

ABOVE THE LAW

2025 Biglaw Intimidation Survey

Above the Law has been covering the extraordinary actions by the Trump administration to use executive orders and the office of the Equal Employment Opportunity Commission to retaliate against perceived personal legal enemies and to intimidate law firms based on their representation of clients or causes with which the president disagrees.

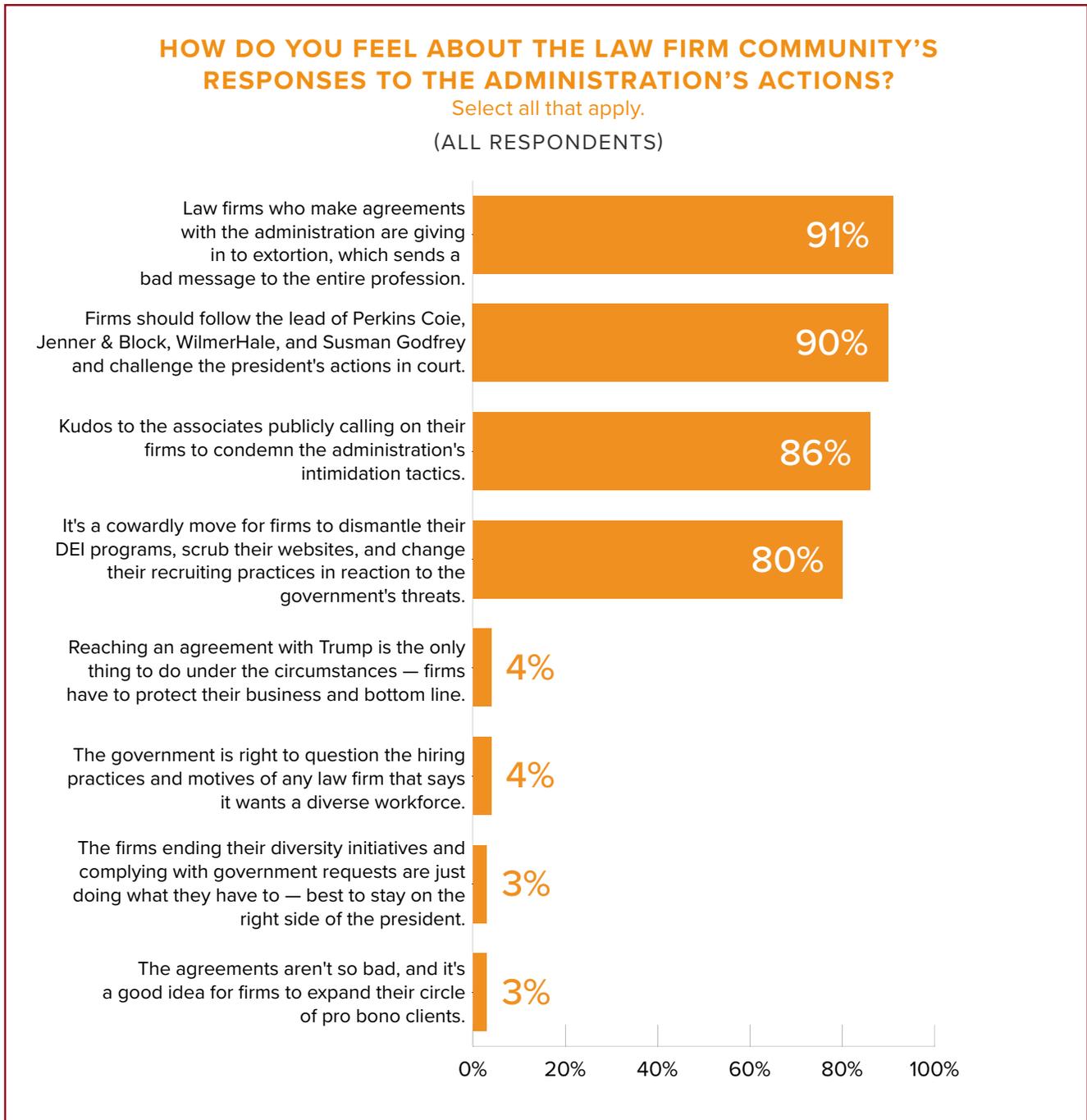
In the face of this abuse of government power, a handful of targeted firms are challenging the president's actions in court. Others have struck deals (with concessions including dismantling of DEI programs and pledges of pro bono services to Trump initiatives), while most of the nation's largest law firms officially remain silent. ATL created the [Biglaw Spine Index](#) to help readers track firms' responses.

Meanwhile, to explore how individual law firm attorneys, in-house counsel, and others in the legal community feel about this unprecedented onslaught on the legal system, we surveyed ATL readers. Over two weeks, from April 16 to April 28, 2025, we heard from more than 850 lawyers (including many whose firms have been targeted by Trump), law students, professors, judges, and concerned citizens.

Here's a look at what they had to say.

Fighting back is “the only logical and moral response”

The vast majority of respondents believe that, rather than trying to make deals with the administration, law firms should challenge the president’s actions in court.



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Law firms should all be coming together to fight this. If all firms stood together, then none of the firms would be facing the risk they are.

