; a brilliant legal mind; a cautious, moderate and incremental view of the proper development of the law; a sensitivity to the appropriate limitations of judicial power; courage and willingness to make a hard decision when necessary; and unimpeachable integrity and honesty in her application of law to fact. Her decisions on the Vermont Supreme Court reflect a pragmatic yet appropriately balanced and empathetic jurist. A judge lacking any discernable ideological tilt, and concerned about the fairness of the Court's decision-making for all litigants.

I believe these qualities will serve Justice Robinson very well as a United States Court of Appeals Judge. Her intellect, passion for the law, passion for justice, and understanding of the balanced nature of the competing interests that our courts are required to weigh will make her an outstanding addition to the Second Circuit bench. If confirmed, Judge Robinson will be a judge whom all litigants, irregardless of social or economic standing or political ideology or perspective, can be assured will apply the law in a fair, sensible and balanced way. I am very happy to recommend Justice Robinson's nomination to this Committee, and do so without any degree of reservation whatsoever.

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Thank you for the opportunity to provide this letter in support of her nomination. I wish the Committee good fortune as it considers her application, and in its other important obligations to our nation.

Very truly yours,



Tristram J. Coffin, Esq.
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cc: Senator Patrick J. Leahy