

Katie Lane, nominated to the U.S. District Court for the District of Montana, currently serves as senior counsel for the Republican National Committee. In her short nine-year law career, Lane has already received public sanctions for disobeying court orders. She misrepresented facts, fought for imposing archaic and harmful penalties on LGBTQ+ people, and led cases that destroyed Montanans' ability to exert their basic right to vote. She also lobbied for reducing access to critical reproductive care. Lane's lack of substantive experience, inability to maintain composure and respect the institution she is meant to represent, and her willingness to make any argument to entrench her ideology should preclude her from a lifetime role on the federal bench.

Lane kicked off her brief law career at Jones Day before she began to implement Trump's conservative agenda at the Montana Department of Justice, first as an Assistant Solicitor General and then as the Deputy Solicitor General. In Montana, Lane honed in on attacking diversity, equity, and inclusion access initiatives. She also supported efforts to limit the voting rights of the very communities she was supposed to serve. After clerking for Senator Ted Cruz, Lane pivoted to another conservative far-right law firm before transitioning to her current role as senior counsel for the Republican National Committee. In this role, Lane continues to advocate for undoing civil rights for everyday people.

Lane is unfit and unqualified and cannot fulfill the roles, responsibilities, and obligations that a lifetime appointment to the judiciary imposes. If confirmed, her extremist ideologies will be entrenched into her rulings, as she has proven that she will put her conservative far-right agenda above fairness, impartiality, and justice.

## **ACTIVE OPPONENT OF VOTING RIGHTS AND ACCESS TO THE POLLS**

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Lane's career seems to be focused on weakening voting rights for marginalized communities. She personally led the charge in two major cases that lessened citizens' voting rights. Lane defended the Jefferson County Commission's redistricted 2021 map, which Black voters alleged constituted an unlawful racial gerrymander intended to dilute their voting power. The District Court sided with the Black voters and concluded that the Commission had violated the Voting Rights Act, which ensures that Black voters and other historically marginalized groups have the fundamental right to have their voices heard in elections. Despite this loss, Lane's firm has continued its ongoing appeal in the case.

Lane then actively intervened in another ongoing case, where she made disingenuous and harmful arguments about so-called "double voting." Montana's attempt to limit "double voting" was nothing more than imposing unreasonable penalties on those who were registered to vote in more than one state, not those who were actually casting a ballot in more than one state.

## ACTIVE OPPONENT OF VOTING RIGHTS AND ACCESS TO THE POLLS (CONTINUED)

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Imposing penalties on those who forget to register when moving states ensures that less people will vote, as they will be afraid to register “incorrectly” and face penalties, even when they are not trying to break the law. Lane intervened in the case, actively defending this Montana provision and even personally handling the appellate briefing before the Ninth Circuit and presenting oral argument. The case later settled, but remains a concerning exemplar of the lengths that Lane will go to make voting more difficult for everyday people.

## ARCHAIC EFFORTS TO HARM AND VILIFY THE LGBTQ+ POPULATION

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While working at the Montana Attorney General’s office, Lane argued that Mr. Menges should be registered as a sex offender there, since he had been convicted of the “crime” of having sex with another man in Idaho (under an outdated and harmful anti-sodomy law). As the briefing’s primary drafter, Lane argued that the Montana statute requiring Mr. Menges to register as a sex offender was “neutral on its face.” Luckily, the case later settled, and Mr. Menges was not forced to register as a sex offender simply for acting on his sexuality, despite Lane’s many attempts to ensure a different outcome.

As a federal district court judge, Lane will preside over thousands of cases that involve or impact LGBTQ+ members of the population. With such attacks on the basic rights of LGBTQ+ people, Lane cannot be trusted to fairly uphold the law, with equal justice for all.

## LOUDLY ADVOCATES AGAINST BASIC REPRODUCTIVE RIGHTS

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Three decades after a permanent injunction was placed on Guam’s total ban on abortions from the 1990s, Guam Attorney General filed a motion to try and block access to abortion care in the territory. Lane was directly involved in this attack, serving as counsel on the case. Thanks to a Ninth Circuit decision, access to abortion remains legal in Guam. These attacks demonstrate Lane’s continued practice of wasting courtroom time to make outlandish arguments simply to further right-wing ideological goals.

During Lane’s tenure as the assistant solicitor general in the Montana Attorney General’s office, she asked the Montana Supreme Court to overturn a 23-year old precedent that created the state’s constitutional right to abortion. Citing the precedent as “fundamentally broken,” Lane initiated the suit to try and protect three controversial, restrictive abortion laws that the Montana legislature had recently passed. Lane has no concern over whether the arguments she makes are fair, accurate, or even constitutional. She simply abuses her power to achieve political goals, an approach that is not fitting for someone seeking a lifetime position on the judiciary.

## REFUSES TO FOLLOW THE LAW WHEN IT COUNTS

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Lane has so little regard for upholding the law and making good-faith arguments that she received a rare public rebuke and punishment for disobeying court orders and misrepresenting facts to a court of law. These are serious flags for a future judge and reflect a concerning lack of judgement, respect, temperament and decorum. While leading the charge at the Montana Attorney General's office, Judge Moses insisted that the government pay reasonable attorneys' fees for the entirety of the litigation because of the state's misconduct, disobedience, and bad faith conduct, as well as outlandish arguments used throughout the case.

Such a rarely issued courtroom sanction speaks to gravity of Lane's misconduct. Lane's sanction confirms that she has not demonstrated even the most basic ability to follow courtroom rules and decorum. She cannot be expected to adequately manage a courtroom, especially given the lack of respect she's exhibited toward judges she's worked with. With such a history, it's unlikely that Lane would garner the necessary level of respect and trust from the parties who would appear before her.