

**LIBERTY CITY LESBIAN, GAY, BISEXUAL AND TRANSGENDER DEMOCRATIC CLUB
2009 JUDICIAL PRIMARY ELECTION QUESTIONNAIRE**

Name: Daniel J. Anders
Office Sought: Judge, Philadelphia Court of Common Pleas
Date: March 25, 2009

- 1) What is your experience with the LGBT community both generally and/or professionally?

I have been an active volunteer and member of Liberty City for the last 10 years. Prior to becoming a judge, I served on the boards of OutFront, the Center for Lesbian and Gay Civil Rights (now Equality Advocates), and the AIDS Law Project of Pennsylvania. I also previously served as Chair of the Mayor's LGBT Advisory Taskforce.

I received several awards for my community working including the Michael Greenberg Award from Gay and Lesbian Lawyers of Philadelphia (GALLOP), the pro bono attorney of the year award from the Center for Lesbian & Gay Civil Rights, and the "Best Upcoming Leader" Award from *Visions Today* magazine. In 2005, I was runner-up for "Person of the Year" by *Philadelphia Gay News*, and, in 2006, I was named the Grand Marshall for the Philadelphia Gay Pride Parade.

- 2) How have you advanced, through professional and personal achievements, the rights of the LGBT community, racial and ethnic minorities, and persons with disabilities?

Throughout my professional career and in my personal life, I have sought to advance the rights of the LGBT community and other persons who have been subject to discrimination.

Much of my pro bono work focused on LGBT issues. For example, I represented Equality Forum and Philly Pride Presents in protecting their rights under the First Amendment to hold LGBT community events without the disruption of anti-LGBT organizations. I also successfully represented the City of Allentown in litigation regarding the validity of Allentown's antidiscrimination ordinance that added sexual orientation and gender identity as prohibited bases of discrimination.

As for non-LGBT matters, I represented the Pennsylvania Statewide Latino Coalition when it brought suit against the Bethlehem Area School District to require the school district to create a voting district that would be comprised of a majority of Latino voters. Another matter was successfully settling a referral of a prisoner civil rights case, which involved an inmate's right to exercise his first amendment right to practice his religion.

- 3) Do you support the rights of LGBT people to the following:
- Marriage? **Yes.**
 - Civil Unions? **Yes.**
 - Domestic Partnership? **Yes.**
 - Second-parent adoption? **Yes.**
 - Protection from workplace discrimination? **Yes.**
 - Protection from housing discrimination? **Yes.**
 - Protection from acts of violence based on their sexual orientation or gender identity? **Yes.**

These are matters of fairness and equality. There is no reason that LGBT people and their families should be treated any differently than any other group of people.

- 4) Do you consider transgender rights a civil rights issue? Explain your answer.

Yes, transgender rights are a civil rights issue. I am keenly aware that transgender individuals had the courage to start the modern LGBT civil rights movement with the Stonewall riots. I recognize the importance of prohibiting discrimination based on gender identity or expression.

- 4) How should a judge support public accommodations for transgender individuals appearing before them or otherwise within the criminal justice system?

Judges must have great sensitivity to treat all who appear before the court with respect and the same as anyone else. I'm not aware of any specific public accommodations for transgender individuals in the Court system but would be happy to consider them. As for transgender individuals in the prison population, I support prison regulations that ensure that transgender individuals are physically protected and receive the appropriate medical and other therapeutic services.

- 5) LGBT youth sometimes act out because of harassment at school or in the home due to their gender/sex identity. When ADAs prosecute cases against these members of our community, what will you do to prepare your staff to be sensitive to their issues? Additionally, LGBT youth who spend time in juvenile detention facilities face many dangers. What alternative sentences might you seek in their cases?

My staff is educated in matters pertaining to sexual orientation and gender identity/expression. My staff treats everyone who appears in my courtroom with respect. Also, I have worked with groups within the LGBT community, including the Attic Youth Center, to ensure that LGBT youth who appear in my courtroom receive the necessary support services and do not have to face any dangers because of their sexual orientation or gender identity/expression.

