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Lawyers Defending American Democracy Files Letter in Support of Disciplinary Proceedings for DOJ Attorneys involved in Transgender Medical Records Case

Lawyers Defending American Democracy has filed a letter urging the U.S. District Court for the District of Rhode Island to commence an investigation of serious misconduct by DOJ attorneys following a June 5, 2026 referral of these attorneys to the Court for disciplinary proceedings by U.S. District Court Judge Mary McElroy.

The case giving rise to Judge McElroy's referral involved a challenge to one of the more than twenty administrative subpoenas the DOJ issued beginning in the summer of 2025 to providers of gender-affirming care seeking the confidential medical records of transgender minor patients. The DOJ claimed it was acting on behalf of patients and families as it investigated whether health providers and drug companies illegally promoted off-label use of medications or used fraudulent billing practices to secure insurance coverage for gender-related treatment for minors. Transgender young people and their parents responded that the DOJ was acting in bad faith to intimidate hospitals into suspending gender-related services for adolescents.

When these subpoenas have been challenged in federal court by healthcare providers or patients whose records were sought, they have been repeatedly quashed after courts found they were issued for an improper purpose in bad faith. This was also Judge McElroy's conclusion in her decision of May 14, 2026, in which she quashed a subpoena issued to Rhode Island Hospital and enjoined the DOJ from seeking or receiving any documents related to the invalid subpoena after finding that "DOJ has proven unworthy of trust at every point in this case."

Our letter asserts that Lisa K. Hsiao, Acting Director of the Enforcement and Affirmative Litigation branch of the DOJ's Civil Division, and several attorneys she supervised in the case, including Jordan Campbell, Ross Goldstein, Brantley Meyers, and Patrick Runkle, have violated at least three provisions of the Rhode Island Rules of Professional Conduct. The analysis of these ethical violations is supported by Judge McElroy's specific findings, describing how the DOJ attorneys had abused legal procedure, acted in bad faith, and misled the court in their desperate campaign to advance the Trump Administration's goal of preventing gender-affirming care for minors.

The letter also asks the Court to consider that Judge McElroy's conclusions about the DOJ attorneys' misconduct in this case were consistent with those of every single federal district judge that has considered nearly identical subpoenas to date, including seven cases specifically cited by Judge McElroy in her decision.

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"The misconduct found here is profoundly disturbing and involves breaches of the most fundamental ethical duties all lawyers share, including the duty to utilize legal process and our courts in good faith and the duty of candor to the court. If there is no accountability for these violations, the foundation of our justice system is undermined and public trust in the system is lost," said Mark Friedman, an LDAD volunteer and principal author of the letter.

Scott Harshberger, the chair of LDAD's board and former two-term Attorney General of Massachusetts added that "Judge McElroy should be commended for having the courage to call out the serious ethical transgressions of the DOJ and the harm that occurs when lawyers wielding the awesome power of the federal government can no longer be trusted. We are encouraged to see more and more judges stepping forward to do the same."

The letter can be found here.

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Lawyers Defending American Democracy (LDAD) is a nonpartisan 501(c)(3) organization composed of attorneys, law professors, former judges, and former government officials dedicated to preserving the rule of law, constitutional democracy, and the independence of the legal profession. LDAD's work includes filing amicus briefs, authoring Calls to Action, presenting public education programs, and encouraging lawyers and the public to speak out against threats to the rule of law and our democratic institutions. LDAD's nationwide Meeting the Moment *initiative mobilizes lawyers across the country to engage with their communities in defense of constitutional democracy. For more information, visit* ***www.ldad.org***