



FACTSHEET ON THE CANDIDATES FOR NY CHIEF JUDGE

Overview

- The [list of candidates for Chief Judge](#) put forward by the Commission on Judicial Nomination includes **three candidates who have outstanding records**:
 - **Corey L. Stoughton**, a career civil rights lawyer who has advocated for disenfranchised and marginalized communities from both within and outside government, who has litigated some of the most important civil rights cases in New York in recent years, and who has substantial management experience;
 - **Judge Edwina G. Richardson-Mendelson**, a widely respected judge and court administrator who has more than 20 years of experience with the challenges of New York's court system as both judge and administrator, and who has been the court system's go-to leader for implementing important legislation as Deputy Chief Administrative Judge for Justice Initiatives since 2017; and
 - **Professor Abbe R. Gluck**, a nationally renowned law professor, accomplished litigator, and distinguished public servant who has served in federal, state, and local government; who is widely recognized as a leading intellectual voice on health law, federalism, and state courts; and who has substantial administrative experience, having supervised large government bureaucracies, including as the lead attorney on the Biden administration's Covid-19 Response Team.
- Unfortunately, the list also includes **three unacceptable candidates** with records that demonstrate the wrong values and priorities for New York, and insufficient experience to lead the high court and the court system toward the progress they desperately need. Those three candidates are:
 - **Judge Anthony Cannataro**, who voted with Chief Judge DiFiore and the Court of Appeals' conservative bloc in all 98 decisions while they were both on the Court, and who has used his power in multiple roles to allow landlords to more easily evict tenants;
 - **Justice Hector D. LaSalle**, who is one of the most conservative justices currently serving on the appellate bench, with a judicial record that is deeply hostile to criminal defendants and includes an anti-abortion decision and an anti-union decision that contradicted Court of Appeals precedent. He is the only former prosecutor among the seven candidates, and his appointment would continue an unacceptable practice of former prosecutors comprising a majority of judges on New York's highest court; and
 - **Justice Jeffrey K. Oing**, whose judicial record has undermined the rights of criminal defendants, suggests a hostile attitude toward the right to privacy, and includes several decisions that either contradict U.S. Supreme Court precedent or were unanimously reversed by the Court of Appeals.

- The information in this document was gathered and prepared by members of [The Court New York Deserves](#), a coalition of over 145 organizations calling for a Chief Judge who will safeguard the rights of New Yorkers, defend our democracy, and protect the most vulnerable. The Court New York Deserves coalition [sent Governor Hochul a letter](#) about the vacancy in August, and [20 state senators sent a letter](#) to the Commission on Judicial Nomination soon after. Other organizations, like the [Chief Defenders Association of New York and New York State Defenders Association](#) and the [NAACP Legal Defense and Educational Fund](#), have sent similar letters to the Commission and the Governor. Each of these letters called for the advancement of lawyers with backgrounds protecting vulnerable groups, including tenants, workers, and incarcerated people, to begin to balance a court currently dominated by former prosecutors.
- A growing number of New Yorkers are closely watching Court of Appeals nominations, since we have watched in horror as the U.S. Supreme Court has stripped us of fundamental rights, including a federal constitutional right to abortion, while embracing an extremist right-wing agenda that seeks to invalidate common-sense state laws and undermine our democratic institutions. The Court of Appeals can and should act as a defense against such federal attacks, protecting New Yorkers and defending the rule of law. But in recent years, it has done neither. Under former Chief Judge Janet DiFiore, the Court of Appeals has [taken an alarming turn](#), issuing regressive decisions that have harmed [workers](#), [tenants](#), and [immigrants](#), [curtailed New Yorkers' rights](#), [undermined our democratic institutions](#), and [made it more difficult for the state to implement environmental protections](#). The Court's priorities in recent years have been clearly wrong for New York. The appointment of New York's next Chief Judge therefore offers a critical opportunity for our state.



Anthony Cannataro

Summary

- **As a Court of Appeals judge, Judge Cannataro voted with Chief Judge DiFiore and the rest of the conservative bloc in all 98 decisions while they were both on the Court.** From the time of Cannataro's appointment to the Court of Appeals until Chief Judge DiFiore resigned, he was in perfect alignment with her—and has remained in almost perfect alignment with the conservative bloc since DiFiore resigned. Most dramatically, he was in the majority in [the decision](#) that gave control of districting to a single Republican trial court judge. Far from seeing cases with a balanced eye, Cannataro stands in sharp contrast to Governor Hochul's first nominee, Judge Troutman, who has voted with both blocs since her appointment.
- **Judge Cannataro's elevation to Acting Chief Judge departed from half a century of precedent, was an insult to more senior judges of color, and may have violated state law.** Cannataro is one of the most junior members of the Court of Appeals, having been appointed only last year. In previous Chief Judge vacancies over the last 50 years, the most senior judge served as Acting Chief Judge. Passing over the three more senior judges on the Court, all of whom are people of color, was an insult, and Chief Judge DiFiore's involvement in choosing Judge Cannataro was improper and [potentially in violation of state law](#).
- **As a trial court judge, Judge Cannataro was repeatedly reversed by appellate courts for basic legal errors, and as a high court judge, Cannataro has written very little.** Cannataro was reversed by appellate courts for failing to [state the essential facts](#) that he relied on to dismiss a plaintiff's claims; for [approving a default judgment](#) when it was clear the process server delivered service to the wrong address; for [misapplying the Rent Stabilization Code](#) to overturn a jury's finding that a tenant was entitled to stay in her apartment; and for improperly [limiting an order of protection](#) to six months when the law specified that the petitioner was entitled to a five-year order of protection.
- **Judge Cannataro has contributed to the Court of Appeals' indifference to its core duty of clarifying New York law, denying leave to appeal in so many cases that the Court is down to 26 hearing days per year.** In eighteen months on the Court of Appeals, Judge Cannataro has written only six opinions. At the same time, he has denied 254 of the 255 petitions for Court of Appeals review in criminal cases that were assigned to him, the lowest number of any judge on the court in that time (even lower than the numbers for Judges Singas, Garcia, and Troutman, the former prosecutors on the Court).
- **Cannataro has consistently used his power to allow landlords to more easily evict tenants.** As Administrative Judge of New York City Civil Court, he [tried to reopen housing courts early in the Covid-19 pandemic](#), so tenants could be evicted when large numbers of New Yorkers were still dying every day and despite [his own acknowledgment](#)



that some housing court facilities were unsafe. And as Acting Chief, he has [neglected to enact](#) policies that would effectuate New York City's right to counsel law, instead facilitating the eviction of unrepresented tenants despite the law.

