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Comment:

There are multiple problems with this proposal. First, it is an obvious violation of the First Amendment for two reasons. It would violate both the protection of freedom of speech and freedom of religion to require anyone to use or refrain from using certain language. Whether we like it or not, the idea of anyone being transgender is directly contrary to the religious and scientific beliefs of many people and you cannot force them to speak to the contrary. In contrast, the First Amendment does not give anyone the right to be called by the pronoun of their choice.

Secondly, this proposal would open the court up to mockery. The proposal would subject the court to the whim of the parties and would open a veritable Pandora's box of pronouns that would be never ending. How would the court address pronouns such as "Your Highness", "Your Honor", "Prevailing Party", "poopoo"? It may sound ridiculous, but there is nothing in the court rule or the rationale behind it that would prevent that madness. You may scoff at the absurdity of these examples, but how would the court decipher what was a sincere pronoun request and what was not? What criteria would be applied? The court is not composed of psychiatrists, and it is not equipped to determine the emotional or mental state of the litigants.

The court is a body of lawyers trained to apply the law impartially. Once you start mandating the preference of the parties into the opinion of the judges, where does it end? When will the ruling itself have to be altered because the mental or emotional state of one of the litigants is triggered by losing a case or because they feel unsafe that the law does not favor them. Will the court have to cease awarding attorney's fees because the losing party is emotionally traumatized by having to pay their opponent? Perhaps we will do away with damages altogether.

Our system of elected judges offers a much simpler solution to any real problem of a disrespectful judge. The judge can lose an election. It is foolish to trample on the First Amendment and open the court up to certain mockery by adopting this rule.