— AM LAW 100 ATTORNEY

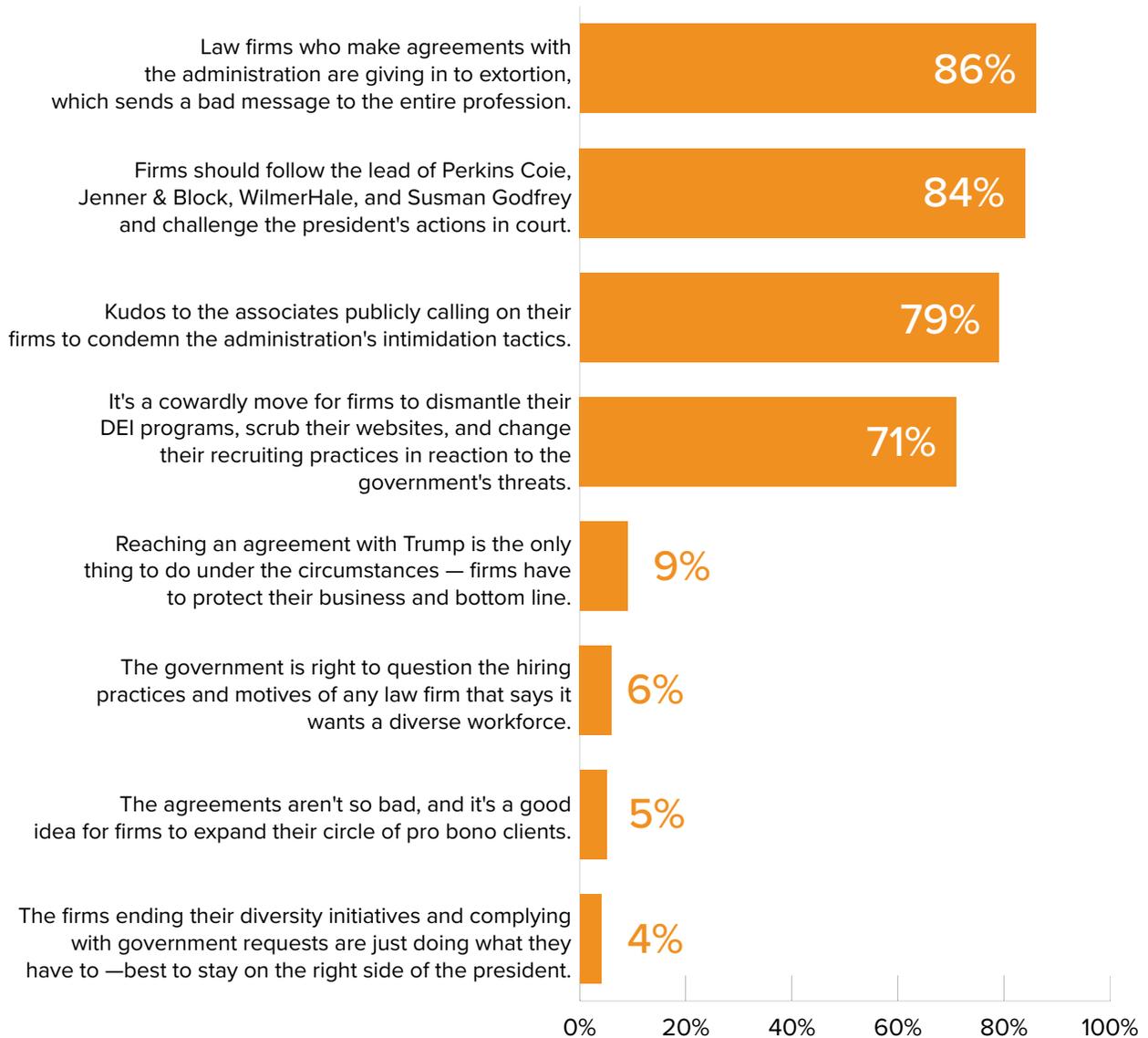
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The results reveal a strong consensus across the survey pool, although among the small number of law students who participated, a few were inclined to give the administration the benefit of the doubt. And, while opinions of law firm respondents were pretty solidly in favor of challenging the administration's actions, a small minority of those at Am Law 100 firms consider acquiescence a practical response.

HOW DO YOU FEEL ABOUT THE LAW FIRM COMMUNITY'S RESPONSES TO THE ADMINISTRATION'S ACTIONS?

Select all that apply.

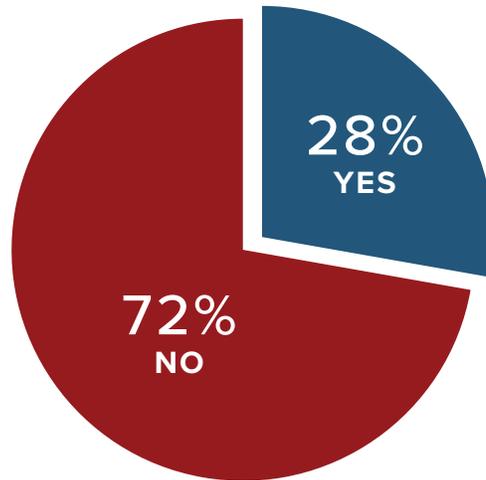
(AM LAW 100 FIRMS)



“Silence is damning”

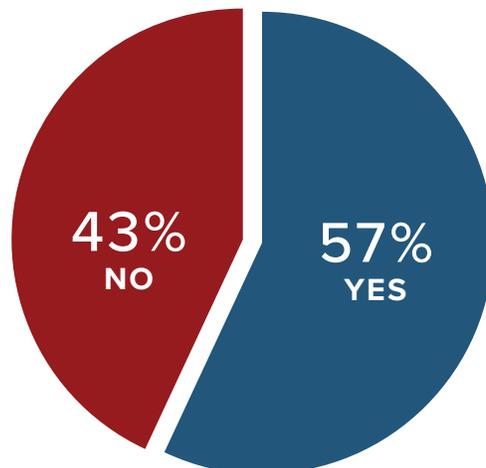
More than a quarter of law firm participants work at firms that were targeted by the administration.

HAS YOUR FIRM BEEN TARGETED BY THE ADMINISTRATION, FOR ITS REPRESENTATION, FOR WORK ITS PARTNERS (OR FORMER PARTNERS) HAVE DONE, AND/OR FOR ITS SUPPORT OF DEI INITIATIVES?



We asked respondents if they approve of their firm’s response to the situation, whether or not their own firm has been a target of the Trump administration, and a majority said they do.