- **Cannataro is the most controversial of the seven candidates.** When he was elevated to Acting Chief Judge, [a prominent LGBT group spoke out against him](#), writing to Governor Hochul, "Although Judge Cannataro is openly gay, he does not represent our values." And even in his brief stint as Acting Chief Judge, he has [drawn protests](#) for his inaction on housing court.

Biography

- 2022-Present: Acting Chief Judge, New York Court of Appeals
- 2021-Present: Associate Judge, New York Court of Appeals
- 2018-2021: Citywide Administrative Judge for New York City Civil Court
- 2016-2018: Supervising Judge of New York City Civil Court
- 2011-2017: Judge on New York City Civil Court, assigned to Kings County Family Court and Bronx County Civil Court
- 2003-2011: Law Clerk to Justice Lottie E. Wilkins of Supreme Court, New York County
- 2000-2003: Law Clerk to Judge Carmen Beauchamp Ciparick of the New York Court of Appeals
- Education: J.D., New York Law School, 1996; B.A., Columbia University, 1993

Notable Decisions

On the Court of Appeals:

- [Delgado v. State of New York](#): Judge Cannataro wrote a plurality opinion for three judges that rejected a constitutional challenge to the Committee on Legislative and Executive Compensation. Notably, Judge Cannataro could not secure a majority for his opinion and did not address the executive power issues discussed at length in Judge Wilson's concurring opinion.
- [People v. Duarte](#): Judge Cannataro joined a one-paragraph opinion for the conservative majority holding that a defendant who said "I would love to go *pro se*" did not, in fact, request to represent himself *pro se*. Judge Rivera wrote a lengthy dissent, which Judge Wilson joined.
- [Maldovan v. Erie County](#): Judge Cannataro joined the conservative majority opinion holding that the estate of an intellectually disabled woman who was raped, tortured, and murdered while in the care of her mother and sister could not recover damages for negligence against the county, even though Child and Adult Protective Services had been repeatedly warned of the abuse and failed to protect her.
- [Howell v. City of New York](#): Judge Cannataro joined the conservative majority opinion holding that a victim of abuse who suffered a broken knee, pelvis, and spine, after being

thrown from a third floor window by an abusive ex-boyfriend, against whom she had an order of protection, could not recover damages for the NYPD's refusal to enforce the lawful order of protection. Officers even asked the victim to move, saying "this keeps happening," and told her she would be arrested if she called the police again.

- [*Harkenrider v. Hochul*](#): Judge Cannataro joined a 4-3 conservative majority opinion overturning the state legislature's U.S. House and State Senate maps and giving authority to create new maps to a single Republican judge.
- [*Konkur v. Utica Academy of Science Charter Sch.*](#): Judge Cannataro joined the conservative majority in holding that workers have no right under Labor Law Article 6 to sue for wage theft that results from illegal kickback schemes in which employers demand that workers return part of their earnings to the employers, despite clear and unambiguous language in the statute that grants employees a right to recover all wages illegally withheld or stolen in violation of the New York Labor Law.
- [*Estate of Kainer v. UBS AG*](#): Judge Cannataro wrote a majority opinion rejecting claims from Holocaust survivors seeking recovery of stolen artwork on the grounds that Swiss courts had jurisdiction over such claims. Judge Fahey's dissent noted that two key defendants were not properly before Swiss courts, Swiss procedural issues meant the survivors could never succeed in Swiss court, and the plaintiff had alleged that there was a conspiracy among the defendants, including Christie's and UBS, to facilitate the sale of the painting in New York, one of the central issues in this case. Judge Cannataro's decision addressed none of these issues.
- [*People v. Buyund*](#): Judge Cannataro wrote a majority opinion holding that a challenge to a Sex Offender Registration Act registration must be made at sentencing even if the sentence is illegal. Judges Wilson and Rivera dissented.

Almost all of Judge Cannataro's lower-court decisions are unreported, but many of them can be determined by appellate decisions that name him as the author of decisions they reversed. Those include:

- [*NYCHA Pub. Hous. Preserv. I LLC v. Anderson*](#): Judge Cannataro approved a default judgment when it was obvious that the process server had delivered to the wrong address. The First Department reversed.
- [*Cuevas v. BMW of Manhattan, Inc.*](#): The First Department vacated a trial court ruling of Judge Cannataro's because he did not write a decision that stated the essential facts as required by law, and thus did not permit meaningful appellate review of whether dismissal was appropriate.
- [*PR 307 W. 93, LLC v. Peralta*](#): After a jury found that a tenant had resided in her single-room occupancy unit for more than six months and was a "permanent tenant" entitled to the protections of the Rent Stabilization Code, Judge Cannataro overruled the jury and demanded, contrary to the law, evidence of a formal landlord-tenant

relationship. The First Department vacated Cannataro's decision, holding that the trial evidence supported the jury's findings.

- [*Matter of Margary v. Martinez*](#): The Second Department found that Judge Cannataro had "improvidently exercised [his] discretion" by limiting an order of protection to only six months, despite the relevant facts and law warranting a five-year protective order.
- [*Ohadi v. Magnetic Constr. Group Corp.*](#): The First Department reversed several portions of a ruling by Judge Cannataro that had awarded summary judgment to construction companies on workplace injury claims, finding instead that the worker had established material issues of fact that a jury should consider.
- [*Sarfati v. DeJesus*](#): The Second Department reversed Judge Cannataro for approving a parental visitation schedule that, it held, effectively deprived the mother of any significant quality time with the children.



Abbe R. Gluck

Summary

- **Professor Gluck would most clearly satisfy Governor Hochul’s stated desire to appoint a Chief Judge who will restore the Court of Appeals’ former national preeminence and who could be nominated to the U.S. Supreme Court.** Governor Hochul has [said](#), “I want someone who people would not question their ability to become a U.S. Supreme Court justice.” Gluck, a former clerk for Supreme Court Justice Ruth Bader Ginsberg, with a reputation for brilliant scholarship and record of distinguished federal and state-level public service, is such a candidate.
- **Professor Gluck is widely considered one of the top legal minds in the country on areas of law central to the Court of Appeals’ caseload: statutory interpretation and the role of state courts.** Gluck was one of the leading defenders of the Affordable Care Act, co-authored the standard textbook on statutory interpretation, wrote a series of important articles on federal-state court relations, and [is the sixteenth-most-cited legal scholar under age 50 of all time](#)—all while being a professor of both law and internal medicine at Yale. Gluck’s intellectual accomplishments have been recognized by her peers in her [election to the Council of the American Law Institute](#), the peak body for America’s top law professors and the source of the highly influential Restatements, which guide New York common law. Gluck’s extraordinary expertise in statutory interpretation (comparable to that of Supreme Court Justice Elena Kagan) would be a particular asset for the Court of Appeals, given the centrality of statutory interpretation in the Court’s work.
- **Nominating Professor Gluck would be the most tangible expression of Governor Hochul’s commitment to protect abortion rights—the decisive issue of the recent election.** Gluck is well respected by health law practitioners nationally for her work across the intersections of public health and law. Professor Gluck’s work leading the Biden Administration’s COVID-19 legal response, which included [expanding access to abortion during the COVID-19 pandemic](#), and her lifelong dedication to addressing health and healthcare inequality through the law, shown in her role as a founding faculty director of [Yale’s medical-legal partnership program](#), is strong evidence that New Yorkers’ right to choose would be in safe hands in a Court that Gluck led.
- **Professor Gluck’s career and writings illustrate a deep commitment to determining the correct legal answer without predispositions, and to working across ideological lines to do so.** To defend the Affordable Care Act, Gluck [made common cause with leading conservative legal thinkers](#), including some who had opposed her earlier efforts in favor of the ACA, to present successful bipartisan arguments to the Supreme Court that underscored just how out of the mainstream the anti-Obamacare arguments had become—resulting in [a 7-2 win for the ACA that even got Justice Thomas’s vote](#). Gluck’s evenhandedness is longstanding. She began her

