



## Joshua Dunlap

President Trump announced his intention to nominate Joshua Dunlap to serve on the United States Court of Appeals for the First Circuit on July 2, 2025.

### Career<sup>1</sup>

- Bachelor of Arts, Pensacola Christian College, 2005
- Juris Doctor, Notre Dame Law School, 2008
- Legal Intern, Alliance Defending Freedom, 2006
- Law Clerk to the Hon. Paul J. Kelly, Jr., U.S. Court of Appeals for the Tenth Circuit, 2008-2009
- Pierce Atwood LLP
  - Summer Associate, Pierce Atwood LLP, 2007
  - Associate, 2009-2017
  - Partner, 2017-present

### Record on Reproductive Freedom

- Dunlap signed onto written testimony<sup>2</sup> submitted to the Maine Senate Joint Standing Committee on Judiciary in support of a bill that would have allowed people to bring wrongful death actions on behalf of a fetus,<sup>3</sup> thereby increasing the risk of penalizing pregnant people and advancing dangerous, so-called “personhood” ideology.
  - As Pregnancy Justice explains, this ideology is dangerous as it “directly challenges the rights of women and anyone capable of pregnancy and creates a direct conflict between pregnant people’s rights and those of so-called ‘unborn children.’”<sup>4</sup>
  - The purported legislative goal could alternatively be achieved by passing laws that “allow claims for people who have experienced pregnancy loss and can be framed around the emotional loss of potential parenthood without invoking fetal personhood or labeling such losses as ‘wrongful deaths.’”<sup>5</sup>
- Dunlap submitted written testimony<sup>6</sup> to the Maine Senate Joint Standing Committee on the Judiciary in support of a bill that sought to create unnecessary, additional barriers to access to abortion care for young people.<sup>7</sup>
  - At the time this bill was being considered heading into the 2015 legislative session, Maine already severely restricted young people’s access to abortion by requiring parental consent in most cases and requiring mandatory counseling before a young person could receive care.<sup>8</sup>

# REPRODUCTIVE FREEDOM FOR ALL

## Record on Intersectional Commitments

### *Voting Rights & Democracy*

- Dunlap represented a Maine corporation in its effort to challenge the state’s campaign finance regulations to give corporations more influence over—and the public less transparency into—elections.<sup>9</sup>
- Dunlap has also fought to undermine Maine voters’ efforts to implement ranked choice voting:
  - He represented the Maine Republican Party in an unsuccessful effort to block Maine’s ranked choice voting system after Maine voters approved a ballot initiative to implement the system throughout the state.<sup>10</sup>
  - He also worked on behalf of Maine’s House Republicans in successfully requesting an advisory opinion from the state’s highest court, where he argued that the state’s ranked choice voting initiative was unconstitutional as it applied to state elections.<sup>11</sup>
- Dunlap authored an op-ed opposing a proposal for Maine to adopt the national popular vote.<sup>12</sup>

### *LGBTQ+ Equality*

- Dunlap wrote a letter to the editor in 2012 where he revealed his sentiments on marriage equality in Maine by describing lawn signs opposed to passing a marriage equality ballot proposal as “signs supporting traditional marriage.”<sup>13</sup>

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<sup>1</sup> Joshua Dunlap, Questionnaire for Judicial Nominees, United States Senate Committee on the Judiciary (July 3, 2025).

<sup>2</sup> Testimony of Daniel J. Mitchell in Support of LD 327 (“An Act to Allow a Wrongful Death Cause of Action for the Death of an Unborn Child”), Joint Standing Committee on the Judiciary, Maine Senate (May 16, 2017).

<sup>3</sup> L.D. 327, 128th Legis. (Me. 2017).

<sup>4</sup> Unpacking Fetal Personhood: The Radical Tool that Undermines Reproductive Justice, Pregnancy Justice, 4 (Sept. 2024), <https://www.pregnancyjusticeus.org/wp-content/uploads/2024/09/Fetal-personhood.pdf>.

<sup>5</sup> *Id.* at 41.

<sup>6</sup> Testimony of Joshua D. Dunlap in Support of LD 83 (“An Act to Strengthen the Consent Laws for Abortions Performed on Minors and Incapacitated Persons”), Joint Standing Committee on the Judiciary, Maine Senate (March 13, 2015).

<sup>7</sup> L.D. 83, 127th Legis. (Me. 2015).

# REPRODUCTIVE FREEDOM<sup>FOR</sup>ALL

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<sup>8</sup> NARAL Pro-Choice America, Who Decides 2015, <https://reproductivefreedomforall.org/wp-content/uploads/2017/04/2015-Who-Decides.pdf>.

<sup>9</sup> *Central Maine Power Co. v. Maine Comm'n on Gov't Ethics & Election Practices*, U.S. Court of Appeals for the First Circuit, Case No. 24-1265; *Central Maine Power Co. v. Maine Comm'n on Gov't Ethics & Election Practices*, 721 F. Supp. 3d 31 (D. Me. 2024).

<sup>10</sup> *Maine Republican Party v. Dunlap*, 324 F.Supp.3d 202 (D.Me 2018).

<sup>11</sup> Opinion of the Justices, 2017 ME 100, 162 A.3d 188.

<sup>12</sup> Legislature Should Reject National Popular Vote, Bangor Daily News (Mar. 31, 2019).

<sup>13</sup> Letter to the Editor: Free Speech is Being Trampled, Scarborough Leader, (Oct. 26, 2012).