

THE DARK MONEY AMICUS MACHINE IN *U.S. V. SKRMETTI*

HIGHLIGHTS

50 groups and individuals have filed anti-trans amicus briefs in the Supreme Court case *U.S. v. Skrmetti*. Here's what to know about the flood of dark money and potential conflicts of interest in the case:

- Tennessee Attorney General Jonathan Skrmetti has ties to Leonard Leo — the architect of the right-wing capture of the Supreme Court who has cozy connections to multiple justices. Leo-tied groups are the biggest funders of the Republican Attorneys General Association, a pay-to-play group that helps lawyers like Skrmetti get levers of power in states. Skrmetti is also being supported by the law firm Consovoy McCarthy, which includes a partner who is also a key trustee in Leo's billion-dollar funding operation called Marble Freedom Trust.
- 17 amicus briefs have ties to individuals who are closely connected to one or more of the nine Supreme Court justices, with the bulk of the connections through Leo. The Supreme Court's low standards for potential conflicts of interest raised by amicus briefs allows conflicts to permeate.
- Other anti-trans amicus brief filers include the Alliance Defending Freedom and 14 other groups that are classified as anti-LGBTQ hate groups by the Southern Poverty Law Center. In all, 13 amicus briefs have at least one SPLC-designated hate group signed on.

BACKGROUND ON THE JUSTICES' POWERFUL FRIENDS AND BENEFACTORS: HARLAN CROW, PAUL SINGER, LEONARD LEO, AND MORE

HARLAN AND KATHY CROW'S CONNECTIONS TO CLARENCE THOMAS

Harlan Crow is a GOP mega-donor who has recently become infamous for his ties to Justice **Clarence Thomas**. Those ties include [numerous](#) secret gifts of luxury travel, including flights across the world on his private jet, international trips on his superyacht, and regular stays at Crow's private resort. Crow also secretly [gifted](#) thousands of dollars in tuition at an exclusive private school for a nephew Thomas was raising "as a son." Crow also secretly bought three properties from Thomas and his relatives, including the house Thomas's mother [still lives in](#). Crow also secretly provided at least [\\$500,000](#) in seed funding to Ginni Thomas's group Liberty Central, which helped pay her salary.

PAUL SINGER'S CONNECTIONS TO SAMUEL ALITO

Paul Singer, a hedge fund billionaire, has numerous ties to Justice **Samuel Alito**. He has [flown](#) Alito on his private jet and taken him on a luxury Alaskan fishing trip. In 2009, Singer [introduced](#) Alito at a Federalist Society event. In 2010, Singer [introduced](#) Alito as a keynote speaker at an event held by a think tank, the Manhattan Institute, that Singer has deeply invested in. In 2014, Singer's hedge fund had a [case](#) before the Court, but Alito did not recuse himself, voting with the majority and in favor of Singer.

LEONARD LEO'S CONNECTIONS TO SAMUEL ALITO AND CLARENCE THOMAS

Leonard Leo, the notorious [architect](#) of the court's right-wing supermajority, has funneled money to right-wing groups for years. Leo has cozy ties to multiple Supreme Court justices:

- **Clarence Thomas:** Leo secretly arranged for Ginni Thomas to be [paid](#) at least \$100,000, while saying that the payments should have “No mention of Ginni, of course.” He also served on the [Board](#) of one of Ginni’s groups, the one that was funded with at least a half-million dollars from Harlan Crow. Clarence Thomas is the [godfather](#) of one of Leo’s daughters. Leo and Thomas have been close [since 1990](#) when Leo helped get Thomas confirmed despite the serious testimony against him. Leo and Thomas are depicted in the now-famous [painting](#) titled “Just 5 friends discussing the law” showing the two of them sitting alongside Harlan Crow. Leo also [helped](#) to arrange Thomas’s appearances at Koch network donor summits. Thomas has said that Leo is an [“adopted clerk”](#) who attends annual gatherings with former clerks, like John Eastman, John Yoo, James Ho, Laura Ingraham, Kathryn Mizelle, and others.
- **Samuel Alito:** Leo has [taken](#) luxurious vacations with Samuel Alito and keeps a framed photo of himself, Alito, and Alito’s wife at Versailles in his office. Leo was also the one who [organized](#) for Alito to attend Paul Singer’s luxury Alaskan fishing trip and fly on Singer’s private jet.