career as law clerk to Second Circuit [Judge Ralph K. Winter Jr.](#), a leading conservative jurist and an appointee of President Ronald Reagan. In other scholarship, [she criticized liberal and conservative decisions at the Supreme Court in equal measure](#). Much as Justice Kagan has used her brilliance and scholarly background to build coalitions within an exceptionally conservative Supreme Court, Gluck has the capacity to unite colleagues across ideologies with her intelligence and conviction—and help put Court of Appeals decisions on their best footing if they are appealed to the U.S. Supreme Court.

- **Professor Gluck is a crisis-tested leader and administrator, with experience responding to challenges that are central to the operations of New York’s courts.** At the beginning of 2021, Gluck took charge of the legal team for the Biden Administration’s COVID-19 crisis response, coordinating across the federal government and with state governments to ensure that vaccines and boosters could be made and distributed as quickly as possible, while helping states reopen safely. This role complemented decades of local and state leadership experience, including time spent serving as the chief counsel for New York City’s Deputy Mayor for Health and Human Services and as senior advisor to the New Jersey Attorney General, where she was one of the four most senior staff in a 10,000-employee office and where she oversaw the Divisions of Consumer Affairs, Elections, Affirmative Litigation, and Internet Law.
- **Professor Gluck has extensive experience working on behalf of vulnerable people, who are the majority of the court system’s users.** Gluck directs [the nation’s largest university medical-legal partnership program](#), working with licensed practitioners at eight sites to provide free medical care and legal services, addressing gaps in access to healthcare and other basic needs for underserved communities, like access to government programs, housing, employment, immigration, and family law matters. The program focuses on low-income patients, and the majority of its clients are undocumented. Gluck has [also written extensively](#) on the opioid crisis, including on the ways regulatory and legal healthcare frameworks have [incentivized undertreatment and mistreatment of pain, mental health and addiction](#) and on the multi-pronged approaches needed to address it, including [litigation and state legislation](#). Much of her work has focused on achieving substantial redress for victims, demonstrating deep understanding of one of the most significant systemic social and legal problems facing New York.

Biography

- 2012-Present: Yale Law School and Yale Medical School. Positions held include Alfred M. Rankin Professor of Law (endowed chair); Founding Faculty Director, Yale Elder Law Project; Professor of Internal Medicine (General Medicine); Affiliated Faculty, Yale Program in Addiction Medicine, Yale School of Medicine; Founding Faculty Director, the Solomon Center for Health Law and Policy; Founding Faculty Director, Yale Medical Legal-Partnership Program; Executive Committee and Affiliated Faculty, Institution for Social and Policy Studies; and Professor in the Institution for Social and Policy Studies

- 2020-2021: Special Counsel to the White House Covid-19 Response Team, Office of the White House Counsel, and Lead Counsel for the Covid-19 Response Team in the Biden-Harris Transition
- 2009-2012: Associate Professor and Milton Handler Fellow at Columbia Law School
- 2007-2008: Special Counsel and Senior Advisor to the New Jersey Attorney General
- 2006: Chief of Staff and Counsel, New York City Deputy Mayor for Health and Human Services (covers Departments of Health and Mental Hygiene, Chief Medical Examiner, Aging, Children's Services, Juvenile Justice, Correction, Probation, and Homeless Services, and the NYC Health and Hospitals Corporation and Human Resources Administration)
- 2004-2006: Senior Counsel for the New York City Office of Legal Counsel
- 2004-2006: Deputy Special Counsel for the New York City Charter Revision Commission
- 2003-2004: Law Clerk to Justice Ruth Bader Ginsburg of the U.S. Supreme Court
- 2003-2005: Visiting Assistant Professor of Law & Adjunct Professor at Brooklyn Law School
- 2001-2002: Associate at Paul, Weiss, Rifkind, Wharton & Garrison
- 2000-2001: Law Clerk to Judge Ralph Winter, Chief Judge of the U.S. Court of Appeals, Second Circuit
- 1997: Special Assistant & Speechwriter for U.S. Senator Paul Sarbanes
- 1996: Election manager for Ben Cardin for Congress and District Coordinator for Clinton/Gore 1996 presidential campaign
- Education: J.D., Yale Law School, 2000; B.A., Yale College, 1996

Notable Writings

Supreme Court amicus briefs:

- [Amicus Brief on Behalf of Bipartisan Law Professors on Severability](#), submitted to the Supreme Court in [California v. Texas](#), a 2020 effort by Texas and other Republican-governed states to strike down the Affordable Care Act on the grounds that the individual mandate had been made unconstitutional by the Tax Cuts and Jobs Act and that the remainder of the law was not severable from the mandate. [The Supreme Court rejected the challenge, 7-2.](#)
- [Brief for Federalism Scholars](#), submitted to the Supreme Court in [King v. Burwell](#), a 2015 statutory challenge to the Affordable Care Act concerning whether the ACA's tax credits are available to individuals who purchase health insurance on an exchange created by the federal government. Also authored symposium contributions summarizing the brief [before](#) and [after](#) the Supreme Court accepted its principal arguments.
- [Brief on Behalf of 104 Health Law Professors](#), submitted to the Supreme Court in the litigation consolidated under the caption [National Federation of Independent Business v. Sebelius](#), the 2012 constitutional challenge to the Affordable Care Act's individual mandate.



