



## Batts, Deborah A. (b. 1947)

by Caryn E. Neumann

Encyclopedia Copyright © 2015, glbtq, Inc.  
Entry Copyright © 2004, glbtq, inc.  
Reprinted from <http://www.glbtq.com>

Deborah A. Batts, an African-American lesbian, became the first openly gay federal judge upon her 1994 appointment to the U.S. District Court in New York.

Born in Philadelphia on April 13, 1947, Batts earned a B.A. in government from Radcliffe College in 1969. This choice of a college undoubtedly made a significant influence on the rest of her life.

Radcliffe, associated with Harvard University, was one of the Seven Sisters Colleges, a group of prestigious northeastern liberal arts institutions founded in the nineteenth century to educate women. Graduates of the Seven Sisters differed from women at coeducational schools by developing measurably higher levels of self-esteem and by often pursuing diplomas in traditionally male fields. Batts displays both qualities.

Making an unusual choice for a woman of her generation, Batts decided to obtain a law degree. She received a J.D. from Harvard Law School in 1972. A portrait of the judge now hangs at Harvard, a place not known for its diversity. It is the first portrait of an African-American woman or an out person to be displayed at the school.

Batts spent the year of 1972-73 as a law clerk for Judge Lawrence W. Pierce of the U.S. District Court for the Southern District of New York in Manhattan. Batts then became an associate at the prominent New York City corporate law firm of Cravath, Swaine & Moore, where she remained from 1973 to 1979. She handled cases involving securities law, antitrust violations, and libel charges.

Batts left the riches of corporate law for a less prosperous life as an assistant U.S. Attorney in 1979. Serving with the Criminal Division of the Southern District of New York, she prosecuted cases ranging from armed robbery to international art theft. By this point, "Debbie" Batts had gained a reputation in legal circles as bright, personable, and energetic.

In 1984, she accepted an offer to join the faculty of Fordham University in New York City as an associate professor. She became the first African-American member of the faculty of the Fordham Law School and remained with the university until 1994.

Batts has been low-key about her sexuality but has not hidden it. A member of the Lesbian and Gay Law Association of Greater New York, she once urged a graduating class at Fordham Law School to enact laws to protect against anti-gay discrimination.

Batts' unwillingness to be a gay rights activist undoubtedly aided her rise to the federal bench. Recommended by Senator Daniel Patrick Moynihan of New York, she was nominated by President Bill Clinton in 1994.

The earlier nomination by Clinton of another lesbian--Roberta Achtenberg, as undersecretary of the Department of Housing and Urban Development--met with strong opposition. However, the Senate Judiciary

Committee never inquired about Batts' sexual orientation, and the Senate quickly confirmed the appointment. Batts began service on the federal bench on June 23, 1994.

Little is known about Batts's personal life. Divorced with two children, she has refused to discuss much of her life in an attempt to avoid becoming known as the "gay judge."

She has described being a lesbian as "definitely an important part" of her life, but has added that it is only one of many important parts of her life: "I am also a very devoted mother, I'm an attorney, a former prosecutor, and I'm an African American."

On November 12, 2011, however, Judge Batts announced her marriage to Dr. Gwen Zornberg, a lead medical epidemiologist for the Food and Drug Administration. The couple wed in Washington, D.C. at the St. Gregory Hotel. The ceremony was officiated by Emily C. Hewitt, Chief Judge of the United States Court of Federal Claims.

The rise of Judge Batts is evidence of a changing climate for gay men and lesbians in the United States. Once considered too deviant to hold positions of trust, openly gay men and lesbians could not hope to serve on the federal bench until Batts broke that barrier.

Batts's achievement has helped to elevate the status of gay men and lesbians, especially since she has earned wide respect for the way in which she performs her job. Still, it is worth noting that she remains the only openly gay person on the federal bench.

### **Bibliography**

*Judicial Yellow Book: Who's Who in Federal and State Courts*. New York: Leadership Directories, 2003.

Mabunda, L. Mpho, ed. *The African American Almanac*. Detroit: Gale, 1997.

Martin, Mart. *The Almanac of Women and Minorities in American Politics 2002*. Boulder, Co.: Westview, 2001.

Tyrkus, Michael J., ed. *Gay and Lesbian Biography*. Detroit: St. James Press, 1997.

### **About the Author**

**Caryn E. Neumann** is a doctoral candidate in Women's History at Ohio State University. A past managing editor of the *Journal of Women's History*, her essays have appeared in the *Dictionary of American History* and *Notable American Women*, among other places.