THE KOCH NETWORK’S CONNECTIONS TO CLARENCE THOMAS AND NEIL GORSUCH

The Koch Network — the dark money network run by Charles Koch and his brother David (until the latter’s death in 2019) — has long given millions to right-wing groups and actors, most notably being an [early](#) funder of climate change denial. The network has close ties to Supreme Court Justices Clarence Thomas and Neil Gorsuch:

- **Clarence Thomas:** Clarence Thomas secretly [attended](#) multiple Koch donor summits and developed a personal relationship with the Koch brothers at the Bohemian Grove, a secretive all-men’s retreat. At the Grove, Thomas [stayed](#) in a camp with Harlan Crow and the Koch brothers. At one of those secret gatherings, he even apparently [talked](#) about how he had changed his position on *Chevron* deference, a previous area of disagreement with the Koch network, and suspected that Justice Antonin Scalia had come around to the Koch-backed position before his death.
- **Neil Gorsuch:** After Gorsuch ascended to the Supreme Court, the [Koch-funded](#) Antonin Scalia School of Law at George Mason University hired him, paying him \$25,000 annually and [providing](#) him with comped luxury travel to places like Italy and Iceland. Shortly after joining the Court, Gorsuch also gave a [speech](#) hosted by the Fund for American Studies, an organization funded by the Charles Koch Foundation.

ED WHELAN’S CONNECTIONS TO BRETT KAVANAUGH

Ed Whelan and Justice **Brett Kavanaugh** became friends while both working for the George W. Bush administration, and they have maintained a [“decades-long friendship.”](#) Whelan infamously created a [conspiracy theory](#) revolving around Zillow floor plans to try to defend Kavanaugh from allegations of sexual assault. Until recently, Whelan was the long-time leader of the Ethics & Public Policy Center, where Leo is a board member, a group that has attacked abortion rights and gay marriage.

JOHN EASTMAN’S CONNECTIONS TO CLARENCE THOMAS

John Eastman, who has been [disbarred](#) for his role in trying to overturn the 2020 election, exchanged [emails](#) with **Ginni Thomas** in the lead up to January 6th. He is also a former clerk for Clarence Thomas and sent emails about the effort to subvert the 2020 election to the [listserv](#) of former clerks, which includes Ginni Thomas, who also promoted Trump in messages to the former clerks. Clarence Thomas [recused](#) himself from a case directly involving John Eastman, but did not disclose why; however, he did not recuse himself from the trio of Jan. 6 related cases decided in 2024 or the case involving access to

Mark Meadows text exchanges, which included messages from Ginni Thomas urging the election results to be overturned by the Trump White House, as Eastman was pursuing that effort.

At one point in late 2020: “when a top Pence aide challenged Eastman’s plan on Jan. 4, 2021, Eastman initially told him he believed two Supreme Court justices would back him up. One of them was Ginni Thomas’ husband, Justice Clarence Thomas,” according to [reporting](#) by *Politico*.

MICHAEL PACK’S CONNECTIONS TO CLARENCE THOMAS

Michael Pack made a [documentary](#) about **Clarence Thomas** — which was [financed](#) by Harlan Crow, Charles Koch, and others, such as Thomas Klingenstein, who funds Eastman’s efforts at the Claremont Institute — to rebut the “narrative being told by his enemies,” in close coordination with Clarence and Ginni Thomas. He also published an [op-ed](#) in 2023 attacking Thomas’s critics after his connections to Harlan Crow were reported by ProPublica.

MARK MEADOWS’S CONNECTIONS TO CLARENCE THOMAS

Mark Meadows and **Ginni Thomas** exchanged [at least 29 messages](#) in the run-up to January 6th, while Meadows was Donald Trump’s Chief of Staff. Ginni sent Meadows things like “Do not concede,” “release the Kraken,” and “Help This Great President stand firm, Mark!!!” Meadows replied to the latter message by saying “I will stand firm. We will fight until there is no fight left. Our country is too precious to give up on. Thanks for all you do.”

