



## Legal Errors in the New York Prosecution of President Trump Judge Merchan's Bias

Judge Juan Merchan was not a fair or impartial judge. He has deep ties to the Democratic Party and should have recused himself from all cases involving President Trump. By donating to President Biden's campaign and a PAC called "Stop Republicans," Judge Merchan destroyed any shred of credibility and impartiality he may have had. Additionally, his daughter stands to profit immensely from the outcome of the case. Therefore, Judge Merchan should have recused himself from the case.

### Political contributions

- Judge Merchan made financial contributions to Joe Biden's Presidential Campaign and a Political Action Committee called "Stop Republicans."<sup>1</sup>

### Loren Merchan's financial interest in the case

- Judge Merchan's daughter, Loren Merchan, is the founder and president of a political consulting company called Authentic Campaigns, which provides political services for prominent Democratic Party clients.<sup>2</sup>
- Some of the firm's past and present clients include President Joe Biden's 2020 campaign, Vice President Kamala Harris's 2020 presidential campaign, pro-Democrat super PAC Senate Majority PAC (SMP), and Rep. Adam Schiff's current Senate and past House campaigns.<sup>3</sup>
- Authentic Campaigns has been paid nearly \$12 million in the 2023/24 election cycle alone. The firm was paid \$1.7 million by SMP last year and \$2.1 million and \$7.6 million by the Biden and Harris campaigns, respectively, during the 2020 election cycle.<sup>4</sup>

### State law judicial standards for recusal

- New York standards for judicial conduct state that judges may not "directly or indirectly engage in any political activity."<sup>5</sup>
- The rules further state, "A judge shall not allow family, social, political, or other relationships to influence the judge's judicial conduct or judgment."<sup>6</sup>

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<sup>1</sup> *Individual Contributions*, FEC, <https://tinyurl.com/ycxuw6hr> (last visited June 21, 2024).

<sup>2</sup> AUTHENTIC CAMPAIGNS, *Our Work*, <https://tinyurl.com/bddu375u> (last visited June 21, 2024).

<sup>3</sup> *Id.*; Katherine Faulders et al., *Trump's Lawyers Push for Recusal of Judge Juan Merchan in Hush Money Case*, ABC NEWS (Apr. 2, 2024) <https://tinyurl.com/4tedj46r>.

<sup>4</sup> *Disbursements*, FEC, <https://tinyurl.com/3ym9p965> (last visited June 25, 2024).

<sup>5</sup> N.Y. COMP. CODES. R. & REGS tit. 22 § 100.5(A)(1) (2019).

<sup>6</sup> N.Y. COMP. CODES. R. & REGS tit. 22 § 100.2(B).