- 6) What has been the general nature of your practice and particular areas of concentration?

Please describe any changes throughout the years?

Prior to being appointed as a Judge by Governor Rendell in 2007, I practiced in the area of commercial litigation. I also maintained an active *pro bono* practice focusing on civil rights cases.

7) Describe a few of the most significant cases you have litigated. Please give a summary of the substance of the cases, the citations if available, and why you believe they were significant.

Hartman v. City of Allentown, 880 A.2d 737 (Pa. Commw. Ct. 2005)

In 2004, I was lead counsel for the City of Allentown in litigation over an anti-discrimination ordinance the City enacted in 2002. The ordinance added sexual orientation and gender identity to an existing ordinance as additional prohibited bases for discrimination in employment, housing and public accommodations. I successfully defended the ordinance in both the trial court and the appellate court. This case is significant because it protects similar local ordinances enacted by sixteen local governments across the state.

Daniel Warren v. Lehigh County, et al., No. 99-cv-2732 (E.D. Pa.)

In 2005, I served as lead counsel for a plaintiff who sued the County of Lehigh and Hogar Crea International, a faith-based drug treatment facility, under Section 1983 of the Civil Rights Act, as well as state law. The Plaintiff was incarcerated at Hogar Crea and claimed he was subjected to unconstitutional religious discrimination, cruel and unusual punishment and retaliation for his complaints against the defendants. A confidential settlement was reached between the Plaintiff and the defendants. This case is significant because it underscores the importance of civil rights and fair treatment for all individuals.

Olga Negron, et. al. v. Bethlehem Area School District, et. al., Civ. A. No. 06-cv-0666

I represented the Pennsylvania Statewide Latino Coalition in a Voting Rights Act claim against the Bethlehem Area School District and the Directors of the Bethlehem Area School Board. Section 2 of the Voting Rights Act of 1965 prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in certain language minority groups.

My clients alleged that the at-large system of electing school board directors impermissibly dilutes the voting strength of Latinos, preventing them from voting a candidate of their choice into office. This case is significant because it addresses the rights of minority voters who feel they have been disenfranchised by the voting process.

8) State briefly why you are seeking the Democratic nomination to be a judge in Philadelphia,

and what qualities you believe you possess that would serve you especially well if you were elected to the Court.

It has been an honor to serve as a Judge on the Court of Common Pleas since July 2007 and to have made a positive difference both for the LGBT community as well as the wider legal community. My prior experience both as a community advocate and as a lawyer dedicated to preserving civil rights enables me to be a fair and independent trial judge.

9) What are the most pressing needs of reform in our judicial system in your opinion?

The judicial system must remain a place where everyone can receive a full and fair opportunity to be heard. As a judge, I strive to meet that ideal in every hearing. In addition to ensuring a fair and neutral environment, I believe it is important for judges to be educated as to how their decisions impact the daily lives of the people who appear before them. One way that I try to educate myself is by participating as a nuisance court judge at least once a month in police districts across Philadelphia. By sitting in the police district, I am more aware of the unique needs of our various communities and what resources are available in each community. I am encouraging my colleagues to participate in this worthy program.

10) For what organizations have you done pro-bono work?

**Lambda Legal Defense & Education Fund
ActionAIDS
Elton John AIDS Foundation
Equality Forum
Philly Pride Presents
OutFront
AIDS Law Project
The Falcons' Soccer Club
Center for Lesbian & Gay Civil Rights
Pennsylvania Statewide Latino Coalition
The Fins Swimming Team**

11) Do you support a woman's right to choose?

Yes, I am firmly committed to a woman's right to choose.

12) Have you ever been sanctioned for any alleged breach of ethics or professional conduct by any court, administrative agency, bar association, disciplinary committee, judicial conduct committee, or other professional group? If so, please explain the nature of the sanction.

No.

13) Have you been recommended by the Philadelphia Bar Association?

Yes.