JONATHAN SKRMETTI IS A MEMBER OF THE LEONARD LEO-FUNDED REPUBLICAN ATTORNEYS GENERAL ASSOCIATION; OTHER LAWYERS INVOLVED HAVE A WEB OF CONNECTIONS TO THOMAS AND LEO

Jonathan Skrmetti is a [member](#) of the **Republican Attorneys General Association (RAGA)**, a 527 group that collects and spends money to elect Republican State Attorneys General across the country. RAGA is known for [selling access](#) to large corporations and one of its operations spent money on [robocalls](#) urging people to join the January 6th events that led to the attack on the Capitol. RAGA’s largest funder is **Leonard Leo**-tied groups:

- Since RAGA became independent in 2014, **Leonard Leo’s** [Judicial Crisis Network](#) (now renamed to the Concord Fund) has given RAGA over [\\$20 million](#), and in turn, RAGA has given Leo’s consulting firm CRC Advisors \$7,500 a month for “consulting” since 2020.
 - The amount that Leo’s Concord Fund routinely gives to RAGA is considerably more than other top funders like the Chamber of Commerce, which has [given](#) RAGA just shy of \$10 million since 2014, or even Koch Industries, the massive private company controlled by Charles Koch.

Skrmetti is being [supported](#) in this case by **Adam K. Mortara** of **Lawfair LLC**, as well as lawyers at **Consovoy McCarthy**.

- **Mortara** has previously worked with America First Legal (see below) on multiple [amicus briefs](#) (in his [words](#), he has worked with them “on a number of matters”). He is most famous for having [represented](#) Students for Fair Admissions (SFFA) in its lawsuit against affirmative action. Leonard Leo’s 85 Fund helped to [bankroll](#) SFFA.
 - This year, Mortara [fired](#) the only other attorney known to have worked for Lawfair, Christopher Roach, only after WIRED reported that Roach had a long history of posting racist and antisemitic statements online.

- Five of **Consovoy McCarthy**'s nine partners [are](#) former clerks to Clarence Thomas. The Thomases have previously [referred](#) to the justice's network of former clerks, for whom the couple hosts regular retreats, as an "extended family." With Mortara, the firm also [represented](#) SFFA.
 - The firm works with George Mason University's Antonin Scalia Law School on legal clinics [which](#) "regularly represent parties and amici in various litigation matters and appeals." In 2016, Leonard Leo helped to [arrange](#) for \$30 million to go to the law school in exchange for it being renamed after the late Justice Scalia, [\\$10 million](#) of which came from Charles Koch and \$20 million of which has been attributed to Barre Seid, who later gave Leo [control](#) of \$1.6 billion dollars to form the Marble Freedom Trust.
 - Consovoy partner Tyler Green was originally listed as one of just three [trustees](#) for the Leo-controlled Marble Freedom Trust, and the group's address was first listed as a house [owned](#) by Green. The group is being used to fuel an array of attacks on progressive groups and ideas, as Leo has publicly called for further "[weaponization](#)" of right-wing funding to advance his agenda.
 - Between [2019](#), [2020](#), [2021](#), and [2022](#) Leonard Leo's 85 Fund paid Consovoy McCarthy a combined \$4,085,000 for "legal research."

AT LEAST 17 AMICUS BRIEFS IN *U.S. V. SKRMETTI* WERE FILED BY GROUPS OR INDIVIDUALS WHO HAVE CLOSE TIES TO POWERFUL PEOPLE INVOLVED IN THE COURT'S ETHICS SCANDALS

THE MANHATTAN INSTITUTE HAS CLOSE TIES TO PAUL SINGER, HARLAN CROW, THE KOCH NETWORK, AND LEONARD LEO

The Manhattan Institute attempts in its [amicus brief](#) in *U.S. v. Skrmetti* to discredit medical literature around gender-affirming care. Named on the brief is one of its [fellows](#), Dr. Leor Sapir, who has spearheaded the Manhattan Institute's anti-trans [attack](#) on doctors. The Manhattan Institute's brief does not mention that Dr. Leor Sapir has a doctorate in [political science](#). Sapir is not a medical doctor.

