

Joshua D. Dunlap, Trump's Pick For The First Circuit, Is A Corporate Lawyer And Anti-Abortion Advocate With Ties To Fringe Right-Wing Figures In Maine

SUMMARY: On July 2, 2025, President Trump [announced on Truth Social](#) that he plans to nominate [Joshua D. Dunlap](#) for the First Circuit Court of Appeals. According to his [LinkedIn profile](#), Dunlap has spent virtually his entire 16-year legal career at Pierce Atwood LLP, where he serves as a partner in the litigation group and co-chair of the firm's appellate team.

His practice focuses primarily on [defending large corporations](#)—including financial institutions, manufacturers, and retailers—in complex litigation, class actions, and consumer protection cases. His background includes an internship at the Alliance Defending Freedom, a [Southern Poverty Law Center-designated hate group](#) known for its anti-LGBTQ+ and anti-abortion activism, though this experience is notably absent from his LinkedIn profile. During his 2006 internship at ADF, the organization was actively [supporting](#) a photography business that [refused](#) to provide wedding services to a same-sex couple.


In an article, Dunlap has also hinted at his approval of the Supreme Court's overturning of *Chevron*, characterizing the decision as a "[purposeful assignment](#)" that removes regulatory interpretation power from federal agencies and gives it to courts.

Joshua D. Dunlap, President Trump's Nominee For The First Circuit Court Of Appeals

July 2025: President Trump Nominated Joshua D. Dunlap To The First Circuit Court Of Appeals

July 2025: Trump Nominated Joshua D. Dunlap To Serve As Judge On The United States Court Of Appeals For The First Circuit.



Donald J. Trump  
@realDonaldTrump

It is my Great Honor to nominate Joshua D. Dunlap, of the Great State of Maine, to serve as a Judge on the United States Court of Appeals for the First Circuit. Joshua is a seasoned litigator, with a TON of excellent experience, appearing before the First Circuit, and all levels of the Federal and State Judiciary. He is a Partner at Pierce Atwood LLP in Portland, Maine, and earned his J.D. from Notre Dame. We need more TOUGH and SMART Judges on the Federal Bench, who fearlessly defend our Constitution, and Joshua will do just do that. Congratulations Joshua!

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Jul 02, 2025, 5:50 PM

[Truth Social, @realDonaldTrump, [7/2/25](#)]

- **The Jurisdiction Of The First Circuit Court Of Appeals Includes Maine, New Hampshire, Massachusetts, Rhode Island, And Puerto Rico.** “The United States Court of Appeals for the 1st Circuit has jurisdiction over the following U.S. district courts: District of Maine, District of Massachusetts, District of New Hampshire, District of Puerto Rico, District of Rhode Island” [Ballotpedia, accessed [7/28/25](#)]

Dunlap Has Spent The Bulk Of His Legal Career At The Law Firm Pierce Atwood, Where He’s Been Employed At Over 16 Years And Where He Regularly Defends Clients That Include Financial Institutions, Manufacturers, And Retailers

Joshua Dunlap Currently Works At Pierce Atwood’s Litigation Group And Makes Up Almost All Of His Legal Practice And Experience

Joshua Dunlap Is A Member Of Pierce Atwood’s Litigation Group And Co-Chair Of The Firms Appellate And Amici Team. Dunlap, a member of Pierce Atwood’s Litigation Group and co-chair of the firm’s Appellate & Amici team, focuses his practice on civil litigation at both the trial and appellate levels. He appears in federal as well as state court, representing clients in various commercial litigation matters.” [Pierce Atwood, accessed [7/7/25](#)]

- **Pierce Atwood Law Firm Is Based In Portland, Maine.** “For more than 125 years, Portland, Maine has been home to Pierce Atwood’s flagship office, where we offer a full array of legal services, including environmental law, business law, energy law, real estate law, intellectual property, commercial litigation, as well as cutting edge practices such as technology transactions and outsourcing, privacy and data security, AI/Machine Learning, and more.” [Pierce Atwood, accessed [7/8/25](#)]

Dunlap Typically Defends Financial Institutions In Complex Litigation, Multidistrict Litigation, And Class Action Such As Bank Overdrafts. “Joshua regularly defends clients in complex litigation, including class actions and multidistrict litigation. Much of his practice has involved representing financial institutions, manufacturers, retailers, and other institutional clients in state and national consumer class actions involving various issues, including bank overdrafts, products liability, and electronic data breaches.” [Federalist Society, accessed [7/7/25](#)]

- **Pierce Atwood Law Firm Has Represented Large National Banks In Overdraft Litigation.** Pierce Atwood represents a large national bank in an overdraft fee MDL pending in the District of South Carolina. [...] Pierce Atwood has also represented state chartered banks in overdraft fee litigation, successfully negotiating a settlement in one case and currently defending a bank in another.” [Pierce Atwood, accessed [7/9/25](#)]

