



June 7, 2007

Senator Patrick Leahy, Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Hon. Arlen Specter, Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Senator Leahy and Senator Specter:

Dear Senator Leahy and Senator Specter:

On behalf of more than 200,000 members and supporters of **Parents, Families and Friends of Lesbians and Gays (PFLAG)**, I am writing to urge the Judiciary Committee to reject the nomination of Judge Leslie H. Southwick to the 5th Circuit Court of Appeals. There is absolutely nothing in Judge Southwick's troubling record, written responses, or testimony to the committee to indicate that he can fairly judge cases involving gay, lesbian, bisexual or transgender families or any other minority parties.

As a member of the Mississippi Court of Appeal, Judge Southwick joined a majority opinion which took custody of an eight-year-old child away from her mother, citing in part the mother's "lesbian home" and "homosexual lifestyle" as justification for the decision. Additionally, Judge Southwick was the only other judge to join a concurring opinion by Judge Payne that unnecessarily referenced the state's probation on gay and lesbian adoption, despite the fact that this was not an adoption case, using the phrase "the practice of homosexuality" throughout. Most disturbingly, the concurrence states that even if the mother's sexual acts are her choice she must accept the fact that losing her child is a possible consequence of that choice.<sup>1</sup>

We hope that you will agree that all American families, including those living in Mississippi, Louisiana and Texas, deserve a federal court system free from bias, regardless of their sexual orientation or gender identity. We are in no way confident that Judge Leslie H. Southwick can provide that basic right. Because of this, we strongly urge you to oppose the nomination of Leslie H. Southwick to a lifetime seat on the 5th Circuit Court of Appeals.

For more information please contact our Assistant Director of Programs, Elizabeth Hampton Brown, at (202) 467-8180 ext. 211 or e-mail [ebrown@pflag.org](mailto:ebrown@pflag.org).

Sincerely,

Jody M. Huckaby  
Executive Director  
Parents, Families and Friends of Lesbians and Gays (PFLAG)

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<sup>1</sup>The American Psychological Association has determined that sexual orientation is not a choice. For a list of psychological and child welfare groups that have concluded that GLBT parents make equally successful parents to their heterosexual counterparts please see <http://www.apa.org/pi/parent.html>.