The Manhattan Institute has ties to at least four powerbrokers closely connected to the justices:

- **Paul Singer:** Paul Singer is the [Chairman](#) of the Manhattan Institute's Board of Trustees. His [foundation](#) gave the Manhattan Institute nearly \$8.76 million between 2011 and 2022, with \$1.635 million coming in [2022](#) alone. (More recent data is not yet publicly available.)
- **Harlan Crow:** Harlan Crow's wife, Kathy Crow, is a current [Trustee](#) of the Manhattan Institute.
- **Koch Network:** In [2020](#), the Charles Koch Institute gave the Manhattan Institute \$394,000. Between 1997 and 2017, Koch groups [gave](#) the Manhattan Institute more than \$3 million.
- **Leonard Leo:** Leonard Leo's [85 Fund](#) gave the Manhattan institute \$450,000 in [2022](#).

THE "INDEPENDENT WOMEN'S LAW CENTER" HAS CLOSE TIES TO LEONARD LEO AND THE KOCH NETWORK

The Independent Women's Law Center — the litigation arm of the Independent Women's Forum, which was [founded](#) as "Women for Clarence Thomas" in the 1990s — filed an [amicus brief](#) in *U.S. v. Skrmetti*. The group's 501(c)(4), called "Independent Women's Voice," has supported blatantly misogynistic politicians, including continuing to support Todd Akin [after](#) he said that women couldn't get pregnant from "legitimate rape."

The Independent Women's Law Center has financial ties to at least two people closely connected to the justices:

- **Leonard Leo:** Between [2020](#), [2021](#), and [2022](#), Leo's 85 Fund gave the Independent Women's Forum \$1.1 million. Leo also gave Independent Women's Voice [\\$4 million](#) between 2016 and 2017.
- **Koch Network:** In [2019](#), the Charles Koch Foundation gave \$100,000 to the Independent Women's Forum. Between [2020](#) and [2021](#), the Charles Koch Institute gave \$303,000 to the Independent Women's Forum. IWF was previously [co-located](#) with Koch's Americans for Prosperity and its predecessor, Citizens for a Sound Economy, and together they were led by Koch Industries' top lobbyist, Nancy Pfotenhauer, who worked directly for Koch Industries immediately prior to leading both groups and later returned to work directly for Koch Industries.

ADVANCING AMERICAN FREEDOM HAS CLOSE TIES TO LEONARD LEO

Advancing American Freedom, a nonprofit founded by former Vice President Mike Pence, filed an [amicus brief](#) in *U.S. v. Skrametti*. Pence has [described](#) the venture as "promoting traditional Conservative values and promoting the successful policies of the Trump Administration." The organization filed a number of [amicus briefs](#) in blockbuster cases last term.

Advancing American Freedom has direct financial ties to Leonard Leo:

- **Leonard Leo:** Between [2020](#), [2021](#), and [2022](#), Leonard Leo's Concord Fund gave Advancing American Freedom a combined \$2 million.

DO NO HARM HAS CLOSE TIES TO LEONARD LEO

Do No Harm, an anti-trans group that has [described](#) itself as "fighting to curtail" gender affirming care, filed an [amicus brief](#) in *U.S. v. Skrametti*. The group [received](#) \$1 million in seed money from hedge fund billionaire Joseph Edelman, and it has lobbied and provided model legislation at the state-level to limit access to gender affirming care. Students for Fair Admissions, [bankrolled](#) in part by Leonard Leo, [has](#) "donated funds" and "coordinated meetings, litigation, and press events" with the group.

Leonard Leo has extensive financial ties to Do No Harm, with recent reporting suggesting that he views it as a potential model for the rest of the groups he funds:

- **Leonard Leo:** Leonard Leo's Concord Fund gave Do No Harm Action \$750,000 in [2023](#). Do No Harm also gave Leo's consulting firm, CRC Advisors, \$231,185 in [2022](#) for "public affairs." Axios recently [reported](#) that a source close to Leo's 85 Fund cited Do No Harm as an "example" of an organization that has "adopted the kind of aggressive tactics Leo encourages."

