



April 1, 2025

An Open Letter to the Lawyers and Law Firms the Trump Administration Seeks to Silence:

We, the undersigned lawyer-legislators of the Pennsylvania state House of Representatives, are appalled though tragically not surprised by President Trump's latest attack on the rule of law. As outlined in the Presidential Memorandum of March 22, 2025, SUBJECT: Preventing Abuses of the Legal System and the Federal Court, the President instructed the Attorney General and Secretary of Homeland Security to weaponize the Federal Rules of Civil Procedure, the Rules of Professional Conduct, and any other regulations governing attorney conduct and discipline to silence the zealous advocacy of lawyers and law firms across the nation. We will not allow the Trump Administration's attempt with this memorandum to chill legal representation that inconveniences its efforts to undermine the Constitution, gut essential programs, attack vulnerable groups and individuals, and otherwise subvert the rule of law to go unchallenged.

The United States system of justice – both civil and criminal – is adversarial with the idea that presenting conflicting views of fact and law to an impartial arbiter offers the best method of arriving at the truth. Constitutional limits on conflicts between our government and its citizens are designed to protect individuals from the superior power of the state, and never the reverse. In other words, American lawyers are trained to fight for the people – and that often means we have to sue the government. Our system of justice is far from perfect and yet for more than 230 years it has been the most perfect system in the world, and it was born right here in the Commonwealth of Pennsylvania. Every American citizen and every person within the borders of the United States is protected by the rights enshrined in our Constitution. To that end, the right to counsel is the most precious because it determines one's ability to assert any other right.

Any government action that would deprive the American people of their right to fair representation when asserting those rights undermines the foundation of the free and democratic society our Founding Fathers constructed through our Constitution.

Litigation is not "frivolous, unreasonable, or vexatious" merely because it successfully halts the implementation of the Administration's agenda. Successful advocacy for clients who are unpopular with this Administration is not proof of rampant fraud and claims are not meritless merely because they are offered on behalf of those same unpopular clients.

This memorandum amounts to a dangerous temper tantrum on behalf of an Administration that cannot abide being challenged. But our Constitutionally established adversarial system cannot function properly unless lawyers feel at liberty to press all claims that could conceivably support their client's position.

If we, as attorneys, back away from our duty to protect and serve out of fear for personal consequences, our justice system will fail. Lawyers cannot allow ourselves to be terrorized into abandoning our duty to provide zealous advocacy to clients or foregoing our responsibility to guard against abuses of power. We will not "bend the knee" to an Administration that resents being made to play by the rules.

Being labeled a threat to "national security, homeland security, public safety, or election integrity" for representing a client who is opposed to or opposed by this Administration cannot be allowed to deter our decisions to provide representation to those clients to the best of our abilities. It is imperative that we channel the bravery of the lawyers before us who stood firm against the government blacklisting during the Red Scare and ultimately forced change.

Lawyers are guardians of the law, standing on the frontlines between the people of the United States and the wolves at the door who would tear apart the rights and freedoms that define American values. We cannot and we must not allow threats to keep us from upholding our sacred duty to the rule of law. Our free and democratic society demands no less.

Sincerely,



Rep. Joanna McClinton  
Speaker of the House  
District 191



Rep. Emily Kinkead  
District 20



Rep. Kristine Howard  
District 167



Rep. Abigail Salisbury  
District 34



Rep. Liz Hanbidge  
District 61



Rep. Jim Prokopiak  
District 140



Rep. Tim Briggs  
District 149



Rep. Ben Sanchez  
District 153



Rep. Chris Pielli  
District 156



Rep. Greg Vitali  
District 166



Rep. Sean Dougherty  
District 172



Rep. Joe Hohenstein  
District 177