

April 13, 2026

Senator Charles Grassley  
Chair, Senate Judiciary Committee

Senator Richard Durbin  
Ranking Member, Senate Judiciary Committee

Dear Chairman Grassley and Ranking Member Durbin,

We, the more than two dozen undersigned organizations advocating for civil rights, gender equality, reproductive justice, environmental justice, and democratic accountability, oppose the nomination of Justin Smith for the Eighth Circuit Court of Appeals. President Trump nominated Smith for a lifetime role on the federal judiciary because – in Trump’s own words – Smith “played a BIG role in securing a Supreme Court Landmark Victory on Presidential Immunity.” The continued survival of a robust democracy depends on an independent judiciary, with judges willing to hold wrongdoers accountable when they break the law. On the other hand, Smith (like Emil Bove) is another example of Trump’s attempts to rig the court with loyalists willing to rubber stamp his authoritarian agenda. We strongly urge you to oppose the nomination of Justin Smith to the Eighth Circuit Court of Appeals.

Smith is a Trump true believer who continues to demonstrate unfettered loyalty to Trump. His own biased statements clearly show that he does not possess the judicial independence necessary to preside over a federal court that covers seven states. On Trump’s second inauguration day, [Smith tweeted](#), “It’s morning again in America. Our long national nightmare is over.” As the co-owner of the infamous James Otis Law Group, Smith spent years helping Trump evade accountability. As Trump’s attorney of record in the sexual abuse and defamation case brought by journalist E. Jean Carroll, Smith is now helping Trump overturn the multi-million-dollar judgment entered against Trump. Smith also played a significant role helping Trump avoid prosecution for “official” acts in the presidential immunity case before the Supreme Court.

Many former James Otis Law Group attorneys, such as Solicitor General D. John Sauer and White House staff secretary Will Scharf, are now serving prominent roles in the Trump administration. As someone with such deep ties to the administration and someone who also supported efforts to challenge 2020 election outcomes in swing states, Smith’s confirmation to the Eighth Circuit may further jeopardize free and fair elections in states like Minnesota, which was recently threatened by the Trump administration when it refused to turn over voter rolls.

As the Trump administration continues to routinely ignore court orders and the rule of law, we simply cannot afford to confirm any judge who would simply serve as a mere extension of the

Trump administration, rubberstamping unprecedented misconduct. Confirming a Trump loyalist to this circuit court seat not only risks the safety and well-being of those living in Missouri but could leave lasting and harmful impacts on all of the states covered by the Eighth Circuit, which includes Arkansas, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska. For these reasons, we urge you to oppose the nomination of Justin Smith to the Eighth Circuit Court of Appeals.

Sincerely,

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AFL-CIO

AFT

Alliance for Justice

Chicago Women Take Action

Clearinghouse on Women's Issues

Court Accountability

Demand Justice

Disability Victory

Earthjustice Action

Feminist Majority

FFRF Action Fund

Field Team 6

League of Conservation Voters

Levine Partners

MoveOn

National Council of Jewish Women

National Education Association

National Organization for Women

National Women's Law Center

National Women's Political Caucus

People For the American Way

People Power United

People's Parity Project

Reproductive Freedom for All

True North Research

Venice Resistance