WHETHER OR NOT YOUR OWN FIRM IS AMONG THE TARGETS OF THE EXECUTIVE ORDERS OR EEOC LETTERS, DO YOU APPROVE OF THE WAY IN WHICH YOUR FIRM HAS RESPONDED TO THE SITUATION?



Many who approve of their firm's response say their firm has challenged the executive order in court, signed on to one of the amicus briefs, and/or refused to revise its DEI policies:

- **“My firm has been targeted by the admin and has fought back in court. This is the only logical and moral response, and may be the best business decision in the long term.”**
- **“My firm has expressed disapproval of the president’s mafia tactics and law firms’ capitulation. Our is a profession that is intended to uphold the law and to protect the public.”**
- **“My solo law firm signed on to the amicus filed by Munger.”**
- **“Ready to go to court!”**

“

My firm joined the amicus briefs in support of Jenner & Block and Wilmer Hale. We are not a Biglaw firm, but we refuse to be silent in the face of tyranny.

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Still, not everyone agrees that their firm should fight back:

- **“[My] firm came to an agreement with [the] Trump administration. I approve, because absent such agreement, the firm would not have survived, and its demise would have accomplished nothing.”**
- **“I’m at Willkie and we proactively responded before we received the EO. My initial reaction was disappointment but several of my clients have mentioned (unprompted) how it was the right decision and that has changed my perception.”**
- **“I am ok with the silence that my firm has had in this situation.”**
- **“President Trump is on the right side of this.”**

But some of those who are unhappy with their firm's response are at firms that made deals with the president:

- **“I disapprove because my firm caved to extortion.”**
 - **“I completely understand why the firm capitulated. There were unimpeachable business reasons to do so. However, we didn't get out of much. Trump could literally hit the firm with more demands/EOs/Investigations anytime he wants to. We may have gotten out of this one, which we absolutely HAD to do somehow, but by not fighting him on it in court, we emboldened him for future actions that may be intolerable. As I see it, we can be sensible cowards now, kick the can of flaming poop down the road, and push back later, when we face some other extinction-level event, or we could have taken a principled position now, and not so greatly undermine the rule of law.”**
 - **“I'm a partner at [one of the firms that capitulated]. We folded like a cheap suit. It's a disgraceful and shameful precedent to set, and the knuckleheads who think [my firm] and others like it will have any spine to stand up in the future are foolish. I guess we'd be working hand in hand with the Hitler administration if we had a Berlin office in the 1930s because it's just a smart business move, amirite? To be fair, it's not like it is literally our jobs to take tough legal positions, oh wait that's right it is. Yay for courage!”**
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Others are disappointed with their firm's silence:

- **“My (BigLaw) firm did not sign the amicus brief in support of Perkins Coie. I think it should have.”**
 - **“My firm has been totally silent. Silence at this moment is a form of capitulation.”**
 - **“Active opposition is the only honorable course. Staying silent to avoid the crosshairs is completely misguided. Did we learn nothing from 1930s Germany?”**
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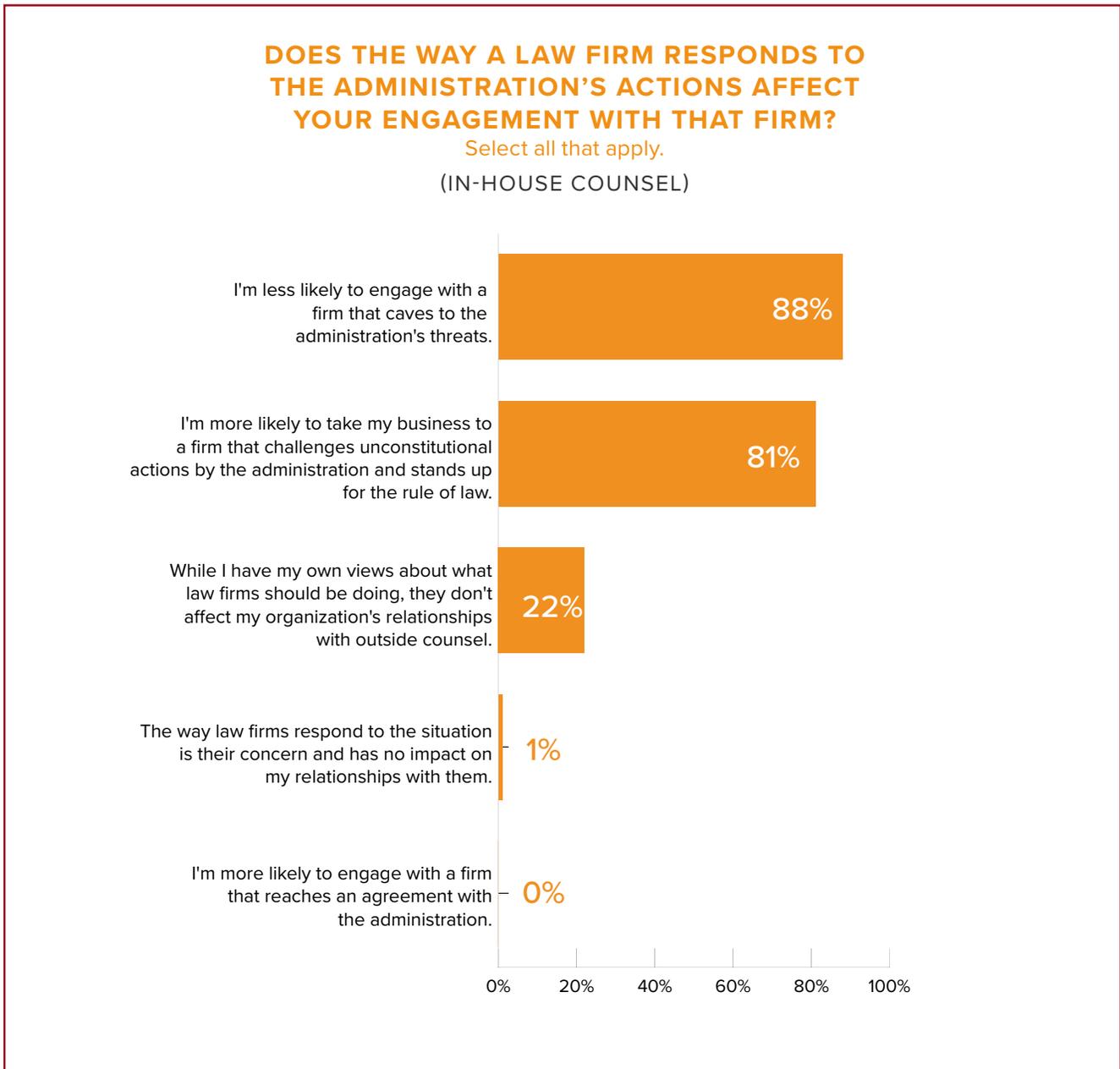
A number of respondents focused on how their firm has responded to the president's attacks on firms' diversity and inclusion initiatives:

