

## **Election Lawsuits Are Once Again Flooding the Courts— But They Must Be Grounded in Facts, Not Theories**

With Election Day looming, nearly 100 lawsuits in seven swing states have already been filed this year attempting to shape the rules on how votes are cast, counted or challenged, [according to](#) NBC News. One new lawsuit per day has been filed in October alone, [according to](#) Bloomberg. Many of these lawsuits aim to tighten ballot rules by purging voter lists and imposing stricter requirements on mail voting, even though there is no evidence of widespread voter fraud.

As past presidents of state, local and national bar associations, this flurry of litigation compels us to remind the profession and the public: The courtroom is not a theater for unsubstantiated claims. When lawyers file a lawsuit, we are duty-bound to ensure it is based on solid facts, backed by law and free from any intent to harass or waste the court's time. A baseless lawsuit not only squanders judicial resources but also undermines the public's trust in our democracy and our profession.

We've been here before. Following the 2020 election, some 628 legal cases were filed alleging fraud or impropriety, and they were overwhelmingly unsuccessful. Many were voluntarily dismissed. Others were dismissed due to lack of standing or evidence. Five lawyers connected to these cases were disbarred or had their licenses suspended, with others reprimanded. One such lawyer candidly [admitted](#), "We've got lots of theories; we just don't have the evidence."

These lawyers not only lost their licenses and tarnished their reputations; they also betrayed their communities and the American public. Their baseless cases stirred confusion and anger locally and across the nation, inciting threats against election officials, workers, judges and their staff. These actions likely contributed to the January 6 assault on the Capitol and have further eroded public trust in our justice system and our constitutional democracy.

At a time when public trust in government, the media and the judiciary is already at [historic lows](#), it is the sacred responsibility of the legal profession to safeguard the rule of law. The architects of our Constitution established an independent judiciary as a pillar of democracy, ensuring a fair system of justice that upholds our rights.

Access to the courts is fundamental, open to all Americans—not just officials or lawyers. But with this access comes responsibility. Under the Rules of Professional Conduct, lawyers have a duty to further public understanding and confidence in the legal system. A healthy democracy depends on such trust, and our profession's commitment to this duty is not negotiable.

As such, lawsuits must be grounded in fact, supported by law and free from improper motives. This ethical foundation prevents the courts from being misused to sow confusion, pursue a political agenda or harass opponents. Filing election-related lawsuits without a solid factual and legal foundation endangers the very institutions lawyers are oathbound to defend. In a functioning democracy, lawsuits are not weapons to spread distrust—they are tools for justice.

These are not mere procedural details: They are ethical guardrails that help maintain the judiciary as an institution the public can rely on. Lawyers who disregard these standards risk not only their careers but also the credibility of the entire legal system, weakening the democracy we are sworn to protect.

As legal professionals, we must hold ourselves to the highest ethical standards to avoid a repeat of these events. With this election, we call on our colleagues to remember our duties as lawyers and as guardians of the rule of law. When it is our conduct that improperly causes Americans to lose confidence in the rule of law and in our democracy, we have done a disservice not only to our profession, but also to our nation.

The right to file a lawsuit is a vital part of American democracy, but with it comes the obligation to pursue only those claims that meet the ethical standards of our profession and the rules to which a lawyer commits each time they sign a pleading. As leaders of the legal profession, we stand united in calling for a commitment to truth, integrity and the rule of law.

And to our fellow citizens, we say this: Trust in the resilience of our democracy but remain vigilant. A healthy democracy depends on public confidence in the rule of law. At this critical juncture, our democracy depends on the commitment of everyone—citizens, officials and the legal community alike—to uphold the values that protect our system of justice.

Our actions today will shape not just the strength but the very existence of our democracy tomorrow.

Signed:

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James R. Silkenat, President, American Bar Association 2013-14

Laurel G. Bellows, President, American Bar Association, 2012-13; The Chicago Bar Association, 1991-92

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Lauren Stiller Rikleen, President, Boston Bar Association, 1998-99

Monte E. Frank, President, Connecticut Bar Association, 2016-17; New England Bar Association, 2017-18

Juan R. Thomas, President, National Bar Association, 2017-18

Dominique D. Calhoun, President, National Bar Association, 2023-24

Carlos E. Moore, President, National Bar Association, 2021-2022

Vanita M. Banks, President, National Bar Association, 2007-08

H.T. Smith, President of the National Bar Association, 1994-95

Harold Daniel, President, State Bar of Georgia, 1994-1995

George E. Mundy, President, State Bar of Georgia, 2000-2001

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Thomas G Wilkinson, Jr., President, Pennsylvania Bar Association, 2012-13

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Deborah Gross, Chancellor of the Philadelphia Bar Association, 2017