Selected scholarly works:

- [*Gun Violence in Court*](#), *The Journal of Law, Medicine & Ethics* (Winter 2020): Explores ways in which litigation against the gun industry could be used to curb the alarming rise in gun violence.
- [*Civil Litigation and the Opioid Crisis*](#), *The Journal of Law, Medicine & Ethics* (June 2018) (with Ashley Hall and Gregory Curfman): Exhaustive review of opioid litigation with a focus on how victims would be compensated. Professor Gluck followed this up in [*MDL Revolution*](#), *New York University Law Review* (April 2021) (with Elizabeth Burch), which examined the national multidistrict opioid litigation in particular.
- [*Ensuring Equity and Justice in the Care and Outcomes of Patients With Cancer*](#), *Journal of the American Medical Association* (May 2019) (with Blase Polite & Otis W. Brawley): Examining racial bias in cancer treatment and the legal implications of racism in the health care sector.
- [*What is Federalism in Health Care For?*](#), *Stanford Law Review* (June 2018) (with Nicole Huberfeld): Extended discussion of ACA implementation by the states, with particular attention to the Medicaid expansion and state-run exchanges.
- [*ESKRIDGE, GLUCK, AND NOURSE'S Statutes, Regulations, and Interpretation: Legislation & Administration in the Republic of Statutes*](#) (2014): Widely used law school textbook for legislation and administrative law classes.
- [*Is Unpublished Unequal? An Empirical Examination of the 87% Nonpublication Rate in Federal Appeals*](#), *Cornell Law Review* (April 2022) (with Jade Ford et al.): Examines and critiques the increasing use of short summary opinions in appeals, an increasingly common practice of the Court of Appeals, which has drawn criticism to the Court.
- [*Justice Scalia's Unfinished Business in Statutory Interpretation: Where Textualism's Formalism Fell Short*](#), *Notre Dame Law Review* (2017): Argues that Justice Scalia's "incomparable contributions to statutory interpretation deserve greater recognition" but that much more needs to be done to link textualism to democratically legitimate sources of power and, ultimately, a richer understanding of how the legislature works.
- [*What 30 Years of Chevron Teaches Us About the Rest of Statutory Federalism*](#), *Fordham Law Review* (2014): Argues that discussion of the *Chevron* doctrine—which instructs courts to defer to reasonable agency interpretations of the statutes they administer if statutes are ambiguous (New York has a similar rule that is even more deferential to agencies)—has failed to take into account how legislatures actually work, and how state actors across the branches and levels of government participate in the rulemaking and lawmaking process.
- [*Intersystemic Statutory Interpretation: Methodology as "Law" and the Erie Doctrine*](#), *Yale Law Journal* (2011): Covers the difficult and unresolved question of which statutory interpretation rules *federal* courts should use when interpreting *state* statutes, when state statutory interpretation principles differ from federal law, and concludes that "federal

courts should apply state statutory interpretation methodology to state statutory questions.”

- [*The States as Laboratories of Statutory Interpretation: Methodological Consensus and the New Modified Textualism*](#), Yale Law Journal (2010): Examines the statutory interpretation doctrines of five states and argues that these states’s high courts, despite varying widely, are converging on “modified textualism,” a form of textualism that looks first at text first but is more open to weighing legislative history and purpose than federal law is, as their statutory interpretation system of choice.



Hector D. LaSalle

Summary

- **Justice LaSalle is one of the most conservative justices currently serving on the appellate bench. His appointment would cement a four-judge conservative bloc on the Court of Appeals until at least 2030, with severe implications for New Yorkers' rights and our democratic institutions.** Under Chief Judge DiFiore, the Court of Appeals was damaged by [a cohesive, ideologically committed bloc of four conservative judges](#) so confident in its power that it stopped writing full opinions in most cases. Appointing Justice LaSalle to replace Chief Judge DiFiore would ensure at least seven more years of conservative decisions that will harm workers, tenants, immigrants, people involved with the criminal justice system, and all New Yorkers—and would preserve the Court of Appeals' four-judge conservative bloc through the 2030 redistricting cycle.
- **Justice LaSalle has a clear pro-prosecution bias, voting to affirm convictions even when injustice has clearly occurred.** Nearly every dissent he has personally written has objected to a decision vacating or reversing a conviction. He [dissented](#) to declare he would refuse to allow a defendant to withdraw a guilty plea even after it emerged that the defendant's lawyer had lied to trick him into pleading guilty; [dissented](#) to argue that police had reasonable suspicion to arrest a defendant sitting in a parked car when the only "suspicious" thing the defendant did was "fumble with his keys in trying to place them in the ignition"; and wrote a contentious 3-2 majority [opinion](#) approving an appeal waiver that never specified which rights the defendant was waiving—on reasoning that even the conservative judges on the Court of Appeals [rejected](#) a few years later.
- **Justice LaSalle has permitted lawsuits meant to harass and intimidate union leaders, contradicting binding precedent and opening the door for more state-level anti-union state lawsuits that will come if the U.S. Supreme Court guts federal protections.** In [a 2015 decision](#), LaSalle joined the majority in allowing a defamation lawsuit by an employer against union leaders, despite the long-acknowledged fact that such suits are designed to intimidate and harass union leaders, and in contradiction of Court of Appeals precedent that the dissent pointed out. The U.S. Supreme Court is [poised to gut a federal precedent that largely prohibits state-level lawsuits targeting union leaders](#) in [a case that it will hear in two months](#). If it does, the Court of Appeals will become the last line of defense for workers in New York, and Justice LaSalle has indicated that he believes the law should not come to workers' defense.
- **Justice LaSalle has stood in the way of state government attempts to protect New Yorkers' abortion rights.** In [a 2017 decision](#), LaSalle joined a ruling holding that parts of the Attorney General's investigation into fraudulent medical clinics run by anti-abortion crisis pregnancy centers were unconstitutional. Governor Hochul has [signed multiple laws defending abortion](#), and crisis pregnancy centers are an issue of ongoing concern

to [Governor Hochul](#) and [Attorney General James](#). At a moment of increasing state-level litigation attacking abortion rights, we need a Chief Judge with a clear record of defending New Yorkers' abortion rights, not a conservative judge who has shown willingness to strike down those laws as unconstitutional.

- **Justice LaSalle is the only former prosecutor among the seven candidates.** The Court of Appeals is already half former prosecutors. Its imbalance has created an unacceptable pro-prosecution bias that has undermined New Yorkers' civil liberties, which are meant to protect against abusive policing and prosecution. Adding a fourth former prosecutor to the Court, especially as Chief Judge of the entire court system, would deepen and lock in this bias for years to come.
- **Justice LaSalle has the second-least administrative experience of the seven candidates.** Governor Cuomo appointed Justice LaSalle as Presiding Justice of the Second Department just last year—on the very same day he nominated Madeline Singas to the Court of Appeals. We could find no public record of reforms that Justice LaSalle himself has put in place or other significant administrative achievements since then, even as the Second Department continues to suffer from the largest backlog of any of the state's appeals courts. In this respect, he stands in stark contrast to the candidates who have led judicial, government, and academic institutions and agencies for lengthy amounts of time, with accomplishments to show for their leadership.

