

# TRUMP NEEDS CLEARED LAWYERS, NOT JUST ANY LAWYERS

WaPo has a 28-paragraph article on Trump's scramble to find lawyers to appear at his arraignment today that doesn't mention several things that are undoubtedly making the search harder.

First, there are all the details in the indictment that reveal how much information Trump withheld from his lawyers: not just the location of the files Evan Corcoran needed to search on June 3, 2022 (and Tim Parlatore tried to search in November and December, only to find none of the documents that remain unaccounted for), but also the sensitivity of the documents he had them claiming before Courts were merely personal records.

Several prominent Florida attorneys declined to take Trump on as a client after two of the key lawyers handling the documents matter – Jim Trusty and John Rowley – resigned last week, according to people familiar with the matter.

Trusty and Rowley's departure was sudden and unexpected, leaving Trump jockeying to identify a lawyer ahead of his Tuesday appearance in federal court in Miami, where rules require practicing attorneys to be a member in good standing of the Florida bar or to be sponsored by one before appearing.

All three lawyers who quit – plus Lindsey Halligan, whose status remains uncertain – signed a letter to Congress claiming that the organization of the boxes returned in January 2022 merely reflect the result of haste and sloppiness by White House staff.

This organization of materials (i.e., schedule of calls for the day, insert page for briefing sheet to prepare for the call, newspapers from the same day) indicates that the White House staff simply [having] swept all documents from the President's desk and other areas into boxes, where they have resided ever since

[snip]

We have seen absolutely no indication that President Trump knowingly possessed any of the marked documents or willfully broke any laws. Rather, all indications are that the presence of marked documents at Mara-a-Largo was the result of haphazard records keeping and packing by White House staff and GSA.

The claim is wildly inconsistent with the evidence in the indictment showing how Trump carefully curated these documents over the course of months. That's the kind of misrepresentation that carries a great deal of personal and professional risk, something that was obvious at the time.

The haste with which Trusty and Rowley abandoned ship, coming shortly after Parlatore's loud departure, will raise real alarm bells for any attorneys considering the case.

Especially given another detail WaPo doesn't mention: Lawyers who show up at his table today could get stuck seeing this criminal prosecution through, with far less ability to quit after Trump inevitably fails to disclose other key details in the future. Once a lawyer files a notice of appearance in a criminal case, they often can't leave until a replacement is found. If, for example, Trump neglected to mention to incoming attorneys that in addition to hoarding documents, he also was disposing of them for personal gain, those attorneys couldn't quit until a replacement showed up or Trump stopped

paying them or Trump fired them.

Finally, there's the other key thing that WaPo doesn't mention: Trump needs cleared attorneys, and he should (finally) have the lawyers with Espionage Act experience that might have minimized some of the risk he currently faces.

When courts deal with classified documents like this one will, the judge does not need clearance. (This is a separation of powers issue; members of Congress similarly don't need clearance.) But the lawyers do. At least one and preferably three of Trump's lawyers will need to be cleared at the elevated levels the FBI Agents who did the search of Mar-a-Lago had to be read into to even conduct the search. As it was, Trusty was Trump's only attorney with clearance, and he just split.

Not all lawyers want to go through the trouble of getting clearance. Some – possibly including Chris Kise, was a registered agent for Venezuela in recent years – may not be able to get cleared at that level.

Donald Trump's trouble finding legal representation is no longer simply the comedy of self-destructiveness it has been for years. Starting today (or shortly thereafter), there will be new obligations and exposures for lawyers representing him.

Trump's search for a lawyer is not just about finding people who are members of the bar in SDFL. He also needs to find lawyers who are willing to put their security clearance and their reputations at risk on a case where Trump has already been wildly misleading his attorneys.

Update: Without mentioning Kise's potential unwillingness or inability to try to get cleared, Hugo Lowell describes that Kise will sponsor Todd Blanche and appear just for today. There's still no hint of Lindsey Halligan's status – she could also sponsor in Blanche.

■ After interviewing a slate of potential

lawyers at his Trump Doral resort, the former president settled on having Kise appearing as the local counsel admitted to the southern district of Florida as a one-off, with Blanche being sponsored by him to appear pro hac vice, one of the people said.

[snip]

Blanche is expected to take the lead role in the Mar-a-Lago documents case in addition to leading the team defending Trump against state charges in New York for paying hush money to an adult film star in 2016.

Though Kise is expected to appear alongside Blanche in federal district court in Miami, he has primarily handled civil litigation for Trump since he came off the documents case last October and is not expected to be on the trial team proper, a person familiar with the matter said.

Update: Kise filed what appears to be a permanent notice of appearance, with Todd Blanche filing as well.