

RESOLUTION

Rescinding the October 9, 2021, Resolution “Barring Future NAWJ Conferences in Jurisdictions Where LGBTQ+ Protections are Repealed or Where Discriminatory LGBTQ+ Laws are Enacted,” and Refining the Selection Process of Annual Meeting Locations to Ensure the Safety and Dignity of LGBTQ+ and Underrepresented Attendees at NAWJ Annual Meetings.

WHEREAS, it is the mission of the National Association of Women Judges “to promote the judicial role of protecting the rights of individuals under the rule of law through strong, committed, diverse judicial leadership; fairness and equality in the courts; and equal access to justice”;

WHEREAS, since its formation in 1979, the National Association of Women Judges has been a leader in the effort to achieve fairness and equality for vulnerable populations in accordance with its stated mission;

WHEREAS, NAWJ recognizes that multiple jurisdictions have enacted laws that void or repeal state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression, or have enacted laws that authorize, mandate, or condone discrimination on the basis of sexual orientation, gender identity, or gender expression, including laws that create exemptions from anti-discrimination laws in order to permit discrimination on the basis of sexual orientation, gender identity, or gender expression;

WHEREAS, on October 9, 2021, NAWJ adopted a Resolution that prohibited sponsorship of NAWJ mid-year or annual meetings or conferences in states that have voided or repealed state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression;

WHEREAS, the October 9, 2021, Resolution did not specifically direct that the site selection process include consideration of city, county or other local protective statutes, ordinances and other measures that would ensure the safety and dignity of meeting attendees;

WHEREAS, the NAWJ's Annual Meeting attendees include individuals whose safety is also at risk with respect to their gender, race, religion, ethnic origin, and other protected status, which safety considerations were not included in the October 9, 2021, Resolution;

WHEREAS, the safety and dignity of all NAWJ meeting attendees is a paramount concern to the NAWJ;

WHEREAS, the October 9, 2021, Resolution addressed mid-year site selection, which is not a function of the site-selection committee, but rather a function of the discretion of the President of the NAWJ;

WHEREAS, although mid-year site selection is at the discretion of the President of the NAWJ, it is important that mid-year meetings be held in locations that permit the attendance and/or full participation of all NAWJ members, including LGBTQ+ members, and ensure the safety and dignity of such members;

WHEREAS, the NAWJ recognizes that the LGBTQ+ Community is presently without legal remedy to enforce its safety and dignity in many locations throughout the United States and around the globe;

THEREFORE, be it Resolved that the National Association of Women Judges:

1. Reaffirms its commitment to holding its meetings in locations that are committed to ensuring the safety and security and respecting the dignity of all of its members, and in particular its LGBTQ+ members, and meeting attendees;
2. Reaffirms NAWJ's commitment to advancing equality and opposing discrimination in all its forms;
3. Rescinds the October 9, 2021, Resolution "Barring Future NAWJ Conferences in Jurisdictions Where LGBTQ+ Protections are Repealed or Where Discriminatory LGBTQ+ Laws are Enacted" and replaces it with this Resolution in an effort to strengthen and expand the safety,

security and respect for the dignity of all NAWJ members and meeting attendees, including LGBTQ+ members and attendees;

4. Directs that the NAWJ Site Selection Committee consider, in every instance, the freedom from harassment and discrimination that its members, and especially its LGBTQ+ members, may be subjected to in deciding a site for any NAWJ annual meeting;
5. Directs that NAWJ not sponsor or hold any annual meetings or conferences in states that have enacted laws that void or repeal state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression, or that have enacted laws that authorize or mandate such discrimination, including laws that create exemptions from anti-discrimination laws in order to permit discrimination on the basis of sexual orientation, gender identity, or gender expression; except that,
 - a. NAWJ may sponsor or hold an annual meeting or conference in a city within an otherwise prohibited state if that city is subject to a legally enforceable city, county or other local statute or ordinance that prohibits discrimination against and ensures the protection of LGBTQ+ and other diverse communities.
 - b. The determination of eligibility for the site to hold an NAWJ annual meeting or conference will be based upon the status of legislation and protections in place at the time of the site selection, and legislative or other changes modifying the status of a site selection location will be considered, but will not prevent, NAWJ from holding a meeting at a site which met the obligations in this Resolution at the time of the site selection.



Hon. Toni Clarke, (Ret.)
President, NAWJ October 7, 2023