Biography

- 2021-Present: Presiding Justice of the Appellate Division, Second Department
- 2014-2021: Associate Justice of the Appellate Division, Second Department
- 2012-2014: Associate Justice of the Appellate Term, Ninth and Tenth Judicial Districts
- 2009-Present: Justice of the New York State Supreme Court, Tenth Judicial District, elected
- 2002-2008: Deputy Bureau Chief of Special Investigations Bureau and Head of Anti-Gang Unit at the Suffolk County District Attorney's Office
- 1999-2002: Assistant Attorney General at the New York Attorney General's Office Claims Bureau
- 1998-1999: Associate at Ruskin, Moscou & Faltischek PC
- 1993-1998: Assistant District Attorney for the Suffolk County District Attorney's Office
- Education: J.D., University of Michigan, 1993; B.A./B.S., Penn State University, 1990

Notable Decisions

- [*Cablevision Sys. Corp. v. Communications Workers of Am. Dist. 1*](#): Justice LaSalle joined a majority opinion that allowed a lawsuit in which an employer claimed that individual union leaders had "defamed" the employer by criticizing employer's anti-union activities.

- [*Matter of Evergreen Ass'n, Inc. v. Schneiderman*](#): Justice LaSalle joined a majority opinion holding that the First Amendment barred the Attorney General from investigating the funding sources or operations of an anti-abortion group masquerading as a medical center.
- [*People v. Delvillartron*](#): Justice LaSalle dissented, arguing that the police had reasonable suspicion to arrest someone when he was sitting in a lawfully parked car a full avenue away from (and not within sight of) the complainants' house, based on the fact that, in the words of the majority, the arrestee "fumble[d] with his keys in trying to place them in the ignition."
- [*People v. Gerald*](#): Justice LaSalle joined a dissent that would prohibit a defendant from withdrawing a guilty plea four months after entering it, even with uncontradicted evidence that the defendant's counsel falsely told him he had no defense.
- [*Matter of Tyler L.*](#): Justice LaSalle joined a majority opinion holding that a 15-year-old with an IQ of 74 understood and waived his Miranda rights.
- [*Matter of Keanu S.*](#): Justice LaSalle joined a majority opinion denying a troubled teenager access to an immigration program for abused, neglected, and abandoned immigrant children on grounds that the child was a juvenile delinquent.
- [*Matter of Adonnis M.*](#): Justice LaSalle joined a majority opinion approving a Family Court order that deprived a foster mother of custody over her children despite the mother being without counsel at a key hearing.
- [*Singh v. City of New York*](#): Justice LaSalle joined a majority opinion that threw out a taxi medallion owners' lawsuit that sought compensation for being impoverished by the City's actions that fraudulently inflated the value of their taxicab medallions (only for the medallion market to crash).
- [*People v. Corbin*](#): Justice LaSalle joined a majority opinion approving an appeal waiver that never specified what rights the defendant was waiving (even the conservatives on the Court of Appeals would reject this reasoning in [*People v. Thomas*](#)).
- [*White v. Cuomo*](#): Justice LaSalle was temporarily added to the Court of Appeals by then-Chief Judge DiFiore for this individual case, since the Court was deadlocked. LaSalle resolved the deadlock for DiFiore's side by joining the conservative majority in a 4-3 decision that approved the legalization of sports betting. Judges Troutman, Rivera, and Wilson dissented.
- [*Martucci v. Nerone*](#): Justice LaSalle joined a majority decision affirming the imprisonment of a father during the COVID-19 pandemic for not paying \$1,200 in child support, even though in a previous appeal the same court had cut the amount the father owed to \$500, and even though the father had health conditions that made COVID-19 deadly.

Jeffrey K. Oing

Summary

- **Justice Oing’s public law jurisprudence exhibits particular hostility to public safety and anti-corruption initiatives.** Among such decisions are [an opinion he wrote](#) blocking then-Public Advocate Letitia James’ judicial inquiry into education for disabled children, counterintuitively because wrongdoing had in fact been discovered; [an opinion he joined](#) holding that New York City lacked the authority to recover overpayments made to a profiteering health care company, which the Court of Appeals [summarily and unanimously reversed](#); [an opinion he wrote](#) that contradicted a U.S. Supreme Court decision from a few years earlier and that drew a two-justice dissent expressing bafflement at Justice Oing’s understanding of clear high court precedent; and [a decision he joined](#) holding that there was insufficient evidence that a bus driver who ran over an 88-year-old’s legs inflicted “serious physical injury” that caused his death, which the Court of Appeals [summarily and unanimously reversed](#).
- **Justice Oing’s record is hostile to the right to privacy, an attitude that threatens to imperil abortion rights in the years ahead.** Earlier this year, Justice Oing [joined a dissent](#) to argue that DNA searches of people merely related to people charged with crimes did not harm the searched family members because no harm came from an invasion of their privacy. The only harm he recognized was the possibility of criminal investigation, which he dismissed as “merely conjecture” about future harm. Such a conception of privacy rights, if adopted by the high court or promoted by the Chief Judge, could prevent New York State courts from protecting New Yorkers in the emerging, post-*Dobbs* abortion litigation that is most likely over the next decade.
- **Justice Oing has a record of harsh decisions against criminal defendants that undermine the rights of the accused.** He has written or joined decisions upholding convictions where [the prosecutor accessed the defendant’s mail](#) and where [the defense attorney was clearly ineffective](#), and he dissented from [a decision](#) to reduce a sentence on a teenage defendant with an IQ of 48, despite acknowledging the court’s power to do so in the interest of justice. He also joined [a decision](#) rejecting a malicious prosecution suit despite evidence that detectives lied on the stand.
- **Justice Oing has the least leadership experience of the seven candidates.** His record does not indicate he has ever managed an agency, department, large office, or any other entity. Other than a few years spent in private practice, a “brief stint” as an assistant counsel to the then-Governor of New Jersey during two years of privacy practice, and one year working for the New York City Council, and one year as a supervising judge for Manhattan’s local civil court, he has spent his entire career as a judicial clerk or a line judge.



