

From: [Brian Diamond](#)
To: [RulesCommittee](#)
Subject: Comment on Model Rules
Date: Friday, January 28, 2022 11:37:09 AM

To Whom It May Concern:

I wish to comment on proposed rule 3.6 which restricts the right of judges to participate in organizations which discriminate on the basis of “gender identity”. Although that term is not defined, it is certainly a politically loaded term in our current cultural environment. I believe that it should be removed. I believe that it infringes the right to free association guaranteed by our Constitution. There was a recent federal judge nominee who was chastised by a member of the Senate for being a member of the Knights of Columbus, specifically because that group supported the tenets of the Catholic Church. This proposed model rule will have a chilling effect on the free exercise of religious beliefs by those who do not agree that one is free to change their gender. Are we to accept that Christians and others who do not agree with this concept are now deemed unfit to be judges? I further believe that this rule is a solution in search of a problem. In all of my years in practice and on the bench, I have never heard of an Illinois judge being a member of an organization that brought true disrepute to the judiciary.

Judges are smart enough to refrain from joining organizations that would bring disrepute to the judiciary. That’s why you never hear of such. This proposed rule, I submit, is susceptible to be used as a weapon to keep anyone who doesn’t agree with the current concept of “gender identity” from qualifying for the judiciary. I believe that it is dangerous for that reason. It is also unnecessary, because there is no history of Illinois judges joining organizations that bring true disrepute on the judiciary.

Thank you for your consideration.

-Brian Diamond

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