



*Liana Fiol Matta*  
*Chief Justice, Retired*  
*Commonwealth of Puerto Rico*  
*Supreme Court*  
*San Juan, Puerto Rico*

June 30, 2022

The Honorable Dick Durbin  
Chair, Committee on the Judiciary  
United States Senate  
711 Hart Senate Office Building  
Washington, DC 20510

The Honorable Chuck Grassley  
Ranking Member, Committee on the Judiciary  
United States Senate  
135 Hart Senate Office Building  
Washington, DC 20510

**RE: Confirmation of Judge Gina R. Méndez-Miró to the U.S. District Court**

Dear Chairman Durbin and Ranking Member Grassley:

As a former Chief Justice and Associate Justice of the Supreme Court of Puerto Rico, as well as former Chief Judge and Appellate Judge for the Puerto Rico Court of Appeals, and as current law professor, I wholeheartedly recommend Judge Gina R. Méndez-Miró to serve as U.S. District Judge on the United States Court for the District of Puerto Rico and urge you to swiftly consider her confirmation.

Every day, federal judges make decisions that affect our lives in important ways. They determine the breadth of our fundamental rights, ensure fairness in criminal and civil proceedings and occasionally make decisions that change the course of history. Therefore, the judiciary should be composed not only of competent individuals who can uphold the rule of law, but also jurists who reflect the diversity of our society.

I have had the privilege of knowing Judge Méndez-Miró for over ten years, both as a friend, and as a stellar lawyer and judge. Prior to her judicial career, Judge Méndez-Miró occupied positions of great responsibility in our court administration. She was Director of Judicial Programs when we were introduced by my predecessor, Chief Justice Federico Hernández Denton, who often spoke highly of her as a talented and committed attorney and public servant. I was equally impressed by Judge Méndez-Miró, and in 2010 I asked her to join me at the National Consortium on Racial and Ethnic Fairness at the Courts which took place in New Brunswick, New Jersey. As Director of Judicial Programs, Judge Méndez-Miró assisted me in preparing a presentation for judges from across the United States, which was anchored on our shared and persistent concern that judges are too often alienated from poor communities and their difficulties in accessing justice. She helped me to persuasively deliver a strong message that as judges must transcend this alienation and truly get to know the communities we serve.

Her next position was as Director of Legal Affairs and General Counsel. Having been responsible for the administration of the Judicial Branch as Chief Justice, I can attest that the Office of Legal Affairs is one of the most important in the Judicial Branch. It is responsible for providing counsel in numerous legal matters impacting the Judicial Branch and its workforce, in addition to representing our branch of government in significant legal claims and disputes brought before both federal and state courts as well as administrative agencies. Thus, to lead Legal Affairs, you must have full command of the law—both state and federal— on an array of legal fields, possess excellent written and oral communication skills, as well as have an extraordinary understanding of how the court system operates. Additionally, you need to possess superb leadership skills and the temperament to create a fine balance between designing and implementing a legal strategy, litigating high profile cases, dealing with an immense workload, and facing the challenges inherent to leading a team of attorneys with diverse backgrounds and varied experiences and views of the law.

Judge Méndez-Miró's experience in court administration was invaluable in her next position, as Chief of Staff to former Puerto Rico Senate President Eduardo Bhatia. There she stood out for her diplomacy and keen knowledge of diverse legal and policy issues when managing critical legislation. For this reason, she was well respected by her colleagues, as well as public officials and leaders of important civic organizations. I recall meeting with her, while I was Chief Justice of the Supreme Court, to discuss the adoption of a new penal code, a significant criminal justice reform effort. We discussed the proposed amendments and how they would amplify judicial discretion allowing judges to impose diverse penalties that promote rehabilitation. She had worked on this criminal justice reform hand in hand with my esteemed colleague and renowned jurist Dora Nevares, and truly demonstrated not only profound knowledge of the law and the complex legal concepts that were introduced in the bill, but also of the potential impact of this new legal body on the administration of justice. Her insightful

understanding of the innerworkings of the judicial system—knowledge she acquired during her years of service both as General Counsel and Director of Judicial Programs— made her an important ally and liaison in advocating for important legislation that impacted the Judicial Branch, including amendments to the Rules of Civil and Criminal Procedure to allow for e-filing, and other matters like judicial appointments, court fees and budget.

After her service in the legislative branch, Judge Méndez-Miró was appointed and unanimously confirmed to serve as a Judge of the Puerto Rico Court of Appeals in 2016. In this position, she has reviewed hundreds of trial court decisions, many of them relating to the same complex civil and criminal legal topics that come before federal courts, including issues of criminal law relating to speedy trial violations, discovery, confrontation clause, bail considerations, Sixth Amendment right to counsel, searches and seizures, and post-conviction procedures, among others. On the civil side, she often reviews complex labor and employment disputes like those related to discrimination and harassment, as well as medical malpractice claims, access to information, and many more.

A review of her decisions of the past six years reveals that Judge Méndez-Miró is as empathetic, hardworking and intelligent as the younger attorney I met years before and has retained the same genuine interest in safeguarding access to justice for all. She has also shown professional integrity, which I believe is the most important attribute of a judge; this includes reverence for the rule of law, impartiality, and the ability to apply the law to the fairly determined facts of the case, without bias or preconceived notions of how the case is supposed to turn out. Furthermore, her written opinions—especially her dissents—are clearly written and well-reasoned in a manner that is understandable to lawyers and self-represented litigants alike. Judge Méndez-Miró has participated in judicial education programs and has worked to train the next generation of appellate judges in understanding the importance of reviewing cases with rigor, while never forgetting that the procedural rules are to be interpreted in a way that helps the court deliver justice.

Outside of the courtroom, Gina is a dedicated mother of twins and a family woman with a strong sense of community. She is a devoted friend and is as passionate about literature as she is about criminal law.

Finally, if confirmed, Judge Méndez-Miró would become the first openly LGBTQ+ judge to sit on the federal court in Puerto Rico and in the First Circuit. She would thus add to the much-needed diversity at the federal judiciary where women make up only 34% of the bench and only 0.5% of district court judges identify as LGBTQ+. Our courts and their jurists should be reflective of both the diversity and excellence of our society. Judge Méndez-Miró is a testament to both.

Judge Méndez-Miró would most definitely bring an important perspective to the bench based on her work in favor of access to justice for many of the most vulnerable in our society. In addition, her legal career as an attorney in private and public service as well as a proven appellate judge will be vital on the federal

bench. Having led the Puerto Rico judiciary I am certain that Judge Méndez-Miró is particularly qualified to succeed and excel on the U.S. District Court.

Sincerely,

A handwritten signature in blue ink, appearing to read "Liana Fiol Matta". The signature is stylized and cursive, with a horizontal line underneath the name.

Liana Fiol Matta