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September 3, 2021

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

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

It is my pleasure to write to you in support of the nomination of the Hon. Beth Robinson, currently serving on the Vermont Supreme Court, for the seat on the U.S. Second Circuit Court of Appeals recently left vacant by the death of my friend, Judge Peter W. Hall, in March of this year. I strongly believe that Justice Robinson's intellect, temperament, diligence and compassion make her particularly well qualified for the Second Circuit bench. Accordingly, I urge her confirmation.

By way of introduction and to provide context for my recommendation of Justice Robinson, let me explain the three ways in which I know her and her work. My first encounters with Justice Robinson came in 2000, when I was Chair of the Judiciary Committee of the Vermont House of Representatives, being a Republican representing my Town of Shelburne. During that biennial session, Ms. Robinson was leading an effort to persuade the General Assembly to enact comprehensive new legal protections for gay and lesbian couples in Vermont. In December 1999, the Vermont Supreme Court had declared the Vermont marriage statutes to violate the Vermont State Constitution by failing to provide equal treatment for gay and lesbian couples.

That Court, however, deferred to the Vermont legislature to enact a law that might achieve that equal treatment through some means other than civil marriage. Ms. Robinson's hundreds of hours of advocacy before the House Judiciary Committee (and the Senate Judiciary Committee) were tenacious, principled, creative and effective. Above all else, her dedication and integrity shone. The result was the ground-breaking Civil Unions law. While this was a disappointment to the advocates for civil marriage, the broad support that the Civil Union law generated across the state led to the General Assembly's enactment of full access to civil marriage for lesbian and gay couples in 2009, the first legislatively enacted same sex marriage law in the nation. This simply would not have been possible without Justice Robinson's tenacious, reasoned and balanced advocacy.

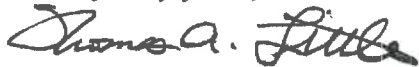
Second, I have appeared before Justice Robinson as an attorney representing clients with appeals pending before the Vermont Supreme Court. In these cases, she was prepared with tough questions, but maintained the proper demeanor and respect for the parties that helps to ensure public confidence in the Court. Her reputation among members of the bar is that she may be the hardest working Supreme Court Justice Vermont has ever had (meaning no disrespect to the other members of that Court!). When appearing before Justice Robinson, one always comes away feeling that she listened intently and gave due consideration to your arguments.

Third, Justice Robinson and I have collaborated on presentations to classes of the Vermont Leadership Institute, a program for emerging leaders in the private and public sectors. Our presentation, which typically takes place in the Supreme Court courtroom, is designed to cultivate an understanding of the rule of law and the role of the judiciary branch of government in our society and government. Justice Robinson is a natural and empathetic communicator in these settings and connects well with the participants – who are not trained in the law. We should never forget the importance of our judges and justices as educators of the public on the importance of the rule of law and the role of the courts in preserving it.

For these reasons, I recommend that the Judiciary Committee recommend Justice Robinson's confirmation to the Senate. I do so with enthusiasm and without reservation. She will serve the Second Circuit well and in the exemplary tradition of Judge Hall and his predecessors.

If you have any questions or would like to explore this nomination with me further, please do not hesitate to contact me.

Very truly yours,



Thomas A. Little, Esq.