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Betraying the Bench: Could the SCOTUS Leaker Face Criminal Charges?



A federal judge and two former federal prosecutors disagree with widespread claims, made in the context of the leak of the Supreme Court's draft opinion on abortion, that a federal law clerk who leaks court-confidential information cannot face criminal charges. In this article Perkins Coie partner T. Markus Funk, Andrew S. Boutros and U.S. District Court Judge Virginia M. Kendall discuss federal statutes under which criminal charges are possible.

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