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PRESIDENT

Rachel Rossi

CHAIR

Madeline deLone

April 27, 2026

Senator Charles Grassley
Chair, Senate Judiciary Committee

Senator Richard Durbin
Ranking Member, Senate Judiciary Committee

Dear Chairman Grassley and Ranking Member Durbin,

On behalf of Alliance for Justice (AFJ), a national association representing nearly 140 public interest and civil rights organizations, we urge you and your colleagues on the Senate Judiciary Committee to oppose the nomination of Jeffrey Kuntz to the U.S. District Court for the Southern District of Florida.

Kuntz was already presiding over a case involving [Donald Trump and the Pulitzer Board](#) when he actively sought a federal judgeship. He [authored and handed down an opinion](#) siding with Trump just weeks before the Trump White House counsel's office interviewed him for a judicial seat. Such timing and conduct appear to violate Florida's Code of Judicial Conduct and raise serious ethical concerns. For these reasons, we strongly urge you to oppose Kuntz's federal judicial nomination to the U.S. District Court for the Southern District of Florida.

[Canon 3E\(1\) of Florida's Code of Judicial Conduct](#) states that "[a] judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned." [Commentary accompanying this provision](#) further clarifies:

"...a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific rules in Section 3E(1) apply. For example, if a judge were in the process of negotiating for employment with a law firm, the judge would be disqualified from any matters in which that law firm appeared, unless the disqualification was waived by the parties after disclosure by the judge."

Similar to the example cited above, Kuntz was actively "negotiating for employment" with the Trump White House for a presidential appointment to the Southern District of Florida judicial seat while simultaneously presiding over a case involving the same party in *Alexander v. Trump*. As a result, Judge Kuntz's "impartiality might be reasonably questioned." In *Alexander v. Trump*, the appellant's initial brief was filed on August 26, 2024. An answer brief from Trump was filed on September 24, 2024, followed by a reply brief filed on October 25, 2024. Kuntz spoke to Senator Scott about the open seat a month later. He

continued to preside over the case throughout his vetting process and was still under consideration by the Trump White House when he handed down his opinion, siding with Trump, on February 12, 2025. He interviewed with the Trump White House Counsel's office a few weeks later, on February 28, 2025.

Per Florida's Code of Judicial Conduct Canon 3, Kuntz should have recused himself from *Trump v. Alexander* in order to avoid the appearance of impropriety. Not only did he fail to recuse himself, Kuntz lists this case *first* in his Senate Judiciary Questionnaire's self-curated list of the ten most significant cases he has presided over as a judge. Confirming Kuntz's nomination would further normalize the erosion of judicial independence and continue to signal to the public that loyalty to a president matters more than a judge's own compliance with the rule of law. For this reason, we strongly urge you to oppose Kuntz's nomination to a lifetime judicial seat on the Southern District of Florida.

Sincerely,

A handwritten signature in black ink that reads "Rachel Rossi".

Rachel Rossi
President, Alliance for Justice