

An Open Letter to the Legal Community
Regarding the President's Attacks on the Legal Profession and the Federal Judiciary

Dear Colleagues:

We write to you as state attorneys general and colleagues in the practice of law. Recent actions by the Trump administration targeting individual law firms and attorneys and statements attacking, and calling for the impeachment of, federal judges represent a clear threat to our system of justice and our profession. President Trump's recent orders and statements – plus recent letters to law firms from the Acting Chair of the Equal Employment Opportunity Commission (EEOC) – lay bare the administration's desire to silence and suppress opposition to its policies, including by making it harder for those who oppose the administration's policies to secure legal representation. Indeed, the chilling effect of the administration's strategy is demonstrated by the acquiescence of the Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul, Weiss”) law firm to the President's demands for policy support in exchange for relief from his executive order targeting that firm.

As state attorneys general, we stand for the rule of law. As members of the legal profession and of our state bars, we all must stand together. The President's attacks on the practice of law must not, and will not, subvert our zealous representation of our clients.

We also stand firm in our support of the federal judiciary and judicial independence. We call on our colleagues to denounce suggestions that a judicial decision must be the result of bias simply because the result is undesired. We categorically reject the President's calls for the impeachment of judges in response to rulings contrary to positions his administration has advanced.¹ As Chief Justice John Roberts wrote in a March 18, 2025 statement: “For more than two centuries, it has been established that impeachment is not an appropriate response to disagreement concerning a judicial decision. The normal appellate review process exists for that purpose.”²

President Trump's recent executive orders seek to break apart the very foundation of the law we practice.

To date, President Trump has issued executive orders against five separate law firms—Perkins Coie LLP, Covington & Burling LLP, Elias Law Group LLP, Paul, Weiss, and Jenner & Block LLP – seeking retribution over ideological differences, punishing firms for the actions of

¹ Chris Megerian et. al. “Roberts rejects Trump's call for impeaching judge who ruled against his deportation plans” AP NEWS, (March 18, 2025), <https://apnews.com/article/donald-trump-federal-judges-impeachment-29da1153a9f82106748098a6606fec39>.

² *Id.*

individual attorneys representing clients adverse to the President or his supporters.³ As Judge Beryl Howell stated in the first hearing challenging President Trump’s executive order that targeted Perkins Coie and all large law firms, the order constitutes retaliation and casts “a chilling harm of blizzard proportions across the legal profession.”⁴

Since Judge Howell made that accurate observation and enjoined the implementation of the executive order targeting Perkins Coie on the grounds that the order likely violates the Constitution,⁵ the President has gone even further in his attempts to intimidate the legal community by threatening the security clearances and federal contracts of *any* “attorney or law firm in litigation against the Federal Government” if the Attorney General—not a court—determines that the attorney or firm files what the administration believes is frivolous litigation or engages in conduct it believes warrants merely *seeking* sanctions.⁶

The President used the same memorandum to launch defamatory attacks on the entire immigration bar and pro bono practices at large law firms, attempting to undermine their defense of immigrants’ constitutional and statutory rights by baselessly accusing them of coaching clients to lie and deceive the courts and immigration authorities.⁷ We condemn those broad-based and completely unjustified attacks on the integrity and reputations of our colleagues.

By targeting lawyers and firms for representations they have already undertaken or may undertake, President Trump’s actions seek to deter lawyers from representing politically disfavored clients and from challenging the constitutionality of the administration’s actions in the future. Attacking attorneys because they argued a case against the government or zealously

³ Memorandum: Suspension of Security Clearances and Evaluation of Government Contracts, February 23, 2025, <https://www.whitehouse.gov/presidential-actions/2025/02/suspension-of-security-clearances-and-evaluation-of-government-contracts/>; Addressing Risks from Perkins Coie LLP, Exec. Order No. 14230, March 6, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-perkins-coie-llp/>; Addressing Risks from Paul Weiss, March 14, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-paul-weiss/> (rescinded by Addressing Remedial Actions by Paul Weiss, March 21, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-remedial-action-by-paul-weiss/>); Memorandum: Preventing Abuses of the Legal System and the Federal Court, March 22, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/preventing-abuses-of-the-legal-system-and-the-federal-court/>; Addressing Risks from Jenner & Block, March 25, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-risks-from-jenner-block/>.