- **“My firm preemptively scrubbed all references to DEI from its website. It's cowardly, shameful, and incredibly disappointing.”**
- **“The firm has received a letter from the EEOC but has not communicated with any associate about its approach or response. Now Black and Brown associates are left wondering whether the firm turned over their personal data to the government.”**

“We only deal with firms who have a backbone”

Asked whether a law firm’s response to the administration’s actions would affect their engagement with that firm, not one in-house attorney said that cooperation with the government is more likely to make them engage with that firm.

In fact, 88% of in-house counsel said that they are less likely to work with a firm that caves to the administration’s threats and 81% said they would rather give their business to a firm that stands up to the rule of law.



Much of the feedback from in-house lawyers was along the lines of this comment from an attorney at a Fortune 250 company: “If a firm isn’t willing to advocate for itself or the integrity of the rule of law, how can I expect them to advocate for me?”

- **“First, I think the law profession has a unique responsibility to push back on the unprecedented amount of unconstitutional actions. Second, I think that caving to this administration’s demands looks weak and cowardly; and third — and perhaps most importantly — I can’t trust that a law firm that has ‘made a deal’ will zealously advocate for my company’s interests or won’t fire us as a client upon demand from the Administration.”**
- **“I expect our litigation and transactional outside counsel to vigorously advocate for their clients on the merits, rather than based on perceived power imbalances or their own bottom line. How can I expect to rely on frank and measured guidance from firms that gave in to unconstitutional, targeted, and bullying governmental directives? I need strong, principled attorneys on our side. Not spineless bean counters looking to preserve their bottom line above all else.”**
- **“Additionally, these were bad deals: they aren’t definite or show a clear meeting of the minds, and the law firms that bent a knee have shown they can continually be pushed to shift again and again at the whim of the executive branch. Even setting aside the moral and ethical failing, the way they negotiated these is an enormous cloud on their strategic judgment.”**

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I need strong, principled attorneys on our side. Not spineless bean counters looking to preserve their bottom line above all else.

– IN-HOUSE COUNSEL

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Many said the decisions law firms make will affect where they bring their business:

- **“Plain and simple — I don’t support their decisions, thus I don’t want to support the firms. As in-house counsel, I will refer my employer’s outside legal needs to other firms.”**
 - **“I want to set an example that we only deal with firms who have a backbone. I also want those firms who are standing up to feel the support and get additional business so they know it was worth it.”**
 - **“I have and will continue to have significant buying power as in-house counsel re firm selection. I will never use one of the firms who have capitulated to the Cheeto and struck a deal unless I absolutely have to do so. I want fearsome litigators working for me. Skadden, Paul Weiss, and team have shown me that they aren’t the kind of firm I want to work with.”**
 - **“This is not a political issue. We choose to work with law firms whose actions reflect our values. If a firm won’t stand up for themselves in the face of action that is clearly unlawful, then I don’t trust them to handle my matters.”**
-

A few counsel suggested that, whatever they personally think about a firm’s actions, it may not affect their organization’s relationships with them:

- **“We have longstanding relationships with lawyers, not necessarily law firms. The decisions made by law firm leadership don’t represent the views of all lawyers in a firm. Moreover, the disruption of moving matters to a different firm is problematic. I have, however, voiced my concerns with the attorneys I work with and explained my personal position on these matters.”**
- **“I applaud the firms which are standing up for the rule of law. I will direct my business to them where feasible. However, I cannot compromise the quality of legal representation in order to do so.”**

“The fate of our nation is at stake”

A number of comments from in-house counsel emphasized that attorneys need to think about more than just their own firms or their corporate clients. In the words of one attorney, “The fate of our nation is at stake. The rule of law must be upheld.”

- **“First, it’s the right thing to do. Second, as lawyers, we have an obligation to push back against unconstitutional action. Third, Biglaw stands as a leader for the legal community generally. Fourth, I question the creativity of law firms that have rolled over on this issue — I want my lawyers to be smart, capable, and willing to do what is necessary when it’s a matter of right and wrong. I question whether I can rely on the counsel of firms that roll over on an unconstitutional threat. Fifth, when all is said and done, I want to know that I did what I could where I could to address this.”**
- **“There are defining moments in history. This moment directly involves the rule of law, which is the foundation of our very democracy. If lawyers won’t stand up for the rule of law and stand against clearly unconstitutional actions, who will? This is especially true of Biglaw firms who have more financial ability to do so.”**

“I don’t want to be associated with firms that give in”