CONCERNED WOMEN FOR AMERICA HAS CLOSE TIES TO LEONARD LEO

Concerned Women for America, a right-wing group that promotes [anti-abortion](#) and [anti-LGBTQ](#) policies, filed an [amicus brief](#) in *U.S. v. Skrametti*. In the 1980s, it [launched](#) a lawsuit in Tennessee alleging that children's religious freedoms were being infringed when they were required to read "godless" texts such as *The Wizard of Oz*, *Rumpelstiltskin*, and science textbooks. More recently, the group filed an anti-abortion [amicus brief](#) in *Dobbs v. Jackson Women's Health Organization*, as well as in [both](#) of the anti-abortion cases last term. Like IWF, CWA routinely supports the right-wing judicial appointees hand-picked by Leonard Leo.

The group has direct financial ties to Leonard Leo and the Koch Network:

- **Leonard Leo:** Leonard Leo's Concord Fund gave Concerned Women for America a combined total over \$950,000 in [2019](#), [2021](#), and [2022](#). Leo's 85 Fund additionally gave the group a total of \$125,000 between [2020](#) and [2021](#).
- **Koch Network:** Concerned Women for America has [received](#) millions of dollars from groups affiliated with Charles Koch, such as "Freedom Partners" (now Stand Together, \$8.4 million from 2012-2013), the "Center to Protect Patient Rights" (now American Encore, \$1.6 million from 2010-2013), and the "TC4 Trust" (\$1.3 million in 2011).

ETHICS AND PUBLIC POLICY CENTER HAS CLOSE TIES TO LEONARD LEO AND ED WHELAN

The Ethics and Public Policy Center (EPPC) — which is currently [run](#) by Ryan Anderson, a prominent [opponent](#) of marriage equality — filed an [amicus brief](#) in *U.S. v. Skrametti*. The group runs an anti-trans project called the "Person and Identity Project" whose [mission](#) "is to assist the Catholic Church." It has [blamed](#) transgender people for "sowing confusion and undermining the Church's mission of evangelization."

EPPC has ties to two individuals connected to Supreme Court justices, Ed Whelan and Leonard Leo:

- **Ed Whelan:** Ed Whelan is the [vice president and president emeritus](#) of EPPC. He briefly took a [leave of absence](#) after he created a conspiracy theory attempting to absolve his friend, Brett Kavanaugh, of allegations of sexual assault, when Kavanaugh was battling to be confirmed to the U.S. Supreme Court.
- **Leonard Leo:** Leonard Leo is on the [Board of Directors](#) of EPPC. His 85 Fund also gave EPPC a combined total of \$3,168,000 in [2020](#), [2021](#), and [2022](#).

THE CLAREMONT INSTITUTE'S CENTER FOR CONSTITUTIONAL JURISPRUDENCE HAS CLOSE TIES TO JOHN EASTMAN AND MICHAEL PACK

The Claremont Institute's Center for Constitutional Jurisprudence, a key group [supporting](#) the attempted coup in 2020, filed an [amicus brief](#) in *U.S. v. Skrametti*. Its founder, John Eastman — in addition to being the author of the "[coup memo](#)" — once voiced [support](#) for a Uganda law that would punish being gay with life in prison and [called](#) the Supreme Court's 2015 ruling for gay marriage a decision "similarly illegitimate" to the Dred Scott decision.

The Claremont Institute's Center for Constitutional Jurisprudence has ties to two individuals with connections to the justices, John Eastman and Michael Pack:

- **John Eastman:** John Eastman is [Founding Director](#) of the Claremont Institute's Center for Constitutional Jurisprudence.
- **Michael Pack:** Michael Pack is a Claremont Institute [Senior Fellow](#) who previously served as president of the organization

AMERICA FIRST LEGAL FOUNDATION WAS CO-FOUNDED BY MARK MEADOWS

America First Legal Foundation (AFLF), a right-wing litigation group founded after the first Trump administration by Stephen Miller and Mark Meadows, filed an [amicus brief](#) in *U.S. v. Skrametti*. The group has [described](#) itself as engaging "in 'lawfare' designed to defeat the ever-pervasive woke agenda infiltrating Big Business, Big Education, and Big Government." It paid Consovoy McCarthy, which is aiding Skrametti in this case, \$234,357 in [2022](#).

