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D'Arcy Kemnitz, Executive Director, and
Award Nominations Committee
National LGBT Bar Association
1301 K Street, NW, Suite 1100 East Tower
Washington, DC 20005

**Re: Support of the Nomination of Craig Konnoth
For "Best LGBT Lawyers Under 40" Award**

Dear D'Arcy and Committee Members:

I write in support of the nomination of Craig Konnoth for the "Best LGBT Lawyers Under 40" award. I came to know Craig well during the summer of 2011 when he was a Law Fellow and I was Legal Director at the Williams Institute at UCLA School of Law. He brought to his work at the Williams Institute broad knowledge of the LGBT movement and LGBT and HIV law from years participating in a range of ways. While at the Williams Institute, he continued his active participation in the LGBT-focused activities of the American Constitution Society. His avid attention and frequent participation continue in his current role as a government lawyer. While I am familiar with the breadth and vigor of his interest in LGBT legal issues, especially scholarship and appellate litigation, it was through working very closely with Craig on two significant projects at the Williams Institute that I came to know personally his gifts as a lawyer and thinker, and his passion to contribute to the movement.

The first of these projects was an analysis requested by SAGE to assist their advocacy for LGBT elders who face impoverishment when one member of a same-sex couple needs long-term care through the Medicaid program, and the other is at risk of losing the couple's home because they are ineligible for the protections the program affords different-sex married couples. The Obama Administration had opened the door for this advocacy via a re-interpretation of federal law and an invitation for reform at the state level. This was a worthy project, but not an easy one for community advocates without expertise in this field as the law is a famously arcane mix of federal and state rules.

We undertook to provide an accessible overview of how the Medicaid program works, to present analyses of the law of multiple states to illustrate how advocates

in those and other states might proceed, and to offer models states could use to determine eligibility for protection in the absence of state law recognizing same-sex relationships. The project quickly came to include an assessment of the extent to which state restrictions on marriage and other recognition for same-sex couples do, or don't, constitute barriers to the proposed forms of impoverishment protection.

My appreciation for Craig's talent and dedication is shaped by the logistical challenges of our project. He was in Los Angeles, juggling multiple other projects and writing a scholarly article for the Yale Law Journal. I was in Barcelona teaching an intensive LGBT family law course. Without any significant background in the field, Craig tackled this project like a dervish with minimal initial guidance from me. Within days he had produced a comprehensive, creative treatment of the relevant Medicaid law and multiple feasible approaches to the same-sex-couple impoverishment problem for our three exemplar states. As we consulted via Skype and email at all hours, we then developed eligibility models for use in any state, addressing the barriers posed in many states by constitutional and other bans on legal recognition for same-sex couples and their families. Craig was tireless and determined to produce the most accurate, useful analyses not just for the project at hand but also for related problems that came to light as he studied the regulations and administrative guidance that constituted impenetrable thickets for many who venture there. Following the roadmaps Craig helped to develop, policy leaders in New York and Missouri took up the call in subsequent months. And advocates in multiple additional states are using these analyses now while developing strategies for enhanced family relationship protection. There continues to be considerable impact from Craig's work.

My other intensive work with Craig was on an amicus brief to the Supreme Court in *Adar v. Smith*, which concerned whether Louisiana had to give full faith and credit to an adoption judgment issued by New York for purposes of a new birth certificate for a child born in Louisiana who then was adopted by a gay male couple in New York. Although most people would have not have considered taking on this project given the limited time left when I returned from Spain, Craig bubbled over with his unique enthusiasm and desire to give it a try because we felt we had something useful to offer the Court about the population that would be affected. Craig began with legal research to ascertain which states permit same-sex couples to adopt and issue judgments like the one made irrelevant by the Fifth Circuit's decision. We then had to determine how many families might be affected in their states of residence and how many could be expected to travel into states with hostile laws like Louisiana's. This meant studying Census data, information about tourism, and a range of other sources of information. It required creativity, determination, excellent organizational skills, more determination, and speed. Craig worked with Williams Institute Distinguished Scholar Dr. Gary Gates on assembling the demographic

analysis, which proved to be more complex than it initially had appeared. Simultaneously, Craig worked with me on the research and analysis of why, from a legal perspective, all that data was relevant to the Court's consideration of the question presented for review.

It was a complicated project. It was done within a week. And the final product – of which I was proud – was eloquent testimony to Craig's unique combination of infectious enthusiasm, tremendous productivity, vibrant curiosity, eagerness to master as many areas of inquiry as his eyes might scan, creative blending of those disciplines, and determination to produce useful, innovative contributions to both "the Academy" and the LGBT movement.

For all these reasons, I am delighted to support the nomination of Craig Konnoth for this award.

Very truly yours,



Jennifer C. Pizer
Senior Counsel and
Director, Law and Policy Project