



ABOTA Issues Resolution to Uphold Judicial Independence and the Rule of Law

America should uphold the integrity of impartial and independent courts and keep them free from intimidation as they apply the Rule of Law

DALLAS (Dec. 15, 2025) — The American Board of Trial Advocates (ABOTA), an organization dedicated to the preservation of a fair and independent judiciary and the right to trial by jury, has issued a powerful Resolution in response to an unprecedented convergence of challenges – including political intimidation, threats, and rhetoric seeking to delegitimize the courts – that threaten the core of American democracy.

The Resolution, which was passed unanimously by the ABOTA National Board of Representatives, underscores the legal profession’s unified commitment to protecting the Rule of Law and Judicial Independence. It reads:

Resolution to Uphold Judicial Independence and the Rule of Law

WHEREAS the American Board of Trial Advocates is an organization of more than 7,000 trial lawyers from the plaintiff and defense bar throughout the United States, as well as judges, and is dedicated to safeguarding the right to trial by jury in civil cases, the Rule of Law, the independence of the judiciary, and civility and professionalism in the practice of law; and

WE AGREE that the Seventh Amendment to the United States Constitution guarantees the right to trial by jury in civil cases as an integral and essential component of our democracy; and

WE AGREE that an efficient and effective independent judicial branch of government is fundamental to ensure the continued existence of our democracy; and

WE AGREE that an independent judiciary is fundamental to the Rule of Law, as the Courts safeguard our Constitutional rights by impartially applying the law, free from external influence; and

WE AGREE that the judiciary, as an equal and independent branch of government, must be respected as such; and

WE AGREE that we condemn all threats and violence toward judges, as well as all intimidation and harassment of judges; and

WE AGREE that the Rule of Law consists of laws created through a democratic process, by the people and for the people, to be fairly and equally applied to all; and

WE AGREE that the Rule of Law ensures that our legal system operates with fairness and stability, while affording equal access to justice, under established legal principles; and

WE AGREE that the ability of lawyers to advocate for clients is fundamental to the Rule of Law, even when their causes may be controversial. Our American form of government depends on ensuring that legal rights can be properly asserted and heard by our courts, without regard to the litigants' political or economic status; and

WE AGREE that the legal profession exists to serve justice – not political interests. As such, we reject rhetoric that seeks to delegitimize the courts, the legal profession, and the Rule of Law; now, therefore, and we further

RESOLVE that we unite to speak up for our justice system and the Rule of Law, continuing together to elevate the noble profession we serve, and we further

RESOLVE that we will safeguard the right to trial by jury in civil cases, judicial independence and the Rule of Law, and take any and all necessary action to lawfully effectuate the purpose of this Resolution.

Approved by the ABOTA National Board of Representatives
Austin, Texas, October 4, 2025

The drafting of the Resolution was a thorough, collaborative process. Originally drafted by the ABOTA National Judicial Independence and Rule of Law Committees, the Resolution was subsequently reviewed and approved by the National Civil Justice Standing Committee, the Legislative Committee and Executive Committee before its final passage by the National Board of Representatives.

“ABOTA, as the largest, invitation-only, association of trial lawyers as professionals dedicated to the preservation of the 7th Amendment, issued this Resolution as a defining statement of our liberties and strong support for the Rule of Law, the judicial process and jury trials as the most civilized process ever created for dispute resolution,” said Jennifer H. Doan, National President.

She added that, “The Rule of Law consists of laws created through a democratic process, by us and for us, and fairly and equally applied to all. The Rule of Law ensures that our legal system operates with fairness and stability, while affording equal access to justice, under established legal principles.”

ABOTA has long defended an independent judiciary as a fundamental safeguard to our constitutional rights. Resolving disputes impartially is critical to America's democracy. We, as citizens, rely on the courts to apply the law free from external influence and intimidation.

“Equally fundamental to the Rule of Law is the ability of lawyers to advocate for clients, even when their causes may be controversial,” Ms. Doan said. “Our democracy depends on ensuring that legal rights can be properly asserted and heard by our courts, without regard to the litigants’ political or economic status.”

Ms. Doan encouraged respect and support for the judicial process, and the independent role of the judges and lawyers in our legal system.

“Interestingly, as a silver lining to the rhetoric in these times, we find ourselves uniting across the trial bar and all political views in defense of the Rule of Law,” she said. “The legal profession exists to serve justice – not political interests. We reject the rhetoric that seeks to marginalize or delegitimize the courts, the legal profession, and the Rule of Law itself.”

On December 31, 2024 — almost one year ago — Chief Justice John Roberts dedicated his Year End Report on the Federal Judiciary to a discussion of the growing dangers from attacks on the independence of the Judicial Branch, posed by the alarming increase in hostile communications, intimidating threats, and acts of violence directed at federal judges in recent years. Noting that “violence, intimidation, and defiance directed at judges because of their work undermine our Republic,” he encouraged the three branches to work cooperatively and respectfully to preserve the independence of the judiciary and the Rule of Law. As Chief Justice Roberts reminded us: “At the end of the day, judges perform a critical function in our democracy. Since the beginning of the Republic, the rulings of judges have shaped the Nation’s development and checked the excesses of the other branches.”

Letty Litchfield, who serves as co-chair on the ABOTA National Judicial Independence Committee, noted that “Based upon recent events, the Chief Justice’s message needs to be at the forefront of America’s collective discourse.”

Emphasizing the historical importance of the Resolution, Litchfield continued by stating “This Resolution matters now for a number of reasons. Lawyers and law firms are being subjected to harassment that undermines Americans’ access to legal representation. Our federal and state courts face unprecedented threats as judges are being intimidated, threatened, and targeted for violence simply for doing their constitutional duty. The widespread use of social media has increased disinformation about judges and our courts, resulting in reduced public confidence. In some instances, there is outright defiance of court rulings and judgments.”

According to Judith A. Susskind, co-chair of the ABOTA National Rule of Law Committee, the role of an independent judiciary in protecting the Rule of Law is paramount to the effort.

“ABOTA stands for the Rule of Law and access to justice for all,” Susskind said. Unfortunately, we face an unprecedented challenge — attacks on the legal profession are distinctively damaging to the fabric of democracy because of the critical role that lawyers fulfill in the constitutional system of our country. Without skilled advocates to try cases, the judiciary cannot function as a meaningful check within the framework of the Constitution.”

ABOTA is a national association of experienced trial lawyers and judges. ABOTA and its members are dedicated to the preservation and promotion of the civil jury trial right provided by the Seventh Amendment to the U.S. Constitution. ABOTA membership consists of more than 7,000 lawyers and judges spread among 94 Chapters in all 50 states and the District of Columbia. ABOTA publishes *Voir Dire* magazine, which features in-depth articles on current and historical issues related to constitutional rights, in particular the Seventh Amendment right to trial by jury and hosts ABOTA Speaks! — a podcast on law, life, and our liberties.

####