

Justice Harry J. Elam Judicial Conference
Boston, MA 02133

February 5, 2021

Honorable Nancy Gertner, Chair
Advisory Committee on Massachusetts Judicial Nominations
Boston, MA

Dear Judge Gertner:

On behalf of the Justice Harry J. Elam Judicial Conference, I write to advise you of our support for Judge Angel Kelley's application for nomination to the United States District Court for the District of Massachusetts. By way of introduction, the Justice Harry J. Elam Judicial Conference is an organization of Massachusetts judges of color appointed to both federal and state courts. Since the organization's founding in 1977, known then as the Massachusetts Black Judges Conference, it has been committed to vigorous advocacy for a diverse judiciary. Consistent with that purpose, we urge the Advisory Committee to include Judge Kelley on the slate of names to be recommended to Senators Elizabeth Warren and Edward Markey. While we emphasize our concern for diversity within the judiciary, we do so with confidence that Judge Kelley is worthy of the honor of being nominated to sit as a judge on the federal district court. Without question, she is exceptionally qualified for the position, having been previously recommended for this nomination in 2018. Nonetheless, we feel compelled to urge your affirmation of her candidacy given the transformation of the federal judiciary that has occurred over the last four years.

As a practitioner and jurist, Judge Kelley has distinguished herself as a person with a deep and abiding commitment to our country's aspiration to equal justice under the law. One example of her dedication to equal justice under the law is her sustained and productive affiliation with the many affinity bar groups that owe their very existence to the struggle for equal justice. As judges of color who were practitioners before we became judges, we appreciate the importance of this advocacy both to the profession and to the communities we all represent. Since her appointment to the Superior Court, Judge Kelley has been a leader in urging the court to recognize and act on the imperative of equal justice and fairness for all litigants, especially litigants of color. In this regard, we commend to you Judge Kelley's work in organizing a judicial trip to the Equal Justice Institute in Montgomery, Alabama where judges from every court department embarked on this

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journey as a way to come to terms with the country's history of lynching and racism. Her work in organizing this trip is important because many of these judges returned with a renewed determination to engage collectively to mitigate the continuing effects of this history in our courts.

Last, we highlight Judge Kelley's judicial committee work which demonstrates her commitment to the court as an institution. She has been a member of the Committee on Judicial Ethics since 2016, sewing during the major overhaul of the Code of Judicial Conduct. As Chair of the Massachusetts Trial Court Public Outreach Committee, Judge Kelley was instrumental in developing "listening sessions" to bring judges to communities all across the Commonwealth to hear the people express their views and concerns about the role of the courts. For the first time ever in 2019, judges from every court department participated in these "listening sessions," doing their part to promote public confidence in the judiciary.

We recognize that the federal courts may organize themselves differently than state courts, and perhaps prioritize the purely judicial aspects of the job. Even if that is the case, such an emphasis would not detract from Judge Kelley's qualifications. She has distinguished herself as a capable and highly competent trial judge, so we take that as a given. We highlight instead her background and experience because, as judges, we know that the kind of energy, vision and commitment to equal justice that Judge Kelley will bring to the responsibility of being a trial judge in the federal court are just as important.

We appreciate the opportunity to bring our views to your attention and we trust that the Advisory Committee will act favorably on Judge Kelley's application.

Very truly yours,

A handwritten signature in cursive script that reads "Geraldine S. Hines". The signature is written in dark ink and is positioned above the printed name and title.

Geraldine S. Hines, President
Justice Harry J. Elam Judicial Conference