

Statement in Support of an Independent Legal Profession Free from Government Retaliation

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The foundation of our democracy is built on an independent legal profession and courts, which protect the liberty and rights of all people by holding the government accountable to its laws—first and foremost being the U.S. Constitution. Our legal system upholds the tenets that everyone is governed by the same laws, that the laws apply equally to all, and that nobody is above the law.

These safeguards rely on lawyers who are willing and able to represent all interests in good faith and to challenge government overreach without fear of penalization or retaliation. The preamble to the Rules of Professional Conduct that apply to all Washington state lawyers emphasizes: “An 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.”

In this context, we, the leaders of the Washington State Bar Association, have grave concerns about two recent executive orders that seek to take action against specific lawyers and law firms on the basis of their legal work. This is not a partisan issue. Federal courts have often been called on to rule against overreach in executive orders issued by Democratic and Republican Presidents alike.

But when the executive branch wields its power to single out lawyers and law firms for representing specific clients, it is an especially dangerous strike against an impartial and independent justice system. The resolve and willingness of legal professionals to challenge government overreach and abuse of authority must not be chilled. Doing so leads to a distressing question: ***If lawyers and judges are not willing or able to defend liberty and freedom for all people under the law and Constitution, who will?***

As WSBA leaders, we are committed to promoting an independent legal profession and court system. We call on our members, judges, lawmakers, and government officials to do the same. We acknowledge that all members of our profession are and should be independently regulated to ensure we uphold our special responsibilities and the law.

To Washington’s legal professionals, we proudly and unreservedly support your obligation to represent clients, across all political spectrums and walks of life, in good faith without fear of retaliation or retribution.

To the Washingtonians we serve, we proudly and unreservedly stand behind our [WSBA mission](#): to serve the public, uphold the integrity of the legal profession, and champion justice. We will continue to promote a justice system and a legal profession committed to competent and well qualified representation for all, especially those who may be vulnerable or out of political favor.