⁴ Debra Cassens Weiss, “Trump order targeting Perkins Coie is ‘affront to the Constitution,’ suit says; judge sees ‘chilling harm of blizzard proportions’” *ABA J.*, Mar. 13, 2025, <https://www.abajournal.com/web/article/trump-order-targeting-perkins-coie-is-an-affront-to-the-constitution-law-firm-says-in-lawsuit>.

⁵ *Perkins Coie LLP v. U.S. Dep’t of Just.*, No. CV 25-716 (BAH), 2025 WL 782889 (D.D.C. Mar. 12, 2025).

⁶ Preventing Abuses of the Legal System and the Federal Court, March 22, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/preventing-abuses-of-the-legal-system-and-the-federal-court/>.

⁷ Preventing Abuses of the Legal System and the Federal Court, March 22, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/preventing-abuses-of-the-legal-system-and-the-federal-court/>.

represented a particular client cuts to the heart of—and threatens to subvert the integrity of—the legal profession.

The orders and memoranda cancel all government contracts with the targeted firms and strip all of their attorneys of their security clearances and threaten the same against any firm that dares step out of line. The orders bar lawyers from the named firms from public buildings—possibly including federal courthouses—and violate client privacy, including mandating that clients disclose their contracts with the targeted firms. President Trump also singled out individual attorneys for condemnation because they represented clients who challenged his actions. The law does not function without lawyers in courts and the confidentiality of the attorney-client relationship.

Of particular importance to us, the March 6, 2025 order also directs the U.S. attorney general to conduct an inquisition against all national law firms that embrace programs and policies that espouse a belief in “diversity, equity, and inclusion,” and to consult with state attorneys general on this effort “as appropriate.” We strongly support the values that underpin DEI, and the best practices by firms and businesses in keeping with these values are not illegal.⁸ Through his orders, the President hopes to pit attorneys general against law firms based on the colleagues they keep, the clients they take, the cases they argue, and the values they hold. Let us speak plainly: we refuse.

The President’s efforts to recruit state attorneys general to punish firms with politically disfavored viewpoints are inappropriate and offensive to the role of a state attorney general. We too are chief law enforcement officers of sovereign governments routinely sued by many parties acting through many attorneys. We do not take retribution against those who bring suit against us. We will not allow the debasement and misuse of our offices in such a way, and we encourage firms to stand strong and to support their colleagues in the profession in the face of the President’s attacks.

In addition to undermining the business, practice, and system of law, President Trump’s orders are unconstitutional on their face. Stripping attorneys of security clearances not because of any misdeeds, but solely because they represented political opponents, is a gross abuse of authority.

⁸ Letter: Letter to Fortune 100 Companies on Continued Validity of Corporate DEI Initiatives, July 19, 2023, <https://illinoisattorneygeneral.gov/News-Room/Current-News/Fortune%20100%20Letter%20-%20FINAL.pdf>; Letter: Letter to Fortune 100 Companies and the American Bar Association on Continued Legality of Diversity Initiatives, June 20, 2024, https://portal.ct.gov/-/media/ag/press_releases/2024/june-20-2024-ag-letter-to-aba-and-fortune-100-companies.pdf; Guidance: Multi-State Guidance Concerning Diversity, Equity, and Inclusion, and Accessibility Employment Initiatives, Feb. 13, 2025, https://illinoisattorneygeneral.gov/News-Room/Current-News/DEIw2%20Guidance%202.13%20FINAL.pdf?language_id=1.