AFLF has ties to Mark Meadows, who is closely connected to Ginni Thomas:

- **Mark Meadows:** Meadows co-founded America First Legal in 2021, [seeding](#) it with money from his Conservative Partnership Institute. He was listed as a member of the Board of Directors for America First Legal through [at least April 12, 2023](#), shortly after a federal appeals court [denied Trump's attempt to shield Meadows](#) from testifying before a grand jury. Board of Directors information is no longer available on the site.

THREE AMICUS BRIEFS WERE FILED BY REPUBLICAN GOVERNORS WHO HAVE TIES TO LEONARD LEO THROUGH THE REPUBLICAN GOVERNORS' ASSOCIATION

Governors Henry Dargan McMaster (R-SC), Kay Ivey (R-AL), Sarah Huckabee Sanders (R-AR), Ron DeSantis (R-FL), Brian Kemp (R-GA), Jeff Landry (R-LA), Tate Reeves (R-MS), Kevin Stitt (R-OK), Kristi Noem (R-SD), and Spencer Cox (R-UT) jointly filed an [amicus brief](#) in *U.S. v. Skrametti*.

- **Leonard Leo:** All are [members](#) of the Republican Governors' Association, which Leonard Leo's Concord Fund gave \$6 million in [2023](#) alone.

Additionally:

Texas Governor Greg Abbott filed an [amicus brief](#) in *U.S. v. Skrametti*.

- **Leonard Leo:** Abbott is a [member](#) of the Republican Governors' Association, which Leonard Leo's Concord Fund gave \$6 million in [2023](#) alone. Abbott has long been connected to Leo, and [met](#) with him three times in 2012, including once with Paul Singer present.

Montana Governor Greg Gianforte filed an [amicus brief](#) in *U.S. v. Skrametti*.

- **Leonard Leo:** Gianforte is a [member](#) of the Republican Governors' Association, which Leonard Leo's Concord Fund gave \$6 million in [2023](#) alone.

FOUR AMICUS BRIEFS WERE FILED BY REPUBLICAN ATTORNEYS GENERAL WHO HAVE FINANCIAL TIES TO LEONARD LEO THROUGH RAGA

The Republican Attorneys General of Kentucky, Arkansas, Indiana, Alaska, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Mississippi, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Utah, Virginia, West Virginia, and Wyoming jointly filed an [amicus brief](#) in *Skrametti v. U.S.*

Additionally:

Texas Attorney General Ken Paxton filed an [amicus brief](#) in *U.S. v. Skrametti*.

Alabama Attorney General Steve Marshall filed an [amicus brief](#) in *U.S. v. Skrametti*.

Missouri Attorney General Andrew Bailey filed an [amicus brief](#) in *U.S. v. Skrametti*.

- **Leonard Leo:** All of these Republican Attorneys General are [members](#) of RAGA, whose biggest funder is Leonard Leo. Since the group became independent in 2014, Leo's [Judicial Crisis Network](#) (now renamed to the Concord Fund) has given RAGA over [\\$20 million](#), and in turn, RAGA has given Leo's consulting firm CRC Advisors \$7,500 a month for "consulting" since 2020.

- The amount that Leo's Concord Fund routinely gives to RAGA is considerably more than other top funders like the Chamber of Commerce, which has [given](#) RAGA just shy of \$10 million since 2014, or even Koch Industries, the huge company controlled by Charles Koch.

THE U.S. CONFERENCE OF CATHOLIC BISHOPS HAS TIES TO LEONARD LEO

The United States Conference of Catholic Bishops filed an [amicus brief](#) in *U.S. v. Skrametti*. The organization has ties to Leonard Leo:

- **Leonard Leo:** Leo's for-profit consulting firm, CRC Advisors, has [counted](#) the U.S. Conference of Catholic Bishops among its clients. Leo is also on the [Board of Visitors](#) of Catholic University's business school. The Conference of Catholic Bishops [founded](#) Catholic University.
 - Additionally, one of the lawyers on the brief is Adam Laxalt, who served as Republican Attorney General of Nevada from 2015 to 2019. During his time as an AG, he was a [member](#) of RAGA, whose biggest funder is Leonard Leo. Since the group became independent in 2014, Leo's [Judicial Crisis Network](#) (now renamed to the Concord Fund) has given RAGA over [\\$20 million](#).