Biography

- 2017-Present: Associate Justice of the Appellate Division, First Department
- 2010-2017: Justice of the Supreme Court, Commercial Division
- 2009-2010: Supervising Judge of New York County Civil Court
- 2003-2009: Judge of New York City Civil Court
- 2002-2003: Deputy General Counsel for the New York City Council
- 2000-2002: Law Secretary to Justice Walter Tolub of Supreme Court, New York County
- 1998-2000: Principal Appellate Court Attorney in the Appellate Division, First Department
- 1995-1998: Law Secretary to Justice Marylin Diamond of Supreme Court, New York County
- 1993-1995: Court Attorney in Supreme Court, New York County
- 1990-1993: Private practice, including a brief period as Assistant Counsel to New Jersey Governor Jim Florio
- 1989-1990: Law Clerk to Justice Robert Wilentz of the New Jersey Supreme Court
- Education: J.D., New York University School of Law, 1989; B.A., Columbia University, 1986

Notable Decisions

- [*Stevens v. New York State Div. of Criminal Justice Services*](#): Justice Oing dissented from a majority decision that struck down a familial DNA search protocol, in which the majority held that the protocol would create an unacceptable risk that family members would be wrongfully investigated “for no other reason than that they have close biological relatives” who had been convicted of crimes, stressing the central importance of protecting privacy. Oing joined the dissent, ignoring concerns about invasion of privacy and dismissing concerns about wrongful investigations as “merely conjecture.” (The privacy interests that Oing dismissed here are deeply important post-*Dobbs*, where women’s health information may be used against them if they come to New York for an abortion.)
- [*Schmitt v. Artforum Intl. Mag., Inc.*](#): Justice Oing joined a majority opinion that dismissed gross negligence claims against an employer who enabled an employee’s sexual harassment by promising to rein in the perpetrator but in fact doing nothing.
- [*Monaco v. New York Univ.*](#): Justice Oing wrote a majority opinion holding that a university could reduce salaries for tenured faculty at its discretion, with no hearing or due process, despite a faculty handbook that promised faculty “economic security” and due process for disciplinary action.
- [*Roberts v. City of New York*](#): Justice Oing joined a majority opinion that threw out a malicious prosecution suit, even though there was evidence that the detectives lied on the stand and even though the only evidence behind the prosecution was given by other defendants who were anxious to avoid charges of their own.

- [*James v. Farina*](#): Justice Oing wrote a majority opinion that rejected then-Public Advocate Letitia James's effort to conduct a judicial inquiry into New York City's failure to provide education to disabled children—essentially because, he argued, such an inquiry was unnecessary given that it had already been established that the City was failing disabled children.
- [*Seon v. New York State Dept. of Motor Vehicles*](#): Justice Oing joined a majority opinion that held there was no evidence that a bus driver who ran over an 88-year-old's legs, causing him to die shortly thereafter, inflicted "serious physical injury" on the victim. The Court of Appeals [unanimously reversed in a summary opinion](#).
- [*People v. Watt*](#): The majority decision reduced the sentence of a 19-year-old, with an IQ of 48, who was being sentenced for his first conviction, from 14 to 10 years in the interest of justice because his "life has been plagued by mental illness and intellectual disability." Justice Oing dissented, arguing that sentences cannot be reduced in the interest of justice without recorded evidence that mental health issues would cause undue suffering in prison specifically—citing only cases that supported the opposite position.
- [*People Care Inc. v. City of New York Human Resources Admin.*](#): Justice Oing joined a majority opinion that held that New York City lacked the authority to recover overpayments to a profiteering health care company. The Court of Appeals [unanimously reversed in a summary opinion that expressly adopted the dissent's reasoning](#).
- [*People v. Jenkins*](#): Justice Oing wrote a majority opinion that affirmed two lower-court conclusions: (a) that a prosecutor who wrongly read a defendant's mail should not be disqualified, and (b) that a court officer responding to a jury note asking how a knife worked, without giving notice to the court or the parties, and without giving the defense counsel an opportunity to respond, was not improper.
- [*Lynch v. New York City Civilian Complaint Review Bd.*](#): Justice Oing joined a majority opinion that invalidated NYPD Civilian Complaint Review Board efforts to investigate sexual misconduct by police officers.
- [*Michael S. v. Sultana R.*](#): Justice Oing joined a majority opinion that held that a man who was judged guilty of assaulting a child's mother and who had no relation to the child in question, could nonetheless establish paternity and take the child from her mother and actual father, because key parental figures had failed to show up to court.

Alicia Ouellette

Summary

- **Dean Ouellette would bring expertise on bioethics and disability law to the Court of Appeals, a background the high court lacks.** Cases involving disability rights are a small but important part of the Court of Appeals' caseload. Ouellette's research has given her important insights into the treatment that the most vulnerable persons in our society receive in our courts and healthcare system. She has written in favor of [making medical careers more accessible to disabled students](#) and conducted extensive research on the [ethics of disability in the medical system](#). Ouellette has [advocated for choice-in-dying laws](#), for which she has [acknowledged receiving criticism](#) from [some disability community leaders](#).
- **Dean Ouellette would bring administrative experience to the role, with eight years experience as head of an independent law school.** During her time as Dean and President of Albany Law School, Ouellette has overseen [major initiatives](#), such as the creation and approval of the school's new strategic plan, the completion of a \$33 million capital campaign, the launch and growth of the school's online graduate programs offerings, the school's response to the COVID-19 pandemic, and a formal academic partnership with the University of Albany.
- **Testimonials describe Dean Ouellette as being insufficiently sensitive to issues raised by faculty members and students of color.** Former faculty members and students of color have shared that Ouellette has reacted with hostility when they have raised issues of race-related inequity and exclusion. One such incident came in 2017, when [an attorney who has advocated for racially discriminatory voting restrictions](#) was invited to speak at the school. When the Latin American Law Students Association and the Muslim Law Student Association protested the event, Ouellette ["issued an implicit criticism of the protest."](#) The number of faculty of color at Albany Law School has reportedly decreased in recent years, under Ouellette's leadership.
- **Dean Ouellette's public service record is thin and, by various measures, less impressive than those of other candidates.** Despite a multi-decade legal career, Ouellette has few concrete public service accomplishments on behalf of New Yorkers. Unlike most of the other candidates, she has no significant government leadership experience. Her scholarly profile, while significant, has not brought her to national attention or established her as an intellectual leader. And, unlike several other candidates, she has not clearly demonstrated an ability to work in a charged political environment to accomplish shared goals, while bringing on board multiple stakeholders with competing views. In all, her record does not indicate she would bring to the Court of Appeals or the court system experiences or demonstrated abilities that other candidates would not.