Dunlap Serves As The Chair Of the Maine Appellate Rules Committee. “He also serves as chair of the Maine Appellate Rules Committee, an appointment made by the Maine Supreme Judicial Court.” [News Center Maine, [7/4/25](#)]

- **The Maine Appellate Rules Committee Review The Maine Rules Of Appellate Procedures, Makes Recommendations To The Maine Supreme Judicial Court Regarding To Rule Amendments And Clarify Existing And/Or Address New Legal Issues.** “The Advisory Committee on the Maine Rules of Appellate Procedure was established in 2016 by order of the Maine Supreme Judicial Court (SJC). The Committee is comprised of ten members who are appointed by the Chief Justice of the SJC. The Committee reviews the Maine Rules of Appellate Procedure, makes recommendations to the SJC regarding rule amendments, and drafts new or amended appellate rules in order to clarify existing rules or to address new legal issues.” [State of Maine Judicial Branch, accessed [7/9/25](#)]

According To His Personal LinkedIn, Dunlap Rejoined Pierce Atwood In 2009 And Has Been Working At Pierce Atwood For Approximately 15 Years And 11 Months.

Experience



Pierce Atwood LLP

15 years 11 months



Partner

Jan 2018 - Present · 7 years 7 months

Portland, Maine

Partner in the litigation group of Pierce Atwood. Admitted to practice in Maine, New Hampshire, and Massachusetts.



Litigation Associate

Sep 2009 - Dec 2017 · 8 years 4 months

Portland, ME

[LinkedIn, accessed [7/7/25](#)]

- According To LinkedIn, Dunlap Also Worked As A Summer Associate At Pierce Atwood For Approximately Four Months In 2007.



Summer Associate

Pierce Atwood

May 2007 - Aug 2007 · 4 months

Summer associate at Pierce Atwood

[LinkedIn, accessed [7/7/25](#)]

According To His Personal LinkedIn, Dunlap Served As A Judicial Clerk For Judge Paul J. Kelly, Jr. Of The U.S. Courts Of Appeals For The Tenth Circuit.



Judicial Clerk

United States Court of Appeals

Sep 2008 - Sep 2009 · 1 year 1 month

Clerk for Judge Paul J. Kelly, Jr., US Court of Appeals for the Tenth Circuit

[LinkedIn, accessed [7/7/25](#)]

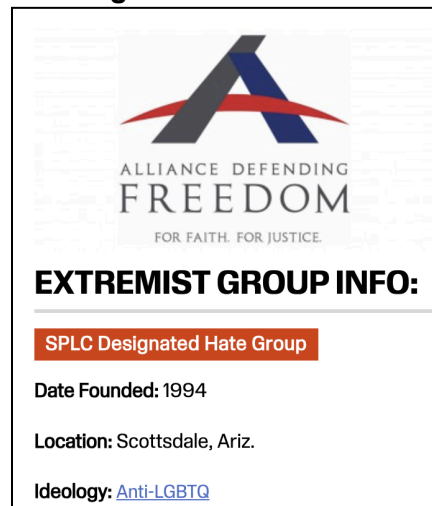
- Judge Paul J. Kelly, Jr. Was Nominated By President George H.W. Bush In 1991. “Nominated by George H.W. Bush on November 19, 1991, to a new seat authorized by 104 Stat. 5089. Confirmed by the Senate on April 8, 1992, and received commission on April 13, 1992.” [Federal Judicial Center, accessed [7/9/25](#)]

Dunlap’s Public LinkedIn Profile Omits His Internship At The Alliance Defending Freedom, A Southern Poverty Law Center-Designated Hate Group

Notably Excluded From Dunlap's LinkedIn Profile Is The Fact That He Was An Intern At The Alliance For Defending Freedom—A Southern Poverty Law Center-Designated Hate Group That Pushes An Extreme Anti-LGBTQ+ And Anti-Abortion Agenda

Dunlap Completed An Internship At The Alliance Defense Fund (Now The Alliance Defending Freedom) In 2006. "He was also a legal intern at Alliance Defending Freedom (Summer 2006)." [Alliance for Justice, accessed [7/28/25](#)]

The Southern Poverty Law Center Has Designated ADF As Extremist And An Anti-LGBTQ+ Hate Group.



