



American Board of Trial Advocates Michigan Chapter

ABOTA Press Release

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Special Press Release

“The President & Officers of the Michigan Chapter of the American Board of Trial Advocates (ABOTA) Support the Rule of Law Against Baseless Attacks on the Judiciary and Litigators”

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The Michigan Chapter of the American Board of Trial Advocates (ABOTA-MI) denounces the recent and repeated verbal attacks against Judges and law firms. These attacks appear designed to quiet voices integral to our system of justice simply because of a disagreement with the decision reached or the person represented.

Our Constitution calls for three co-equal branches of government. The Judicial branch is charged by Article III of the Constitution to ensure that actions taken by the Legislative and Executive branches in enacting and enforcing laws are constitutional. Jennifer H Doan, ABOTA National President, articulated the premise well: “(o)ur courts stand as the primary sentinels, guardians, and protectors of our liberty against excesses of power by the other branches of our government.”

When those in power call a Judge a “lunatic,” it is regrettable and reduces our discourse to the level of childish name-calling. But when those in power characterize judges as “corrupt,” they threaten to destabilize the balance of government by inflaming the public’s emotions against judicial officers who cannot answer those attacks directly. And when those attacks are repeated time and again, they take on unwarranted credibility that erodes the public’s ability to trust in the Rule of Law.

Certainly, political speech is protected by that same Rule of Law, and everyone is entitled to their opinion regarding whether a particular Judge “got the law right” in a given case. But when those in powerful positions criticize not just the outcome of a decision but baselessly impugn the decision-maker as “corrupt,” they create a falsehood that can then be used to justify their refusal to abide by judicial decisions—diminishing our judicial system and jeopardizing the Rule of Law generally.

Now these attacks have been extended to law firms and to the lawyers who have represented interests opposed to those in powerful positions. Attempts to destroy the opposition, or at minimum to quiet that opposition, by commencing baseless investigations into lawyers and law firms because of who they have represented, are the very epitome of injustice and repugnant to the Rule of Law.

ABOTA is not tied to any political party or to any partisan endeavor. ABOTA's core missions include educating the public about the value of our civil justice system, preserving an independent judiciary, and upholding the Rule of Law with integrity, honor, and civility. In this spirit of education, we state here emphatically: Judges have *the constitutional authority and obligation* to interpret the law and review the actions of other branches of government, including actions taken by the Executive branch. When those in power demand that a judge be impeached—without articulating any impeachable act and simply because they disagree with the judge's opinion—they ignore that constitutional duty and create an existential threat to our system of justice.

These are difficult times. But lawyers have the ability—and the duty—to safeguard the integrity and the imperative of the Rule of Law. ABOTA is here to help with this challenge through its rapid response team. Alert ABOTA leadership when you are confronted with, or know of, baseless attacks on Judges or the attorneys who appear before them. We will stand together as we work to protect our system and those who serve it.

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