Biography

- 2014-Present: President and Dean of Albany Law School (scheduled to leave position in March 2023)
- 2020: Appointed to the New York State Vaccine Distribution and Implementation Taskforce
- 2001-Present: Professor at Albany Law
- 1997-2001: Assistant Solicitor General at the New York Attorney General's Office
- 1996-1997: Associate at Whiteman, Osterman & Hanna
- 1994-1996: Law Clerk to Judge Howard Levine of the New York Court of Appeals
- Education: J.D., Albany Law, 1994; A.B., Hamilton College, 1988

Notable Publications

- [Bioethics and Disability: Toward a Disability-Conscious Bioethics](#) (2011): Details the tensions between bioethicists and disability rights scholars and advocates, and argues that “medicine in general, and bioethics in particular, would better serve people of all abilities if it were more mindful of disability issues.”
- [Barriers to Physician Aid in Dying for People with Disabilities](#), *Laws* (2017): Argues in favor of choice-in-dying legislation, with a particular focus on physician aid in dying for people with disabilities, detailing the arguments for and against before laying out the barriers to providing physician aid in dying.
- [Patients to Peers: Barriers and Opportunities for Doctors with Disabilities](#), *Nevada Law Review* (2013): Details the barriers that face disabled students applying for medical schools and argues that more disabled individuals should be in the medical profession.
- [Selection Against Disability: Abortion, ART, and Access](#): Examines the problem of disability-based pregnancy screening, arguing that abortion and familial liberty should not be restricted altogether, instead focusing on how initiatives that improve decision-making, expand education for parents and providers, and increase access to reproductive healthcare can mitigate potential harms and increase respect for disabled people.
- [Shaping Parental Authority Over Children's Bodies](#), *Indiana Law Journal* (2010): Explores parental decisions to subject their children to non-therapeutic medical and surgical procedures (e.g. eye surgery, human growth hormone, liposuction, and growth stunting), argues that permitting parents to do so violates the children's rights, and instead proposes that parents be treated as trustees for their children rather than having unrestrained control over them.
- [Insult to Injury: A Response to Professor Smolensky's Call for Parental Tort Liability for Preimplantation Genetic Intervention](#), *Hastings Law Journal* (2009): Argues against lawsuits seeking damages for children born with disabilities, arguing that doing so devalues life with disability.

- [Discriminatory Treatment on the Roadways: Pretextual Traffic Stops of Middle Easterners After People v. Robinson](#), Government Law and Policy Journal (2002): Critiques [People v. Robinson](#), in which the New York Court of Appeals approved of pretextual traffic stops, for potentially enabling harassment of people of Middle Eastern descent in the wake of the September 11 attacks.



Edwina G. Richardson-Mendelson

Summary

- **Judge Richardson-Mendelson has extraordinary depth of experience with the operations of, and challenges facing, New York’s court system and its most vulnerable users, from her more than 20 years as a judge and court administrator.** Richardson-Mendelson has served in numerous capacities within the New York court system, including as a judge in Family Court, Supreme Court, and the Court of Claims, and as a supervising or administrative judge in both Family Court and the Office of Court Administration. In her current role, she has been only [two steps down from the Chief Judge](#), carrying system-wide responsibilities and working closely with stakeholders throughout the legal system.
- **As Deputy Chief Administrative Judge for Justice Initiatives since 2017, Judge Richardson-Mendelson has taken tangible steps to ensure meaningful access to justice for all New Yorkers, working on the court system’s most complex and difficult challenges.** For the last five years, Richardson-Mendelson has been the executive within the Office of Court Administration primarily responsible for overseeing and implementing problem-solving courts and other initiatives aimed at increasing equity within the court system. She [oversaw the implementation of the Raise the Age legislation](#), a huge task because of the significant changes to court practice it required (shifting many cases from one court to another, among many other challenges), while balancing input from the governor, both legislative bodies, New York City, and others, and receiving broad approval from stakeholders. She has similarly [taken charge of the Equal Justice in Courts Initiative](#), implementing recommendations from the judiciary’s landmark inquiry into racial and gender bias in the courts. Other initiatives she has promoted include new and expanded problem-solving courts, including [Opioid Courts](#) and [Veterans Treatment Courts](#).
- **Judge Richardson-Mendelson has earned widespread praise for being an accessible, thoughtful, consensus-building leader while successfully managing important reforms, seeking information from all impacted parties, and using her position to improve the legal system.** Other judges have described her as [“extremely supportive”](#) of work supporting marginalized groups and [“wonderful”](#) and [“very energetic.”](#) Peers have described her counsel as [“great”](#) and [“generous.”](#) and advocates who have served with her on task forces have said she “consistently impressed” them.
- **Judge Richardson-Mendelson’s jurisprudence indicates commitment to both the vulnerable persons who depend on just outcomes from the courts and also faithful application of the law.** Although Judge Richardson-Mendelson has had only limited occasion to write opinions following her promotion to Deputy Chief Administrative Judge, her Family Court opinions indicate thoughtful determination to apply the law as written while striving for justice. In [one notable case](#), Judge Richardson-Mendelson



refused to grant an extended order of protection greater than one year, even though such an order had been permitted by the Second Department, because the statutory text flatly disallowed it—demonstrating appropriate judicial deference to the text of the law the legislature passed.

Biography

- 2017-Present: Deputy Chief Administrative Judge for Justice Initiatives.
- 2017-Present: Acting Justice of the Supreme Court, Criminal Term, New York County
- 2017-Present: Judge of the Court of Claims
- 2015-2017: Acting Justice of the Supreme Court, New York County
- 2014-2017: Judge of the New York City Family Court
- 2009-2015: Administrative Judge of the New York City Family Court
- 2008-2009: Supervising Judge of the Queens Family Court
- 2003-2008: Judge of the New York City Family Court
- 2001-2003: Court Attorney-Referee for Queens County Family Court
- 1991-2001: Attorney in the Civil Division, Legal Aid Society in the Bronx (housing court and benefits entitlement matters)
- 1990-1991: First Staff Attorney at Sanctuary for Families Center for Battered Women’s Legal Services
- Education: Ph.D., Criminal Justice, City University of New York Graduate Center, 2002; J.D., City University of New York School of Law, 1988; B.A., City College of New York, 1986

Notable Achievements and Opinions

- Led implementation of the Raise the Age legislation within the court system, including creating programs designed to divert [young people from taking actions that would put themselves before courts in the first place](#).
- Led implementation of [the court system’s response](#) to [Secretary Jeh Johnson’s report on racism](#) in New York’s courts.
- [Helped create remote court access centers](#) in sites like churches to help people appear in court, file court papers, and contact legal services virtually.
- Established the [Second Judicial District Equal Justice Committee](#), a group of judges and court employees working to ensure fair treatment for all coming into Brooklyn courts.
- Helped create a [“court access community center” pilot program](#) beginning in the Brownsville Community Justice Center in Brooklyn.
- Chaired the [Plain Language Committee](#), responsible for developing pilot projects for implementing plain language forms and related documents, as well as for providing guidance on best practices and training sessions on plain language skills for court administrators and other non-judicial personnel involved in drafting court documents.