[Southern Poverty Law Center, accessed [2/23/24](#)]

According To SPLC, The Alliance Defending Freedom Aims To “Outlaw Abortion,” Dismantle The Rights Of “LGBTQ People Worldwide,” And Legislate According To A “Hard-Right Christian Theocratic Worldview.” “Under Sears’ leadership, ADF expanded its training, funding and outreach not only domestically but internationally. Using its international platforms, ADF works with policymakers and other organizations to outlaw abortion, deny equality and marriage to LGBTQ people worldwide, and continue to push for a hard-right Christian theocratic worldview that is reflected in legislation and policies.” [Southern Poverty Law Center, accessed [6/13/23](#)]

At The Time Of Dunlap's Internship, The Alliance Defending Freedom Defended A Photography Business That Denied Services To A Gay Couple In New Mexico

Elane Photography, LLC v. Vanessa Willock

Elane Photography Was A Business That Offered Wedding Photography, But Refused Service To A Gay Couple “Elane Photography offers wedding photography to the general public, and posts its photographs on a password protected website for its customers. In this case, Elane refused to photograph a commitment ceremony between two women.” [Justia U.S. Law, accessed [7/10/24](#)]

In 2006, Vanessa Willock Attempted To Hire Elane Photography In Albuquerque, New Mexico, But The Co-Owner Of The Business Declined, Claiming That Doing So Would Violate Her Christian Beliefs. “In 2006, Vanessa Willock attempted to hire Elane Photography in Albuquerque to photograph a commitment ceremony that she and her partner were planning. Elaine Huguenin, co-owner of Elane Photography, turned Willock away, refusing to provide services, claiming that doing so violates her Christian beliefs.” [ACLU, [12/18/12](#)]

The Case Came To Be Known As Elane Photography, LLC v. Vanessa Willock.

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

Opinion Number: _____

Filing Date: August 22, 2013

Docket No. 33,687

ELANE PHOTOGRAPHY, LLC,

Plaintiff-Petitioner,

v.

VANESSA WILLOCK,

Defendant-Respondent.

[Justia U.S. Law, accessed [7/10/24](#)]

The Alliance Defending Freedom Supported The Petitioner, Elane Photography.

Alliance Defending Freedom
Jordan W. Lorence
Washington, D.C.

Alliance Defending Freedom
James A. Campbell
Scottsdale, AZ

for Petitioner

[Justia U.S. Law, accessed [7/10/24](#)]

The Supreme Court Ruled That Elane Photography Violated The New Mexico Human Rights Act (NMHRA) “Upon careful consideration, the Supreme Court concluded that when Elane refused to photograph the commitment ceremony, it violated the NMHRA. Furthermore, the Court concluded that the NMHRA does not violate the free speech guarantees because there is no government-mandated message or the publication of the speech of another. Finally, the Court held that the NMRFA did not apply in this case.” [Justia U.S. Law, accessed [7/10/24](#)]

Dunlap Authored An Article Expressing A Favorable View Of The Supreme Courts’ *Chevron* Decision, Upending A Longstanding Precedent That Had Guided How Congress Drafted Laws And Agencies Interpreted Them

The Supreme Court Overturned *Chevron* Deference In Two Cases Challenging The Precedent

June 2024: The Supreme Court Ruled That The Courts May Not Defer To Agency Interpretation Of A Law Because The Statute Is Ambiguous. “Held: The Administrative Procedure Act requires courts to

exercise their independent judgment in deciding whether an agency has acted within its statutory authority, and courts may not defer to an agency interpretation of the law simply because a statute is ambiguous; Chevron is overruled.” [Loper Bright Enterprises et al. v. Raimondo, Secretary of Commerce, et al., Opinion, [6/28/24](#)]

- **Loper Bright And Relentless Were Decided Jointly.** “*Together with No. 22–1219, Relentless, Inc., et al. v. Department of Commerce, et al., on certiorari to the United States Court of Appeals for the First Circuit.” [Loper Bright Enterprises et al. v. Raimondo, Secretary of Commerce, et al., Opinion, [6/28/24](#)]

The Loper Bright Case Allows The Court To Reevaluate *Chevron v. Natural Resources Defense Council*, A Case That Set A Precedent For When Courts Should Defer To Federal Agencies To Interpret The Law.

“Their action means they will reconsider a 1984 case – *Chevron v. Natural Resources Defense Council* – that sets forward factors to determine when courts should defer to a government agency’s interpretation of the law.” [CNN, [5/01/23](#)]

Relentless, Inc. v. The U.S. Department Of Commerce Challenges The Government’s Authority To Require Fishermen To Pay For At-Sea Monitors. “The court announced 13 October that it would take up the case of *Relentless, Inc. v. the U.S. Department of Commerce*, a lawsuit filed by Atlantic herring fishermen in 2020 challenging the government’s authority to require fishermen to pay for at-sea monitors on their vessels. The fishermen claim the monitors can cost as much as USD 700 (EUR 640) per day.” [Seafood Source, [10/16/23](#)]

- **New York Times: Relentless Is “Almost Identical” To Loper Bright Enterprises v. Raimondo.** “The new case is almost identical to one the court agreed to hear in May, *Loper Bright Enterprises v. Raimondo*, No. 22-451. The court’s usual practice when asked to hear a follow-on case concerning the same issues is to hold the new case until the earlier one is resolved and then return it to the lower courts for reconsideration in light of the ruling in the first one.” [New York Times, [10/13/23](#)]