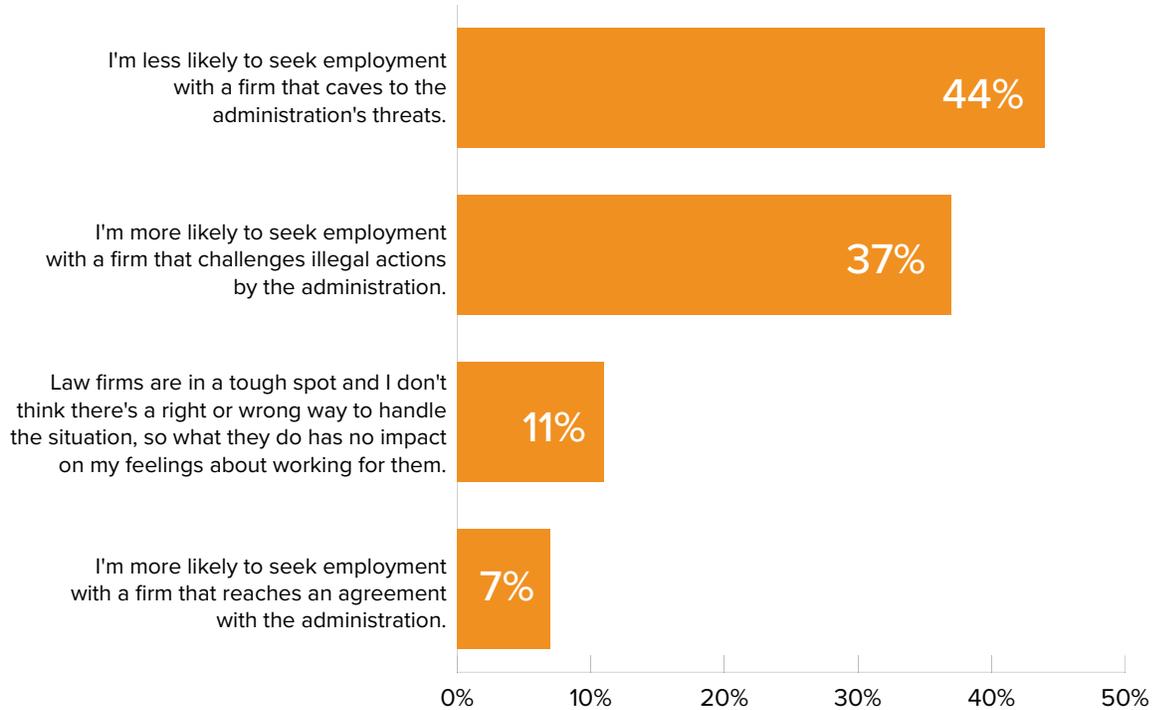
We did not hear from a lot of law students, but many of those that responded suggested they would rather seek employment with a firm that challenges illegal actions by the administration.

- **“It is the ultimate cowardice to bow to unconstitutional and unethical orders, regardless of who issues them. The only way to escape a descent into authoritarianism is for everyone, but especially leaders in various fields, to say ‘no’ and refuse to cooperate. We must accept the risks that come with refusing to bend the knee, because they’re better than the alternative.”**
- **“I don’t want to be associated with firms that give in.”**

DOES THE WAY A LAW FIRM RESPONDS TO THE ADMINISTRATION'S ACTIONS AFFECT HOW YOU FEEL ABOUT THAT FIRM AS A POTENTIAL EMPLOYER?

Select all that apply.

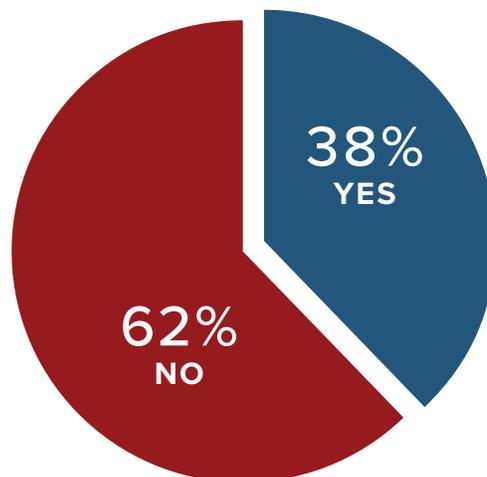
(LAW STUDENTS)



“Proud that we spoke out as a community”

Almost 40 percent of law students and professors said their law school had taken a stand on the administration's crackdown.

HAS YOUR LAW SCHOOL TAKEN A STAND ON THE ADMINISTRATION'S CRACKDOWNS ON LAW FIRMS, LAW SCHOOLS, AND OTHER LEGAL ORGANIZATIONS?



Students and professors whose schools have taken a stand expressed pride:

- **“I am proud of my school’s rebuke of the Trump administration.” (3L)**
 - **“Extremely proud that my school has stood up to the administration and not acquiesced.” (1L)**
 - **“I’m proud that we spoke out as a community. Many professors have also spoken out individually. It seems like all of our professors fully understand the threats to our country.” (Professor)**
-

Meanwhile, many who attend or work in schools that have not said anything publicly feel disappointment:

- **“Embarrassed and ashamed.” (3L)**
 - **“I think it is awful. The school should be responding.” (Professor)**
 - **“The question is who is the ‘school’ when it’s a public school. I think the deans should speak out in their individual capacities, even if it costs them their jobs — put principle above self-interest, the latter of which is certain to be hurt in a red state.” (Professor)**
 - **“Like we are just delaying the inevitable. We have been trying to stay off the radar but [it is] certainly disappointing that we aren’t using our resources to fight back now and often, before we are in the spotlight and can’t move as quickly.” (Professor)**
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“An existential moment for our profession”

We asked all survey respondents what law firms should (or should not) be doing under the circumstances.

“Fight, fight, fight” sums up the tenor of the majority of comments. Many also suggested that firms should band together to present a united front. In addition to the unconstitutionality of the president’s actions and their threat to democracy, some people point out that this president in particular has a known propensity to renege on his deals, so reaching an agreement doesn’t necessarily take the firm out of harm’s way.