- Co-oversees the court system's [Judiciary's Civil Legal Services Initiative](#).
- Helped create the [Limited Scope Representation](#) initiative, allowing civil litigants to hire attorneys to take only portions of civil cases.

Although Judge Richardson-Mendelson hears some cases in her current roles, her principal published opinions stem from her time on the Family Court:

- [In re Gabriel A.](#) (2014): Judge Richardson-Mendelson refused to make an order of protection longer than one year, despite Second Department precedent approving such an order, because the statutory language flatly prohibited it.
- [Shareef v. Hassen](#) (2010): Judge Richardson-Mendelson rejected an effort to sequester a six-year-old witness for testimony, on Sixth Amendment confrontation clause grounds.
- [Matter of Admin. for Children's Services v Silvia S.](#) (2007): Judge Richardson-Mendelson rejected an Administration for Children's Services application to receive a mother's psychiatric records, noting that the text of the relevant statute forbid such an application without more articulated allegations against the mother.
- [Matter of Adoption of A.](#) (2010): Judge Richardson-Mendelson approved an adoption jointly by an unusual family grouping of a cohabitating grandmother and aunt.
- [Matter of Nathalia P.](#) (2005): Judge Richardson-Mendelson disqualified Administration for Children's Services's attorneys from representing the government when it was revealed that an ACS child protective manager had a conflict of interest due to work as a private therapist on the side.



Corey L. Stoughton

Summary

- **Stoughton has dedicated her entire career to civil rights, leading advocacy for disenfranchised and marginalized communities from both within and outside government.** She has done this work at the New York Civil Liberties Union, at the U.S. Department of Justice's Civil Rights Division, and most recently as the Attorney-in-Charge of the Legal Aid Society's Law Reform Unit. She has even undertaken this work internationally, leading the United Kingdom's preeminent domestic human rights organization. While at the Department of Justice, she worked closely with Vanita Gupta, then the Assistant Attorney General for Civil Rights and now the Associate Attorney General of the United States, on a wide range of issues beyond the criminal justice system, including voting rights and discrimination in education, housing, lending, and employment.
- **Stoughton would bring a deep understanding of civil rights law from her years advocating for government accountability at the Department of Justice and NYCLU. She would also provide a defender perspective from her years advocating for criminal justice reform at the country's largest public defender office.** With former prosecutors making up half the Court of Appeals, the stature of the Court and quality of its opinions are widely [acknowledged to have significantly diminished](#). Stoughton would help correct this decline, with numerous valuable experiences shaping her insight into the law. She led the Department of Justice Civil Rights Division's efforts to improve its approach to police reform and managed its litigation against anti-trans discrimination. She has been the lead counsel on key cases seeking to hold state and local governments accountable, including a case [challenging the NYPD's pattern and practice of inappropriate use of force against protesters](#) and a case that [dramatically improved defender caseloads and compensation](#).
- **Stoughton's lifelong work in the criminal justice system in New York, nationally and abroad, has made her a widely respected leader and ideally situated to partner with the Governor and the Legislature to reform the state's criminal courts.** Governor Hochul has [pointed to dysfunction in criminal trials as an urgent issue](#) for the next Chief Judge to address. Stoughton has extensive hands-on experience doing this work in a just and fair way, giving her credibility throughout the field. In addition to her work as a successful advocate and impact litigator, Stoughton took charge of the U.S. Department of Justice's police reform efforts and has written and spoken extensively on criminal justice reform and civil liberties in the U.S. and in the U.K.
- **Stoughton has valuable management experience in government and at multiple organizations.** At the Legal Aid Society at the local level, the Department of Justice Civil Rights Division at the national level, and while leading Liberty in the U.K., she has



overseen large teams working across litigation, policy, campaigning, and strategic communications to advance human rights and civil liberties.

Biography

- 2020-Present: Attorney-in-Charge, Special Litigation and Law Reform at the The Legal Aid Society
- 2017-2019: Acting Director and Advocacy Director at Liberty (National Council for Civil Liberties, United Kingdom)
- 2015-2017: Senior Counsel to the Assistant Attorney General for Civil Rights at the United States Department of Justice, Civil Rights Division
- 2007-2016: Adjunct Clinical Professor of Law at New York University School of Law
- 2008-2009: Research Fellow in the Fulbright Programs (Turkey)
- 2005-2015: Senior Supervising Attorney at the New York Civil Liberties Union
- 2004-2005: Karpatkin Fellow in the National Legal Department at the American Civil Liberties Union
- 2003-2004: Civil Rights Fellow at Relman & Associates (now Relman & Colfax PLLC)
- 2002-2003: Law Clerk to Judge Cornelia G. Kennedy of the Sixth Circuit, U.S. Court of Appeals
- Education: J.D., Harvard Law School, 2002; B.A. University of Michigan, 1998

Notable Litigation and Other Work

- Supervises all Legal Aid [impact litigation](#) and has led [Legal Aid's response](#) to the crisis on Rikers Island.
- [Re-evaluated and improved](#) the U.S. Department of Justice's model for police reform.
- As a longtime civil rights litigator, Stoughton's principal achievements are in litigation. She has served as lead or co-lead counsel in the following cases:
 - [Payne v. City of New York](#), consolidated as [In re New York City Policing During Summer 2020 Demonstrations](#): Challenge to the NYPD's pattern and practice of inappropriate use of force against protesters.
 - [United States v. North Carolina](#): Challenge to North Carolina's anti-trans bathroom access law.
 - [Davis v. City of New York](#): Challenge to the NYPD's stop-and-frisk practices in public housing that led to a groundbreaking settlement.
 - [Hurrell-Harring v. State of New York](#): Set funding and caseload standards for public defender organizations in New York State.
 - [Centro de la Comunidad Hispana de Locust Valley v. Town of Oyster Bay](#): First Amendment and Equal Protection challenge to an anti-immigrant ordinance that prohibited day laborers from soliciting work on public streets and sidewalks.

- [*Epps v. City of Syracuse*](#): Successful Fourth Amendment challenge to the use of a taser on an eighth-grade student by a school safety officer.
- [*J.L. v. Mohawk Central School Dist.*](#): Successful Title IX and Equal Protection challenge to a school district's failure to protect a middle school student from bullying based on gender non-conformity and sexual orientation.
- [*Butler v. DeMarco*](#): Class action lawsuit challenging inhumane conditions of confinement at the Suffolk County jail.
- [*Haqq v. NYS Dep't of Corrections*](#): Title VII challenge to employer's refusal to allow a Muslim corrections officer to wear a kufi at work.
- [*Tabbaa v. Chertoff*](#): First and Fourth Amendment challenge to the government's border detention of Muslims who attended a religious conference in Canada.
- [*MacWade v. Kelly*](#): Fourth Amendment challenge to the NYPD's suspicionless subway bag search program.