EAGLE FORUM HAS TIES TO CLARENCE AND GINNI THOMAS

Eagle Forum, founded by noted anti-feminist Phyllis Schlafly to oppose the Equal Rights Amendment, filed an [amicus brief](#) in *U.S. v. Skrametti*. In 2018, at its annual gala, the group [hosted](#) a presentation on "the fraud of transgenderism."

The group has direct ties to Justice Clarence Thomas and his wife Ginni Thomas:

- **The Thomases:** In 2017, Ginni Thomas was [awarded](#) the group's "Eagle Award." The group sent out invitations [advertising](#) the Thomases' attendance, and subsequently [used](#) their attendance in a promotional video urging people to "Become an Eagle Forum Member!" Over two decades earlier, in 1996, Clarence Thomas [won](#) the Eagle Award, headlining one of Eagle Forum's annual conferences.

IN LOWER COURTS, THE ETHICS STANDARDS AROUND AMICUS BRIEFS ARE MUCH HIGHER THAN THOSE OF THE SUPREME COURT

The Federal Rules of Appellate Procedure [state](#) that "a court of appeals may prohibit the filing of or may strike an amicus brief that would result in a judge's disqualification." Several circuit courts have adopted local rules based on this rule:

- In the Second Circuit, the local rule [reads](#), "The court ordinarily will deny leave to file an amicus brief when, by reason of a relationship between a judge assigned to hear the proceeding and the amicus curiae or its counsel, the filing of the brief might cause the recusal of the judge."
- In the Fourth Circuit, the local rule [reads](#), "The Court will prohibit the filing of or strike an amicus brief that would result in the recusal of a member of the panel that has been assigned to the case or in the recusal of a member of the en banc court from a vote on whether to hear or rehear a case en banc."

In both circumstances, the principle is that the court will strike an amicus brief if it would create a conflict interest. For instance, if someone that has given lavish gifts to a judge also funded an organization that filed an amicus brief, that would likely be grounds for striking that amicus brief.

But the Supreme Court has [rejected](#) applying ethical standards to amicus briefs: “Neither the filing of a brief amicus curiae nor the participation of counsel for amicus curiae requires a Justice’s disqualification.” The Supreme Court’s rules say nothing of the circumstances in which the Court would strike an amicus brief.

OTHER GROUPS THAT HAVE FILED BRIEFS SUPPORTING SKRMETTI INCLUDE OTHER DARK MONEY NETWORKS; AT LEAST 15 GROUPS DESIGNATED AS ANTI-LGBTQ HATE GROUPS BY THE SOUTHERN POVERTY LAW CENTER

ALLIANCE DEFENDING FREEDOM AND ITS AMICUS NETWORK

Alliance Defending Freedom (ADF) is a right-wing litigation group that worked intensively to [overturn](#) *Roe v. Wade* — and was ultimately successful in its efforts. The group is ever-present in the right-wing legal movement, and its annual [revenue](#) eclipses \$100 million. It has been [designated](#) as an anti-LGBTQ hate group by the Southern Poverty Law Center.

In its [tax filings](#), ADF has indicated that its grant funds go, in part, to supporting amicus briefs: “ADF provides grant funding for legal cases and direct advocacy programs that keep the door open for the Gospel... The grant funds cover expenses for litigation including securing expert witnesses, research costs, promoting public advocacy, and *acquiring strong amicus brief support for cases to ensure the best possibility of success*” [emphasis added].

