

New York Times

Liberal Lawyers Plan Wave of Resistance to Trump Policies

By CHARLIE SAVAGE JAN. 30, 2017

WASHINGTON — The calls and emails went out a little past 10 p.m. Friday, rippling through an informal network of current and former Yale Law School students who had worked at the school's immigrant rights advocacy clinic. The news told of an Iraqi man being detained at Kennedy International Airport because of President Trump's travel ban, putting him at imminent risk of deportation.

Around three dozen lawyers and law students across the country divided up research and writing, and worked through the night. Together, they slammed together a [legal complaint](#) asking a federal judge to free the man — and, soon, another like him — and to certify their lawsuit [as a class action](#) on behalf of others in a similar situation.

Around 5:30 a.m. — shortly before the first Europe-bound flights were scheduled to depart — they filed the lawsuit on the electronic docket system for the Eastern District of New York. Then they began converting their files into templates for lawyers in districts across the country to use, as well.

So began the opening salvos of the legal pushback to Mr. Trump's executive order banning entry to refugees and others from seven predominantly Muslim countries.

“It was amazing — everyone swung into action and we were up all night drafting it,” said Becca Heller, a Yale graduate and co-founder of the [International Refugee Assistance Project](#), which represented the Iraqi men. Anticipating that Mr. Trump's order might ensnare them, the project had sent lawyers to the airport to meet them when their flight landed.

The effort was primarily drafted by lawyers at the project and at the [National Immigration Law Center](#), and by law students at [Yale's Worker and Immigrant Rights Advocacy Clinic](#) overseen by [Profs. Michael J. Wishnie](#) and [Muneer I. Ahmad](#). Then it was argued at an emergency hearing by an American Civil Liberties Union lawyer.

The effort illustrates that a broad mobilization of rights-oriented lawyers is emerging.

Determined to make legal resistance one of the defining attributes of the Trump era, lawyers at liberal advocacy groups have been putting aside institutional rivalries and organizing to work together on litigation.

Several leaders of the effort said their hope is that the judiciary may serve as a strong check to a government controlled by Mr. Trump and his fellow Republicans in Congress across a broad range of anticipated fights.

For example, in early January, the [Lawyers' Committee for Civil Rights Under Law](#) convened a private meeting of about two dozen civil rights groups to strategize about coming voting rights and other civil rights fights, participants said. And last week, the [American Constitution Society](#) and the [NAACP Legal Defense Fund](#) co-sponsored a similar two-day private conference to discuss coordination of legal challenges.

“We are clearly in a moment in which civil rights organizations face unprecedented challenges and will need to mount new and more aggressive strategies,” said Kristen Clarke, the president and executive director of the Lawyers' Committee.

Now, with the lawsuit filed in Brooklyn — which was quickly echoed elsewhere, including one filed in Virginia by two other veterans of the Yale immigration clinic — the leading edge of that wave is arriving. (The litigation joins a lawsuit filed last week arguing that Mr. Trump's ownership of businesses that take payments from foreign governments violates the Constitution.)

Propelling the effort is an outpouring of financial support and volunteers that legal rights group leaders say dwarfs the campaign that gradually emerged to counter the George W. Bush administration's post-Sept. 11 national security policies, including detention without trial at the prison at Guantánamo Bay, Cuba.

“You've never seen it at this intensity and across all these different issues -- freedom of speech, Muslim rights, immigrants' rights, abortion rights,” said Anthony D. Romero, the executive director of the [A.C.L.U.](#) “All the pots have been put on a boil.”

The A.C.L.U.'s membership rolls and fund-raising provide a measure of those energies. Mr. Romero said his group last year had about 400,000 members — to be active, people must give at least \$20 each year — down from its peak of about 550,000 during the Bush administration. In each of the past three years, its website took in about \$5 million in donations, he said.

But just since Election Day, he said, the A.C.L.U. has surged to more than a million members and — as of 5 p.m. Monday — it had taken in \$71.3 million from 921,304 online donations; \$31.5 million of that came from 456,714 since Friday, when Mr. Trump signed the travel ban. The money will fund many more lawyers at both the federal and state level, he said.

“It's extraordinary — we've never seen anything like this,” Mr. Romero said. “It means that people expect us to do a lot more of this work.”

Other organizations also reported a surge in fund-raising and interest. Caroline Fredrickson, the executive director of the American Constitution Society, said that when her organization sponsors a conference call to discuss an issue, it typically gets 80 to 100 R.S.V.P.s. On Monday, it announced a call about the travel ban and got 500, she said.

Similarly, Nan Aron, the president of the liberal [Alliance for Justice](#), which focuses on judicial nominations, said in the past her group has had trouble getting support from corporate law firms that seek to avoid entanglement in politics, but since the election,

several “major” ones — she would not name them — have volunteered their services to research the backgrounds and records of potential judicial nominees.

“The bar has been galvanized in a way I have not seen since the 1960s,” she said. “They are just showering us with offers of legal assistance.”

New liberal legal groups are also sprouting up. The day after the election, Traci Feit Love, an Atlanta-based lawyer, created a private Facebook group she called [Lawyers for Good Government](#), hoping, she said, to get about 200 members who wanted to discuss the changes that were coming.

Within three days, she said, it had 60,000 members. It now has 127,000, of whom 20,000 have registered for an email list. Her group has since helped organize the “[Rise Above](#)” conference in Washington, as part of the post-inauguration [Women’s March](#) and helped steer volunteer lawyers to airports after Mr. Trump’s order.

“We’re not looking to supplant other organizations — we’re looking to complement them,” Ms. Love said.

Many immigrant legal advocacy groups were also steering volunteer lawyers to airports, and over the weekend at Dulles International Airport outside Washington, the number of volunteer lawyers at times exceeded the number of protesters. By Sunday, the volunteers had set up a makeshift legal clinic on a folding table under a bank of escalators and began to organize themselves, starting a WhatsApp group to share information and a Google spreadsheet to track potential cases.

Amber D. Murray, 34, an immigration attorney who works with [No One Left Behind](#), which helps resettle Iraqi and Afghan refugees who worked for the military, was at Dulles around 6:30 p.m. Sunday when she got a call from an Afghan man whose flight had just landed.

The man had a special visa that is given to those who have worked for the United States military or government, and was arriving with his wife and children.

“If you get pulled aside, give them my name, give them my phone number and tell them I’m your lawyer,” Ms. Murray told him.

Then the waiting began. After hours to clear customs, her clients made it out.

Matthew Rosenberg contributed reporting.

Follow Charlie Savage on Twitter [@charlie_savage](#).

A version of this article appears in print on January 31, 2017, on Page A11 of the New York edition with the headline: Lawyers Join Forces and Fan Out to Fight Trump Policies. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)