

FOR IMMEDIATE RELEASE

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MORE THAN ELEVEN THOUSAND CALL ON JUSTICE CLARENCE THOMAS' RECUSAL

BOSTON, MA – Lawyers Defending American Democracy issued a [Call-to-Action](#), asking Supreme Court Chief Justice John Roberts to exercise his moral leadership in the face of Justice Clarence Thomas' flouting of the Court's Code of Conduct.

Investigations over many months have revealed that Justice Clarence Thomas has brought dishonor to the Supreme Court by refusing to adhere to the most basic requirements of judicial ethics. This week, he is poised to do so once again by refusing to recuse himself from *Trump v. United States*, a case in which the former president argues that he is immune from prosecution for his role in overturning the 2020 election results.

Justice Thomas' wife, Virginia Thomas, has been directly tied to the 2020 election interference efforts. By participating in this case, Justice Thomas further humiliates the Court and erodes public confidence in that body. LDAD, along with more than 11,000 signers, calls on Justice Roberts to exercise his moral leadership to intervene.

Mercer University School of Law Professor and LDAD board member Gary J. Simson, who once clerked at the United States Court of Appeals, stated:

“The Code adopted by the Supreme Court is clear: Justices should disqualify themselves when they know their spouse has an interest that could be substantially affected by the outcome, including where a spouse could become a material witness. This is a non-discretionary rule applicable to all other Federal Court judges. The Supreme Court should be held to a higher, not a lower, standard than other federal courts.”

Professor Robert P. Lawry, Emeritus Professor of Law and the former Director of the Case Western Reserve School of Law's Center for Professional Ethics agreed that, in the absence of a directive to recuse, moral suasion becomes important:

“While it is unfortunate that the Court adopted a Code that allows recusal decisions to be discretionary, the Chief Justice should exert his leadership role to impress upon Justice Thomas the damage that his refusal to recuse inflicts on the Court as an Institution.”

This week, the entire nation will be watching to see if the Supreme Court takes its new Code seriously and is willing to hold itself to the standards it adopted. Absent that willingness, the leader of that Court – Chief Justice Roberts – has an obligation to demonstrate moral authority.

As LDAD board chair and former Massachusetts two-term Attorney General Scott Harshbarger observed:

“By his refusal to recuse himself, Justice Thomas undermines the legitimacy of the Supreme Court’s decision-making. Through his silence, the Chief Justice becomes complicit in reinforcing that perception.”

For media inquiries, interview requests, or additional information about the organization’s efforts, please contact Lauren Stiller Rikleen at Lrikleen@rikleeninstitute.com or (508) 259-3500.

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About Lawyers Defending American Democracy

Founded in 2019, Lawyers Defending American Democracy (LDAD) is a 501(c)(3) organization dedicated to the protection of the Constitution and the rule of law. LDAD has filed disciplinary complaints against lawyers who have violated their oath to protect the Constitution, for example, Rudolph Giuliani, Jeffrey Clark, Kenneth Paxton, John Eastman, and Kenneth Chesebro. LDAD regularly issues Calls-to-Action, research reports, amicus briefs, and articles calling for adherence by public officials to the rule of law and encouraging fellow lawyers, leaders of bar associations, and the legal academy to join in speaking out against threats to democracy. Our work is available at <https://ldad.org>.