Organizations that have received funding from ADF that filed amicus briefs in *U.S. v. Skrametti* include:

- [Women’s Liberation Front](#), which received \$50,000 in [2021](#) and \$30,015 in [2022](#)
- [Citizens Defending Freedom](#), which received \$50,000 in [2021](#)
- At least three other amicus groups received ADF money between May [2021](#) and June [2023](#):
 - **The Ethics and Public Policy Center** (see above): \$104,000
 - **Frontline Policy Council** (see below): \$20,928
 - **The Family Foundation of Virginia** (see below): \$94,980

FAMILY POLICY ALLIANCE AND ITS AMICUS AFFILIATES

The Family Policy Alliance (FPA) was [founded](#) in 2004 as the lobbying arm of Focus on the Family, a group founded by James Dobson, who once said that the shooting at Sandy Hook Elementary School was a result of God allowing “judgment to fall upon us” for gay marriage and abortion rights.

One [brief](#) was jointly filed by 7 organizations, all 7 of which are [state-level groups](#) of the Family Policy Alliance. The brief includes:

- **Frontline Policy Council, Louisiana Family Forum, Family Policy Institute Of Washington, Alaska Family Council, California Family Council, Rhode Island Family Institute, and Michigan Family Forum**

One [brief](#) was jointly filed by 11 organizations, 8 of which are [state-level groups](#) of the Family Policy Alliance. The brief includes (FPA groups bolded):

- **The Family Action Council Of Tennessee, Delaware Family Policy Council, Eagle Forum Of Alabama, Eagle Forum Of California, Idaho Family Policy Center, New Jersey Family Policy**

Center, Palmetto Family Council (SC), Tennessee Eagle Forum, Texas Values, The Family Foundation (KY), and The Family Foundation (VA).

Another [brief](#) was jointly filed by 6 groups, 1 of which is a [state-level FPA group](#) — Wisconsin Family Action. The brief includes:

- **Wisconsin Family Action**, Illinois Family Institute, International Conference Of Evangelical Chaplain Endorsers, Pacific Justice Institute, and The National Legal Foundation

AT LEAST 15 GROUPS DESIGNATED BY THE SOUTHERN POVERTY LAW CENTER AS ANTI-LGBTQ HATE GROUPS FILED AMICUS BRIEFS; 13 OUT OF 50 ANTI-TRANS AMICUS BRIEFS HAD AT LEAST ONE HATE GROUP

At least 15 groups named on amicus briefs are designated by the Southern Poverty Law Center (SPLC) as anti-LGBTQ hate groups, and 13 out of 50 amicus briefs supporting the anti-trans respondent had at least one SPLC-designated hate group on it.

These groups include:

- [Family Research Council](#) ([amicus brief](#))
 - Like the Family Policy Alliance (see above), the Family Research Council (FRC) was founded by James Dobson, a longtime anti-LGBTQ activist.
- [Liberty Counsel](#) ([brief](#))
- [American College of Pediatricians](#) ([brief](#))
 - The American College of Pediatricians' brief (not to be confused with the much larger American *Academy* of Pediatrics, which filed a [brief](#) supporting LGBTQ rights) was also joined by two other controversial groups — the Alliance for Hippocratic Medicine and the Christian Medical & Dental Association — which recently worked with the “College” in a failed [attempt](#) to get the Supreme Court to limit access to mifepristone, an abortion medication. That case is still pending with other lead plaintiffs and may go back up to the Supreme Court.
- [American Family Association](#) ([brief](#))
 - This brief, filed with a number of current and former right-wing state legislators across the country who are proponents of anti-trans legislation, opens by citing a number of passages from the Bible, despite the Constitution's bar on the establishment of religion and its ban on religious tests for holding public office.
- [Genspect](#)
 - Genspect joined two briefs. The US-based organization joined [one](#), and its Australian branch joined [another](#), which was largely populated by international anti-trans organizations.
- [Partners for Ethical Care](#) ([brief](#))

- [Public Advocate of the United States](#) ([brief](#))
 - Public Advocate is on the same brief as Eagle Forum (see above)

Eight aforementioned groups have also been designated as anti-LGBTQ hate groups by the Southern Poverty Law Center, such as:

- [Alliance Defending Freedom](#) (see above)
- [Do No Harm](#) (see above)
- [Family Action Council Of Tennessee](#) (see above)
- [The Family Foundation of Virginia](#) (see above)
- [Frontline Policy Council](#) (see above)
- [Louisiana Family Forum](#) (see above)
- [California Family Council](#) (see above)
- [Pacific Justice Institute](#) (see above)