Broad targeting of all law firms that have adopted lawful, non-discriminatory diversity, equity, and inclusion policies strikes at the heart of the First Amendment's protections.⁹

If there is any question about whether these orders merely target the politically disfavored conduct of a few firms and lawyers who happened to stumble into the President's crosshairs, President Trump's March 22, 2025 memorandum threatening all law firms and lawyers that engage in litigation against the federal government should remove all doubt.¹⁰ That memorandum confirms comments President Trump made in a recent interview on Fox News when, referring to his executive order against Perkins Coie LLP, he said, "we have a lot of law firms that we're going to be going after, because they were very dishonest people. They were very, very dishonest. I could go point after point after point, and it was so bad for our country. And we have a lot of law firms that we're going after."

Any doubt that these tactics will have their intended effect if the legal community does not speak to condemn these inappropriate attacks on law firm independence should be dispelled by Paul, Weiss's acquiescence to them. In exchange for the President lifting his order targeting it, Paul, Weiss, agreed to, among other things, abandon diversity, equity, and inclusion practices and to provide \$40 million in pro bono work on causes supported by President Trump.¹¹

Lawyers are not spectators to the Constitution; we are its agents. We cannot allow the President to scare law firms and lawyers into silence. Law firms must refuse to bow to illegal and unconstitutional threats of retribution for having the temerity to represent clients and cases opposing the administration. To refuse to accept such clients would be to allow the executive to ignore legal constraints and limitations. Attorneys and firms have a responsibility to oppose efforts "to insulate the Government's laws from judicial inquiry."¹² Indeed, the ABA's Model Rules of Professional Conduct recognize that "[a]n independent legal profession is an important force in preserving government under law, for abuse of legal authority is more readily challenged by a profession whose members are not dependent on government for the right to practice."¹³

⁹ The EEOC Acting Chair's letters to law firms are similarly inappropriate – indeed unlawful – and should be withdrawn. The EEOC Acting Chair's March 17, 2025 public letters to twenty law firms, which were clearly sent to support the president's retribution campaign against firms he disfavors, are without basis in the laws that the EEOC is charged to enforce. As carefully explained in the March 18, 2025 letter from several former EEOC Chairs, Commissioners, and Counsel, the March 17 letters violate the law and longstanding EEOC policies and practices. The letters are not an honest attempt to enforce anti-discrimination laws but are instead a transparent attempt to bully and intimidate law firms into bowing to the administration.

¹⁰ Preventing Abuses of the Legal System and the Federal Court, March 22, 2025.

<https://www.whitehouse.gov/presidential-actions/2025/03/preventing-abuses-of-the-legal-system-and-the-federal-court/>.

¹¹ Addressing Remedial Actions by Paul Weiss, March 21, 2025, <https://www.whitehouse.gov/presidential-actions/2025/03/addressing-remedial-action-by-paul-weiss/>.

¹² *Legal Servs. Corp. v. Velazquez*, 531 U.S. 533, 546, (2001).

¹³ Model Rules of Prof'l Conduct pmb1. [11],

https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_preamble_scope/.

Attorneys and firms also have a responsibility to speak out against baseless attacks on the federal judiciary,¹⁴ and we must condemn and reject suggestions that impeachment is an appropriate response to a judicial ruling. It is up to us as lawyers, law firms, and state attorneys general—as the entire community of the legal establishment—to refuse to bow to intimidation.

As state attorneys general, we have sworn oaths to uphold the Constitution of the United States. Rule of law is the bedrock of everything that makes our country great. Our economy, our rights and freedoms as citizens and residents, our lives and livelihoods are all protected by the fair and unbiased application of the law. We will not allow anyone, including the President, to bully law firms out of representing clients who may be politically disfavored, or clients out of being represented by counsel of their choosing. We will not sit by silently in the face of attempts to attack and intimidate the federal judiciary. We will not allow the rule of law to be undermined. We stand with all our colleagues in the legal community who place the ideals and values of their profession over obedience and silence.

Sincerely,



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¹⁴ Model Rules of Prof'l Conduct, Comment on Rule 8.2: Maintaining the Integrity of the Profession.
https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_8_2_judicial_legal_officials/comment_on_rule_8_2/.



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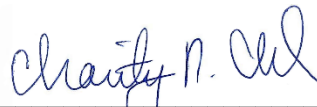
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