More than 500 people responded to this question. Here are some representative comments:

- **“Law firms should be standing up for the rule of law and calling this out for what it is. It shouldn’t be difficult or controversial for lawyers of good faith to stand up for our constitutional rights.” (Am Law 100 attorney)**
- **“Any [law firms] that bend to Trump are giving him license to make further demands. It is a fool’s errand to assume the requests stop with DEI and vague pro bono demands. He will seek to weaponize them and hold the threat of retaliation over their heads.” (Am Law 100 attorney)**
- **“Shouldn’t be capitulating, and certainly shouldn’t be striking deals early. And should NOT remain silent about other firms being targeted. There is no other correct answer here.” (State government attorney)**
- **“They should be showing what zealous advocacy means by standing up for the rule of law and not bowing to a wannabe despot.” (Judge)**
- **“The entire legal industry should be fighting this.” (Law firm professional, AmLaw100)**
- **“Sure, the bottom line is important, but so is legacy and longevity. Don’t be on the wrong side of history here, folks.” (Federal government attorney)**
- **“Most important is not giving in and signing ‘deals’ with this administration. Next is taking action in the courts or otherwise to try to stop it. Finally, this is a moment where all lawyers should be locking arms. While firms often are in competition for clients and talent, etc. and also adverse to each other in cases, this is an existential moment for our profession overall and we should all stand with each other and support each other any way we can.” (In-house counsel at large private company)**

- “Firms have paraded around women and people of color to clients for years. Both have been asked to do extra recruitment, have been looped into client presentations, so that the firm could demonstrate that they are diverse and inclusive. The only benefit to those groups is that the firm genuinely supported their advancement. It is a betrayal to abandon those values and initiatives because Trump is scared of diversity. Law firms should be ashamed for disbanding these initiatives. No one should sell out. We’re some of the smartest legal minds in the country. No one is doing anything illegal. Why not fight?” (Am Law 100 attorney)
- “We are supposed to be the bulwark against tyranny. I feel like we are losing our Republic. This is a huge betrayal to give into extortion.” (Solo practitioner)

“

It’s like the mob. Once you cave, they have you forever.

– IN-HOUSE COUNSEL AT FORTUNE 250 COMPANY

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- “All of them should have signed the amicus briefs. The number of Am Law 200 firms who were cowardly and didn’t sign on are an embarrassment to the profession. While they might not be remembered individually, the lack of firms signing on will be remembered in history.” (Law firm professional, Am Law 200)
- “They should fight these unconstitutional demands. We either stand together or hang separately.” (Retired lawyer)
- “They need to stand up for the rule of law that our country holds dear. They need to lead by example and show society (particularly the laypeople like me) what is correct and acceptable. There’s no need to be worried about losing government contracts if they’re all getting cut anyway. Even I know agreeing to do pro bono work in perpetuity is NOT a sustainable business model.” (Someone “casually interested in law but not a professional or educated in it”)
- “Fight, you spineless wimps!” (In-house counsel at Fortune 250 company)

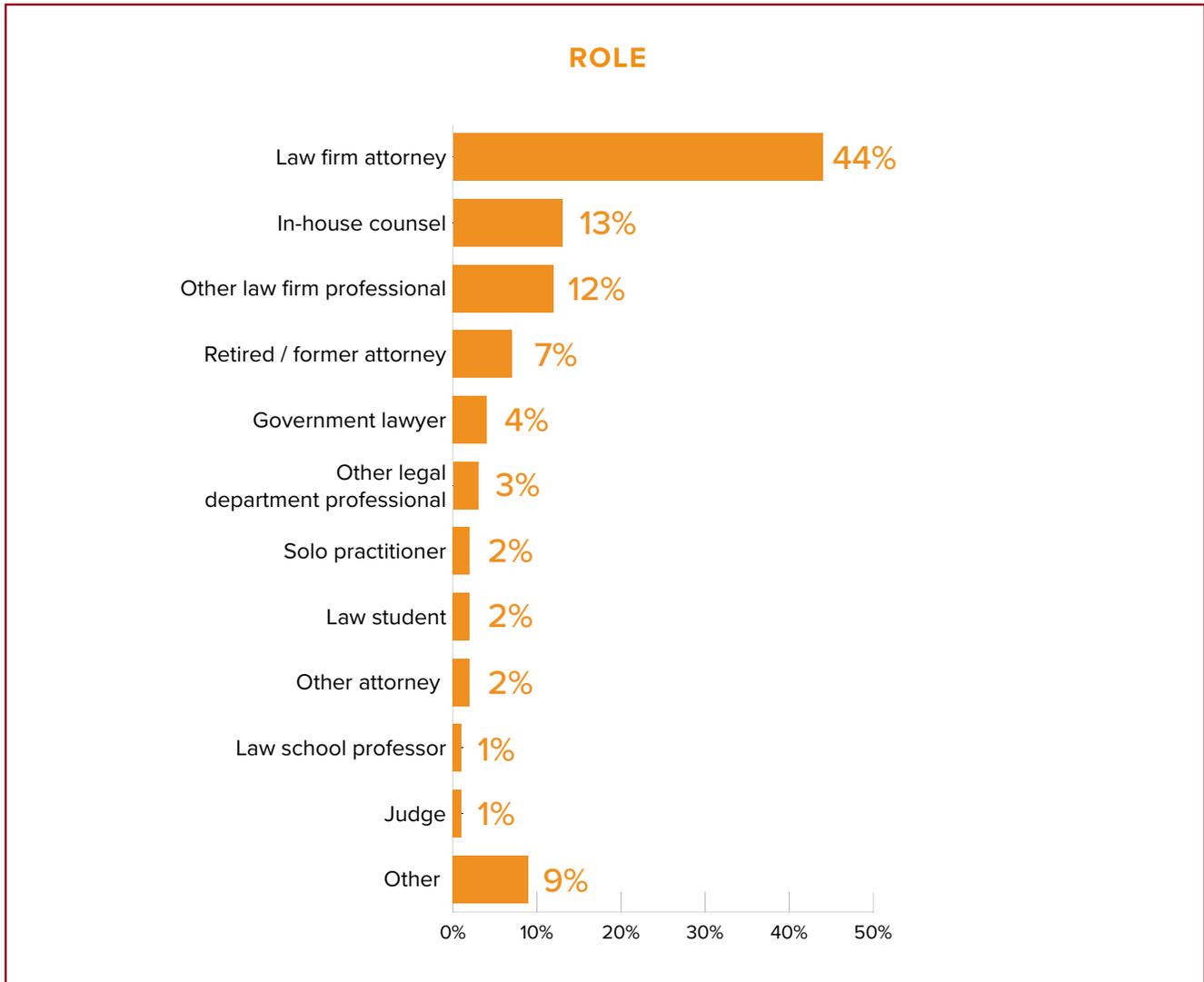
“There’s no good option”

