



The International Academy of Trial Lawyers Advocates for the Rule of Law Around the World

Government Lawyers Should Not Be Exempted from Complying with Ethics and Disciplinary Rules

April 22, 2026 — The [International Academy of Trial Lawyers](#) advocates for the Rule of Law around the world. The Rule of Law requires lawyers to operate independently and without the influence of others, upholding the highest standards of ethics, competence, and professional independence.

A [new proposed rule](#) submitted for public comment by the United States Department of Justice seeks to thwart this effective system of supervision and discipline. By its terms, the proposed rule would prohibit federal government lawyers from cooperating with or responding to bar disciplinary investigations unless the government first concluded those investigations had merit.

The Academy strongly opposes the proposed rule.

If adopted, the proposed rule would create an unaccountable cadre of federal lawyers obliged to follow only those standards the then-current federal government wished to impose, if any. Unmoored from regulation and oversight by the state bars that license them to practice, federal lawyers could operate with impunity, confident that the professional standards of candor, competence, and truthfulness imposed by the bar rules could not be enforced. This would be a disaster for the Rule of Law. It jeopardizes the integrity of our judicial system. And it puts the public at risk.

None of this makes sense. High professional standards and a means to enforce them on all lawyers are fundamental to the Rule of Law. In the United States, [local regulation of lawyers](#) has worked well for more than a century. In each state, independent bar associations impose crucial standards of character and fitness on all lawyers. They administer bar exams to ensure lawyers meet minimum standards of competence and ethics before they may practice law. They publish rules of professional responsibility that govern all lawyers, including standards essential to upholding the fiduciary obligations owed to their clients and the equally important obligations of candor owed to courts and tribunals. Where lawyers fall short of those critical standards, local bar associations impose professional discipline that upholds the Rule of Law.

The rule proposed by the United States Department of Justice undermines this system of lawyer discipline.

Barring government lawyers who work for the federal government from cooperating with local disciplinary investigations unless the government agrees an investigation is warranted interferes with the Bar's independent and long-standing authority to discipline lawyers they license.

This is wrong. It is unnecessary and dangerous. The ethics rules protect the public from the falsification and non-disclosure of evidence. They forbid government lawyers from using criminal prosecutions to target political opponents. And they mandate that government lawyers uphold the Constitution, which protects the rights of all people.



The independence of the Bar is fundamental to the Rule of Law. The International Academy of Trial Lawyers strongly opposes the proposed rule and urges the Department of Justice not to adopt it. The United States' constitutional republic cannot survive a system in which the government exempts and insulates its own lawyers from complying with ethical rules.

This statement is issued on behalf of the Executive Committee of the International Academy of Trial Lawyers.

About the Academy

The International Academy of Trial Lawyers is a fellowship of lawyers with a singular mission: to protect and promote the Rule of Law. Founded in 1954, the Academy is composed of distinguished trial lawyers recognized for skill, experience, ethics, and civility. It includes both plaintiff and defense counsel in civil litigation, as well as prosecutors and defense lawyers in criminal cases. The Academy includes trial lawyers from the United States, Canada, and more than 30 other countries. Fellowship is by invitation only. Nominees must have distinguished themselves through careers defined by exceptional trial skills, professionalism, and integrity. They become Fellows only after a rigorous vetting process that includes both peer and judicial review.

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