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THE ASIAN AMERICAN BAR ASSOCIATION OF NEW YORK URGES FULL AND FAIR HEARING FOR THE HON. HECTOR D. LASALLE TO BE CHIEF JUDGE OF THE NEW YORK COURT OF APPEALS

NEW YORK – January 17, 2023 – The Asian American Bar Association of New York (AABANY) calls upon the New York State Senate to conduct a full and fair hearing on the merits for the Hon. Hector D. LaSalle to be Chief Judge of the New York Court of Appeals. In doing so, we join the New York County Lawyers Association, Franklin H. Williams Judicial Commission (Williams Commission), and the many other distinguished jurists and organizations throughout New York, who call upon the Senate to do the same.

On December 23, 2022, AABANY congratulated Justice LaSalle on his historic nomination as the first Latino to be nominated to serve as Chief Judge of New York’s highest court. AABANY, through its Judiciary Committee, participated with nine other bar associations, to evaluate the seven candidates for the Court of Appeals, selected by the Commission on Judicial Nomination. AABANY rated Justice LaSalle highly qualified to be nominated as Chief Judge. This was based on his judicial temperament, knowledge of the law, dedication to public service, and experience as an administrator, including his current position as Presiding Justice of the Appellate Division, Second Department, where a large segment of the Asian American and Pacific Islander (AAPI) population call home and conduct business. AABANY further applauded Governor Hochul’s nomination of Justice LaSalle as a positive step in support of diversity, equity and inclusion in New York’s judiciary.

Since then, various interest groups and legislators voiced opposition to Justice LaSalle’s nomination, mounting attacks on Justice LaSalle’s meritorious government service, and for joining (not authoring) a handful of opinions. None of these decisions were reversed by a higher court. As Vincent Chang, President of the New York County Lawyer’s Association, recently wrote, they have assigned labels such as “conservative” or “anti-choice” to Justice LaSalle based on “flawed analysis” and by “misreading opinions that LaSalle did not author” and “ignor[ing] the more than 60 published opinions that he authored, personally, as a judge.” Chang urged legislators to “review LaSalle’s record on its merits, without predispositions, to assess whether he will uphold the law and the constitution and give every litigant who appears before him a fair hearing.”

The Williams Commission, an organization that aims to promote racial diversity and cultural sensitivity in the courts and the legal profession, also emphasized that the current attacks appear to be “attempts to subvert the long-standing confirmation process by injecting an unfair ideological litmus test.” It demanded that “[a]s with past nominees, Justice LaSalle should be evaluated on his record and should be assessed solely on whether he will uphold the laws of the State of New York and the constitutions of the United States and the State of New York and that he will continue to be fair and impartial in his decision making.”
AABANY calls on the New York Senate to accord due process and basic fairness in evaluating Justice LaSalle for appointment to be Chief Judge of the Court of Appeals. It must resist attempts by various interest groups and legislators to torpedo the constitutionally-mandated process and to “cast a political light on an apolitical position,” as 22 former appellate judges who previously served with Justice LaSalle wrote in a letter to Governor Hochul. AABANY agrees with the authors of the letter that the Senate’s failure to conduct a full and fair hearing would “do a great disservice to our courts and the rule of law” and undermine the Governor’s commendable efforts to strengthen diversity, equity and inclusion in New York’s judiciary.

AABANY urges the New York Senate to fulfill its solemn constitutional duty by evaluating Justice LaSalle’s nomination fairly, fully, and without any preconceived notions or biases – as he has done for the people of New York throughout his dedicated public service on the bench. New York owes it to him and the People of New York State.

For more information, please contact Yang Chen, AABANY Executive Director, at (646) 653-2168, or direct any inquiries to main@aabany.org.

The Asian American Bar Association of New York is a not-for-profit 501(c)(6) professional membership organization of attorneys concerned with issues affecting the Asian American and Pacific Islander (AAPI) community. Incorporated in 1989, AABANY seeks not only to encourage the professional growth of its members but also to advocate for the AAPI community as a whole.

AABANY is a New York regional affiliate of the National Asian Pacific American Bar Association (NAPABA).

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