

# [***Fani Willis May Be Facing Perjury Charges***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BF1-0KG1-JBR6-91P7-00000-00&context=1516831)

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**Byline:** Sean O'Driscoll

**Highlight:** Trump's lawyers think they have proof the district attorney lied under oath about her relationship with a prosecutor.

**Body**

[*Fani Willis*](https://www.newsweek.com/topic/fani-willis?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships), Atlanta district attorney, could be facing perjury charges for her testimony about a relationship with a prosecutor, several legal analysts have told *Newsweek*.

Willis said under oath that she and Nathan Wade began their relationship only after the indictment of [*Donald Trump*](https://www.newsweek.com/topic/donald-trump?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships), something the former president's lawyers say they can disprove using phone records. *Newsweek* reached out to Trump's lawyers and Willis' office via email for comment on Tuesday.

The frontrunner for the Republican presidential nomination and 18 co-defendants have been accused of conspiring to overturn [*Joe Biden*](https://www.newsweek.com/topic/joe-biden?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships)'s 2020 election win in Georgia. Trump has pleaded not guilty to all charges and repeatedly said that the case was politically motivated as he is the likely GOP nominee for the White House.

Eric Anderson, counsel at Early Sullivan Wright Gizer & McRae in Los Angeles, California, told *Newsweek* that Georgia Attorney General Christopher Carr may pursue perjury charges against Willis, a Democrat.

"Given the political climate, I would not be completely surprised if the attorney general, a Republican, acts. Attorney General Carr has shown a willingness to take on elected officials in criminal proceedings before," Anderson said.

"When it comes to ***politics***, anything is possible. Unless the alleged perjury is about a fact material to the matter at hand, perjury charges are not likely for a regular witness," Anderson added.

Stephen Gillers, a law professor at New York University, told *Newsweek* that Trump's lawyers want "to shift the question before the court from disqualification to perjury." They aim to move from Willis' relationship with Wade to her alleged lie on the witness stand.

"The judge should focus on the real disqualification question here. Is there any basis to find that Willis chose to pursue the case to generate income for Wade, which he would then use to take her on luxury trips?" Gillers added.

"The answer is no. Willis started her investigation in February 2021 and did not hire Wade, who was not her first choice, until nine months later. She got an indictment and four guilty pleas," Gillers said.

"Her successes so far rebut any suggestion that she brought or continued the case to generate fees for Wade. To the contrary, her successes so far tell us she did so because in fact it is a meritorious case."

Willis testified under oath that her relationship with Wade only began after she appointed him to the Trump case. However, the former president has subpoenaed Wade's phone records and hired a tech expert to show allegedly that he stayed over in Willis' house long before the election-fraud case began.

Trump's lawyers are also seeking additional information about luxury trips that Wade and Willis took together.

The judge in Trump's election-fraud case now has to decide whether Willis and Wade can stay on the case.

Greg Germain, a law professor at Syracuse University in New York, told *Newsweek* that the district attorney faces possible perjury charges.

"Willis could certainly be charged with perjury if a prosecutor can prove that Willis knowingly lied under oath," Germain said.

"The matter would have to be referred to a prosecutor, presumably from another DA office, or state or federal prosecutor, to bring the charges."

"It is not common for people to be charged with perjury for lying under oath about a personal relationship, but it certainly has happened in high-profile cases, like [*Bill Clinton*](https://www.newsweek.com/topic/bill-clinton?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) and Monica Lewinski. So yes, a perjury prosecution is possible," Germain said.

Judge Scott McAfee, who is presiding over the Trump case, [*held a series of hearings*](https://www.newsweek.com/donald-trump-lawyers-want-fani-willis-testify-again-after-new-evidence-fulton-county-georgia-1873177?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) to determine if Willis and her office will be disqualified from the case. Trump and some of his co-defendants not only argued for the removal of Willis' office, but also for the entire case to be dropped due to what they perceive as a conflict of interest.

However, Willis and Wade have said that their relationship started in the spring of 2022 after Willis hired him and added that neither have financially benefited from it.

McAfee's hearings to determine if Willis should stay on the case are due to restart on Tuesday.

Trump's lawyers hired a phone-records analyst to prove that prosecutor Nathan Wade was staying over at the home of Willis, long before she hired him to lead the election-fraud case. Trump's team is trying to prove that Willis hired Wade because [*they were in a relationship*](https://www.newsweek.com/new-fani-willis-evidence-earthquake-attorney-warns-1872996?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) and that the district attorney should step away from the Trump case.

[*Link to Image*](https://d.newsweek.com/en/full/2354352/trump-speech.jpg)

**Graphic**

trump speech

Sean Rayford/Getty Images

Donald Trump speaks during the Black Conservative Federation Gala on February 23, 2024 in Columbia, South Carolina. Trump is seeking to disqualify Atlanta district attorney, Fani Willis, from his election fraud case in Georgia.

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