Deborah R. Willig, Chancellor of the Philadelphia Bar Association, 1992

Hon. A. Michael Snyder (ret.), Chancellor of the Philadelphia Bar Association, 2020

Alan M. Feldman, Chancellor of the Philadelphia Bar Association, 2006

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Rudolph Garcia, Chancellor of the Philadelphia Bar Association, 2011

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Barbara Howard, President, Ohio State Bar, 2009-2010

Clasina Houtman, President, York County Bar Association, 2017-2018

Carmen Roberto, Barbara Howard, President, Ohio State Bar, 2010-2011

John Feerick, President, New York City Bar Association, 1992-94

William Curran, President, Nevada State Bar Association, 1988-89

Robin M. Wolpert, President, Minnesota Bar Association, 2016-17

Nathan D. Alder, President, Utah State Bar Association, 2008-2009

Ruthe Ashley, President, National Asian Pacific American Bar President, 2002

Martin E. Mohler, President, Toledo Bar Association, 1993-94, Ohio State Bar, 2014-15

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Ron Kopp, President, Ohio State Bar Association, 2016-17; Akron Bar Association, 1996-97

James T. (Tim) Shearin, President, Connecticut Bar Association, 2024-25

Mary Smith, President, National Native American Bar Association, 2013-2015

Daniel A. Cotter, President, the Chicago Bar Association, 2014-2015

Barry Hawkins, President, Connecticut Bar Association, 2012-2013

Patrick Palace, President, Washington State Bar Association, 2016-17

Nelson E Genshaft, President, Columbus Ohio Bar Association, 2007-08

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Robert D. Erney, President, Columbus Bar Association, 2020 - 2021

Sandra J. Anderson, President, Columbus Bar Association, 1996

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Ann Keele, President, Tulsa County Bar Association, 2018-2019

Victor P. Henderson, President, the Chicago Bar Association, 2007-08

Patricia Brown Holmes, President, the Chicago Bar Association, 2016-17

Kevin Forde, President, the Chicago Bar Association, 1981-82

Gordon Nash, President, the Chicago Bar Association, 1990-91

E. Lynn Grayson, President, the Chicago Bar Association, 2021-2022

Livia D. Barndollar, President, Connecticut Bar Association, 2008-2009

Fred Ury, President, President, Connecticut Bar Association, 2005-06

William Clendenen, President, Connecticut Bar Association, 2015-16; New Haven Bar Association

Louis R. Pepe, President, Connecticut Bar Association, 2005-06

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A.Thomas Levin, President, New York State Bar Association (2003-2004); Nassau County Bar Association (1992-1993)

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Wesley D. Bizzell, National LGBTQ+ Bar Association, 2019-2021

Alexander Forger, President, New York State Bar Association, 1980

Michael A. Cardoza, President, New York City Bar Association 1996-1998

Debra Raskin, President, New York City Bar Association, 2014-16

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Catherine Christian, President, New York County Lawyers Association 2007-2008

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Scott M. Karson, President, New York State Bar Association (2020-2021); Suffolk County Bar Association (2004-2005)

David M. Schraver, President, New York State Bar Association (2013-2014); Monroe County Bar Association (1997-1998)

Ann I. Park, President, Los Angeles County Bar Association from 2022 to 2023

David Hernandez, President, President, State Bar of New Mexico, 2001

Mary T. Torres, President, State Bar of New Mexico, 2002

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Rosalina M. Fini, President, Cleveland Metropolitan Bar Association, 2021 - 2022

Norman Janes, President, Connecticut Bar Association, 2006-07

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Barbara Paul Robinson, President, New York City Bar Association, 1994-96

James B. Kobak, Jr., President, New York County Lawyers Association, 2010-11

Michael Miller; President, New York State Bar Association (2018-2019); New York County Lawyers Association (2002-2004)

Roger Juan Maldonado, President, New York City Bar Association, 2018-2020.

Evan A. Davis, President, New York City Bar Association, 2000-2002

Cheryl Niro, President, Illinois State Bar Association, 1999-2000

Judge Barry Kamins, President New York City Bar Association, 2006-2008

Carey Dunne, President, New York City Bar Association, 2012-2014

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Robert Ware, President, Ohio State Bar Association, 2007-08

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Steven M. Elrod, President, Chicago Bar Association, 2018-2019

Jesse H. Ruiz, President, Chicago Bar Association, 2019-2020

E. Lynn Grayson, President, Chicago Bar Association, 2021-2022

Timothy Tomasik, President, Chicago Bar Association, 2022-2023

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Sheila S. Boston, President, New York City Bar Association, 2020-2022

Jonathan Shapiro, President, Connecticut Bar Association, 2018-2019

Patty Ferguson-Bohnee, President, National Native American Bar Association, 2011-2013

Carol Sigmond, President, New York County Lawyers Association, 2015-2017