



CONTACT: Karen Korr, Director of Outreach Strategy and Chief Communications Officer

619-321-4116 (office)/619-944-0650 (cell) or kkorr@sdcba.org

ATTRIBUTION: San Diego County Bar Association

SDCBA Public Statement Regarding the January 2017 Executive Orders on Immigration and the Independence of the Judiciary

SAN DIEGO, Feb. 15, 2017 – The executive orders on immigration issued by President Donald Trump on January 25 and 27 have created a swiftly moving and uncertain situation, which has highlighted the necessity of access to justice and the critical importance of an independent judiciary.

The San Diego County Bar Association (SDCBA) is concerned by and strongly condemns the president’s recent comments about the judicial process, including President Trump’s reference to U.S. District Judge James L. Robart as a “so-called judge” and the president’s suggestion that any acts of terrorism should be blamed on “[Judge Robart] and the court system.” Such attacks demean and delegitimize the judiciary. Further, such attacks undermine the public’s confidence in our judicial system and compromise the independence of the judiciary. These comments, like then-candidate Trump’s unfounded personal attack on U.S. District Judge Gonzalo Curiel last summer, must not go unchallenged.

The Constitution provides a time-tested tripartite form of government, in which each co-equal branch provides necessary checks and balances on the others. These checks and balances assure the continued strength of U.S. democracy.

It is the role of the executive and legislative branches to adopt laws and issue executive orders. It is the role of lawyers to analyze, question, and challenge or defend the operation of such laws and executive orders. And it is the role of the judiciary to weigh such arguments and determine the constitutionality and legality of laws and executive orders. The litigation that is currently unfolding regarding the immigration executive orders is an example of this system of governance functioning precisely as it was designed. That process deserves the respect of all who value the Constitution and took an oath to uphold it, including the president and all attorneys.

As officers of the court, we are committed to ensuring meaningful access to justice for all persons regardless of their economic or social conditions. While we await the courts’ final rulings on the president’s executive orders, we will continue to prioritize access to justice for all and equal justice under the law, and to defend the judiciary against attacks on its independence.

We commend the lawyers in San Diego and around the country who have responded admirably in accordance with their professional oath to uphold the Constitution. They are working tirelessly to assist all individuals whose immigration status has been or may be affected by the executive orders, including the most vulnerable.

The SDCBA is a non-political and non-partisan association of 10,000 diverse members, which aims to enhance the legal system and promote justice, professional excellence and respect for the law. Information on how to contact an immigration attorney and resources for understanding the immigration executive orders can be found online at www.sdcba.org/immigrationinfo.