Center For American Progress: “It Seems That The Conservative Justices Will Likely Narrow Chevron; It Is Just A Question Of By How Much.” “At issue in both *Loper Bright v. Raimondo* and *Relentless v. Department of Commerce* is a challenge to a regulation created by the National Marine Fisheries Service, under the Magnuson-Stevens Fishery Conservation and Management Act, requiring commercial fishing vessels to pay for federal monitors who collect data to ensure that fisheries remain sustainable and viable for decades to come. Rather than address the narrow and technical question on this regulation, however, the Supreme Court opted instead to take up the broader and far more existentially threatening question of whether to completely do away with 40-year-old precedent known as Chevron deference. [...] Unfortunately, it seems that the conservative justices will likely narrow Chevron; it is just a question of by how much.” [Center For American Progress, [1/17/24](#)]

Overturning Chevron Would Give Greater Power To Judges To Interpret Statutes And Create Uncertainty About Whether Congress Could Handle More Precise Legislation

Due To The Supreme Court’s Overturning Of Chevron, Judges Will Have Greater Power To Impose Personal Interpretations Of Statutory Ambiguities And Diminishes The Authority Of Regulatory Agencies Of How To Interpret Its Policies And Regulations. “The Supreme Court’s decision to discard the Chevron doctrine signifies a departure from decades of legal precedent. As a practical matter, the ruling signals a shift in the interpretation of regulatory matters as courts will no longer mechanically defer to agency interpretations of what they deem to be ambiguous statutes. Rather, judges are now permitted to conduct a more rigorous analysis, potentially leading to varied outcomes in regulatory and legal disputes. The demise of Chevron deference means that federal agencies can no longer expand their jurisdiction and authority based on the wording of an ambiguous statute. Entities seeking to challenge an overbroad assertion of authority by a federal agency will have their arguments assessed by a federal judge without being subject to the whims of an agency exploiting poorly or incompletely drafted statutory language.” [Smith Debnam Law, [7/26/24](#)]

Overturning Chevron Would Lead To More Legal Challenges Revoking Regulations, Unless Congress Stepped In. “While the uncertainty would be bad for some businesses, the upshot of removing Chevron deference is that more legal challenges would lead to more revoked regulations, absent Congress stepping in to restore court-repealed rules or proactively clarify ambiguous statutes.” [Roll Call, [6/5/24](#)]

- **The Supreme Court’s *Chevron* Decision Could Lead To A Significant Backlog Of Cases And Cause Delays In Federal Agencies’ Rulemaking.** This decision may lead to significant delays in federal agencies’ rulemaking as they revise old rules and respond to increased litigation. The potential for a backlog of cases and the necessary adjustments to the new standard could overwhelm both the courts and agencies, ultimately causing delays in implementing new regulations.” [Society of Thoracic Surgeons, [7/10/24](#)]

Federal Circuit Courts Could Create Chaos Through Conflicting Decisions, Unless Congress Writes Statutes And Amends Existing Laws With Specificity To Prevent Legal Challenges. “Experts generally agree that in the wake of Chevron’s demise, federal circuit courts could create a messy hodgepodge of conflicting decisions, with regulations upheld in some areas but overturned elsewhere. Such circuit splits normally get resolved by the Supreme Court, but the expected volume of regulatory challenges would likely overwhelm its docket. That chaos can be avoided, but only if Congress can write statutes, and amend those already on the books, with a level of specificity that forecloses the legal ambiguities that provide openings for lawsuits.” [Roll Call, [6/5/24](#)]

Dunlap Published An Article And Expressed Favorable Views Of The Supreme Court Overturning The *Chevron* Case And Characterized It As A "Purposeful Assignment"

Dunlap Authored An Article Entitled, *Chevron Is Dead. Does It Still Live In Maine?*

June 28, 2024

Chevron Is Dead. Does It Still Live In Maine?



[Maine, US Supreme Court](#)

Authors: [Joshua D. Dunlap](#)

Practice area: [Appellate & Amici](#), [Litigation](#)

[Pierce Atwood Maine Appeals, [6/24/25](#)]

- **In The Article, Dunlap Described The Supreme Court’s Decision Overturning *Chevron* As “Purposeful.”** “Beginning with basic principles, Chief Justice Roberts—writing for the Court—noted that Article III of the Constitution assigns the judicial role, including the responsibility to interpret laws, to the courts as their ‘proper and peculiar province.’ This assignment was purposeful; it vests the power of interpretation in a branch that is free from the influence of the political branches.” [Pierce Atwood Maine Appeals, [6/24/25](#)]

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