While the vast majority of those surveyed suggest that law firms should challenge unconstitutional demands and not succumb to intimidation, not everyone feels that way:

- **“Certainly someone should be standing up and speaking up that the EOs are wrong, illegal, and scary. But I think that should be politicians, judges, and other people in power in the administration. The law firms are smartest to make it go away as quickly as possible with as little pain to their business as possible. The victim isn’t in charge of defending himself.” (Former attorney and Biglaw spouse)**
- **“Law firms should be using pro bono hours to support the Trump administration’s immigration enforcement initiatives. Law firms should not encourage the formation of internal affinity groups based on racial, sexual, or gender identity.” (Clerk)**
- **“A law firm should hire based on credentials, experience, and other factors that suggest success. Gender and race should not be a consideration. If they are, it constitutes discrimination.” (Solo practitioner)**
- **“The question is too simplistic. Not all firms will be the same. While I don’t think firms should enter into these ridiculous agreements, I can also see firms want to stay under the radar by not taking an affirmative stance against the administration. Yes, it isn’t the most moral thing to do, but law firms have shown they aren’t going to stand behind each other, so being singled out isn’t a great idea.” (Am Law 100 attorney)**
- **“They should be cutting deals. The world needs Biglaw. (as do all of you)” (Am Law 100 attorney)**
- **“Making deals (especially preemptively) seems bad, but I’m fine with taking steps to align with new realities re DEI and not overtly antagonizing the government.” (Am Law 100 attorney)**
- **“I honestly have no idea. There’s no good option, only various bad options. What Trump is doing is unprecedented and insane.” (Am Law 100 attorney)**

Survey Participants

857 respondents

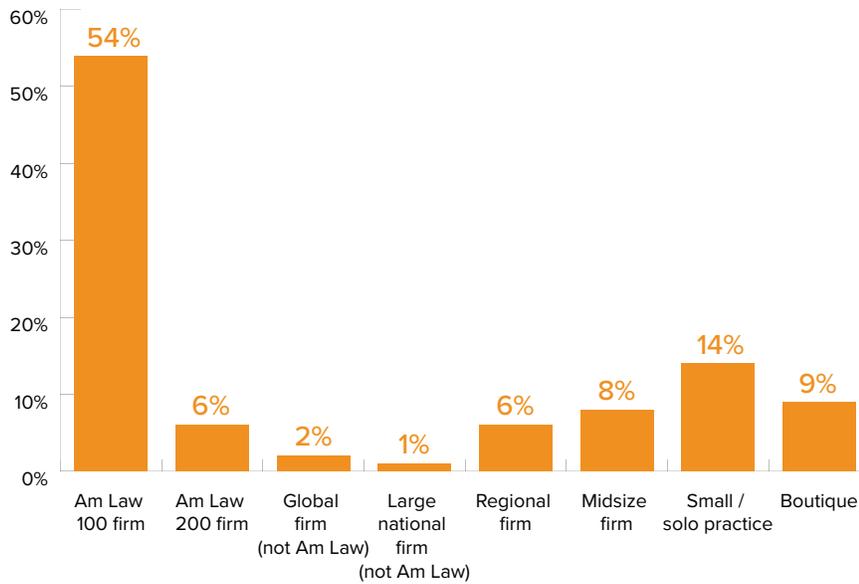


“Other” responses include actuary, concerned citizen whose family members are lawyers, consultant, court staff, former legal recruiter, legal editor, legal vendor, management professor, mediator, nerd, PhD scientist, pro-democracy (and therefore anti-Trump administration) reader of Above the Law, retired judge, retired law librarian, university professor.

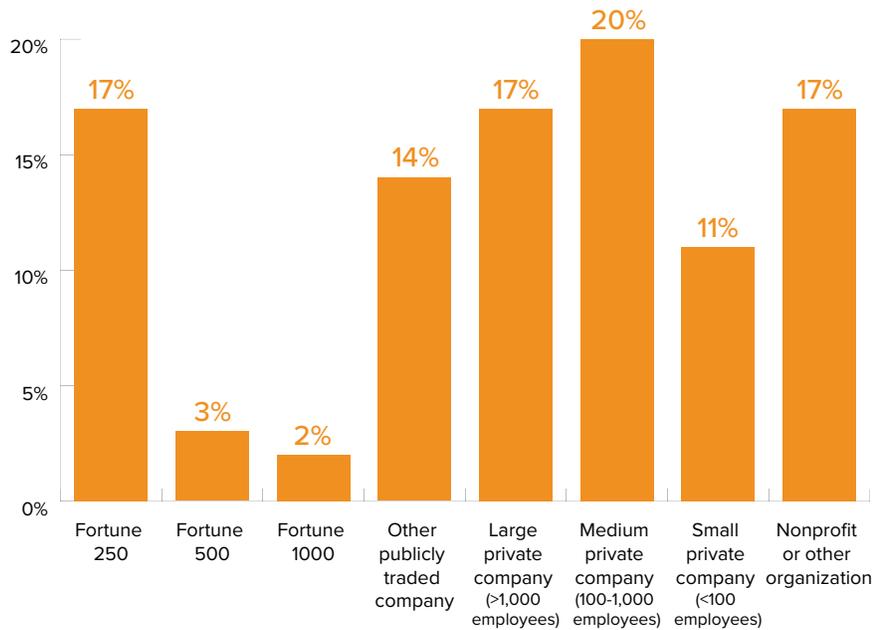
Along with many who work in or with the legal sector, we heard from a number of ATL readers not necessarily connected to the law but concerned about what’s happening, including:

