

**LIBERTY CITY LESBIAN, GAY, BISEXUAL AND TRANSGENDER DEMOCRATIC CLUB**

***2009 JUDICIAL PRIMARY ELECTION QUESTIONNAIRE***

Name Dawn A. Segal Office Sought Judge of Common Pleas/Municipal Court  
Date 3/13/09

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

I have been involved in the community since moving to Philadelphia for law school in 1981. I worked with Sisterspace in the 1980s, volunteered for the Lesbian Hotline of Philadelphia and other social and political gay groups in the early 1980s. In addition, my social community consists mainly of gay, lesbian and transgendered people (I don't know many bisexuals). On an individual basis, I have prepared wills, powers of attorneys and provided rudimentary estate and real estate advice free of charge to gay friends and their acquaintances so that they could be protected within the legal and medical contexts as much as possible, given Pennsylvania Law.

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

I have done so in several ways. First, by living as a lesbian, having children and having my partner adopt our children, I have assisted in making law in Philadelphia by establishing the precedent of same sex adoptions. I have also educated my gay friends about the various counties and states either favorable and/or unfavorable for same sex adoptions and my straight friends about the difficulty we, as a community face, in either the domestic or legal setting, ie hospital visitation, inheritance rights or real estate ownership.

- 3) Do you support the rights of LGBT people to the following:

Very much so. I understand very well what it feels like to be viewed as someone with less rights than heterosexuals, having spent my early years in the closet for fear of losing my job or relationships with bosses, colleagues, family or even some friends. I see LGBT rights as the next frontier in the civil rights movement.

- a. Marriage?
- b. Civil Unions?
- c. Domestic Partnership?
- d. Second-parent adoption?
- e. Protection from workplace discrimination?
- f. Protection from housing discrimination?
- g. Protection from acts of violence based on their sexual orientation or gender identity?

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

Absolutely. A very good friend of my partner is transgender and I have witnessed his struggles regarding societal acceptance. I strongly believe that the rights of the transgender are directly related to and connected to the civil rights of lesbian, gay and bisexual people. Clearly, the people who try to deny gays civil rights will act similarly with transgender people, using the same arguments. We are all linked and should be afforded the same civil rights as straight people.

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

A judge would be influential in assigning pre or post trial housing to a transgendered person based upon the judge's determination of the person's gender. To the extent that it was safe for the person, I would assign him/her to a location consistent with their self identification, unless such assignment would physically jeopardize them. If it did, I would explore other options which would respect the person's identity while keeping him/her safe. From a civil perspective, I would refer to the person by his/her chosen gender and explore with the jury that it had no bias against transgendered people so as to affect its ability to render a fair verdict.

- 6) 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?

This question actually dovetails with my prior answer. I would have a member from William Way or someone from the transgender community educate my staff about transgendered individuals, why someone changes sex and the issues he/she faces in so doing so that my staff would sensitivity to the issues facing transgendered individuals. I would certainly meet with the ADAs to ensure that they have the larger context for the actions of the youth and investigate if an alternative resolution outside of incarceration existed. I do not know of the specific alternative resolutions, but would explore and utilize them since I would be very concerned about the safety of a transgendered youth in a juvenile detention center.

- 6) What has been the general nature of your practice and particular areas of concentration? Please describe any changes throughout the years?

Overall, I have been a litigator, spending over 20 of my 25 years as a lawyer in a courtroom trying cases. I began my career working for the Pennsylvania Human Relations Commission investigating allegations of discrimination in housing and employment contexts for two years while in law school. I then did Plaintiff's work, left after several years and worked for the City Solicitor's Office trying cases for 3 years, worked for another law firm handling domestic, commercial and civil litigation for another 3 years. In 1990, I went to work for Prudential Insurance Company since they offered domestic partner benefits and I knew I wanted to start a family. I remained there, defending individuals sued due to acts of negligence and tried cases for 13 years, until the company was sold and I was laid off. I then worked for the United States Postal Service for several years until my sister became very ill and needed serious care for her and her children. Since my sister's death, I have worked with my partner, Nancy Wasser, doing Plaintiff's personal injury and commercial litigation.

- 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.

One of the cases that I am proudest of has no citation, nor sexy appeal. It involved my clients, the parents of a six year old autistic son, who hired a trained caregiver to socialize their son, redirect his frustration at not being able to communicate effectively and introduce daily skills of living. The family was working class, but was able to hire the caregiver due to state and city grants. One day, the six year old hit the caregiver on the head with a toy, causing her to claim brain damage, cognitive impairment and physical complaints. She sued my clients for her injuries and although it was highly unusual, I was able to get the case dismissed at a very early stage, on motion, sparing my clients some of the aggravation that litigation brings. The suit itself was so misguided that I felt proud that I could stop it.

Another memorable case involved a sidewalk slip and fall of a concentration camp survivor on the brick sidewalks outside of what was then Wanamakers. (*Komlos v. Wanamakers*).

Although the facts were simple, an older woman slipping on loose bricks, the fact that this woman had survived Aushwitz concentration camp based upon her love of ballet, only to lose the ability to teach it after this fall, made the case a very hard case to defend on behalf of the City of Philadelphia. Luckily, after a week long trial, the jury awarded the woman far less than her demand, which was quite high.

Finally, I recently represented a client who had run a very successful spa for over 10 years with the same landlord when out of the blue, the landlord rented the space above the spa to a children's hair salon complete with videos, live music and motorcycles. Not surprisingly, my client's business plummeted due to the screaming children prompting us to sue for violation of the lease. We won but the case is now on appeal.

I have many other trial stories which I am happy to share in person.

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.

I am seeking the Democratic nomination since I have spent over 20 years in a courtroom, know how a courtroom should be run to achieve the fairest result in the most efficient fashion while respecting all those who come before the court. I will prepare, expect anyone who appears before me to do so as well, be respectful, have integrity and expect to be held accountable for my decisions while treating others as I expect to be treated, as I did when I was an acting judge. Finally, aside from my experience, I will offer compassion and thoughtfulness to each case in my courtroom. Independence and a willingness to do what one believes is the right thing within the law, is of utmost importance to me. I offer all of these traits.

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

To actually achieve the rehabilitation of individuals convicted of or adjudicated guilty through alternative sentences or earlier intervention, diminishing the sentencing of individuals to prison and lessening the overcrowding of the prisons and improving the overall perception of our judicial system as a just system for all, not just a certain favored few.

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

I volunteered for Women Against Abuse after I graduated from law school in 1984-1985 and then became involved with Women Organized Against Rape. I served as their Personnel Director (on the Board as a volunteer) and then became Board President for 5 years. After having children, I volunteered in various capacities at my synagogue, Mishkan Shalom, and over the past year, worked for Obama's campaign.

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

Yes, unquestionably.

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.

Dawn A. Segal, Esquire  
dawn.segal@comcast.net

Please return by Friday April 3rd via e-mail to [matt@libertycity.org](mailto:matt@libertycity.org)

Or via mail to:

Liberty City Lesbian and Gay Democratic Club

C/o Matthew Woodcock

2302 Fitzwater Street, #1

Philadelphia, PA 19146