- Just your average guy
- Just Joe six-pack out here in the country doing my job raising my family. Sick of the Trump BS.
- An elderly woman who is scared to death. I know they can bully me, but I look toward all of you to stand up to their nonsense with reason, rule of law and intelligence. I may be small, but I still have faith in our Constitution. Those who fall in line are grifters just like HE is. Thanks.

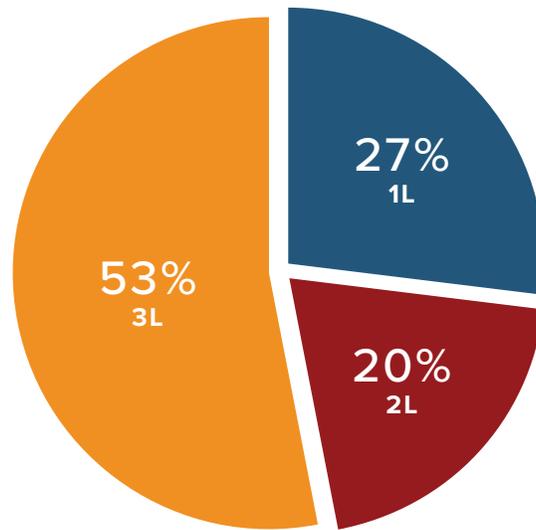
LAW FIRM SIZE (LAW FIRM ATTORNEYS AND PROFESSIONAL STAFF)



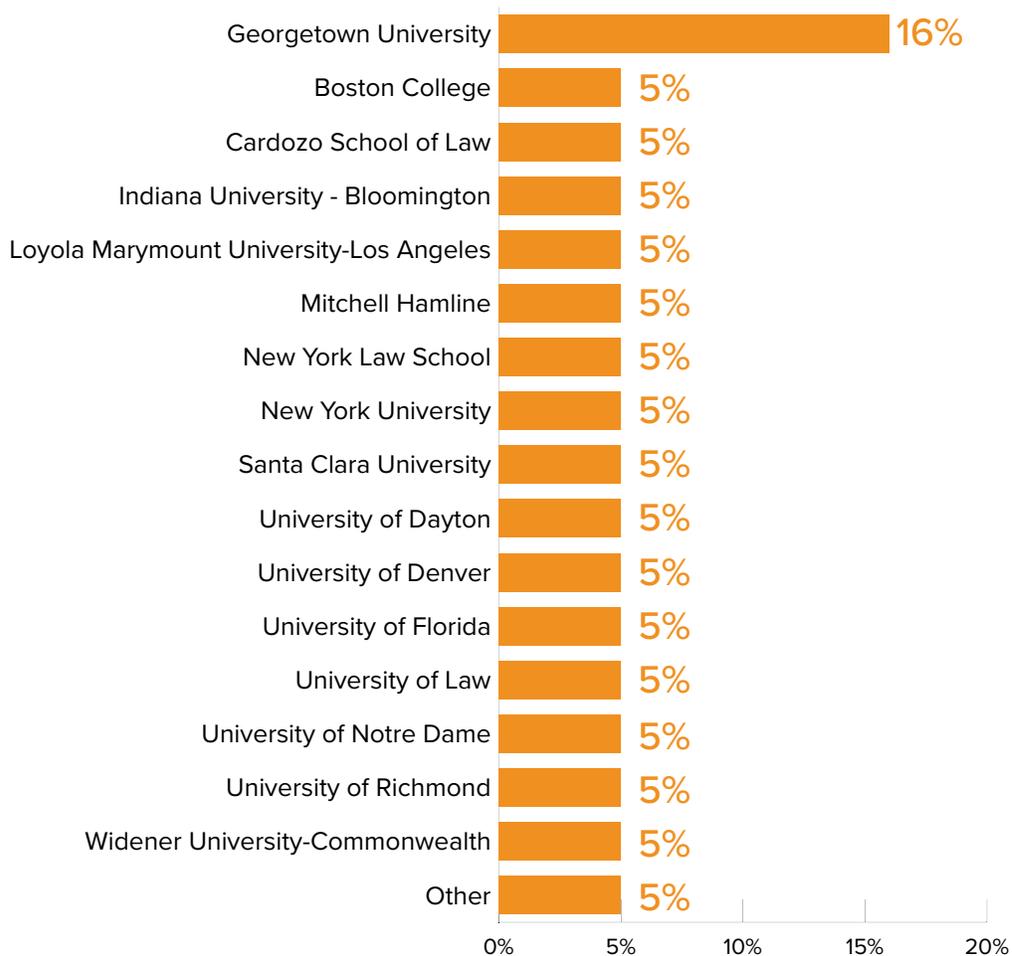
ORGANIZATION TYPE (IN-HOUSE COUNSEL AND LEGAL DEPARTMENT PROFESSIONALS)



CLASS YEAR (LAW STUDENTS)



LAW SCHOOL (LAW STUDENTS AND PROFESSORS)





ABOUT ABOVE THE LAW

Above the Law takes a behind-the-scenes look at the world of law. We provide news and insights about the profession's most colorful personalities and powerful institutions, as well as original commentary on breaking legal developments