



Death of Supreme Court Justice Becomes Campaign Issue

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Cibolo Creek Ranch is remote and rustic, and just the place United States Supreme Court Justice Antonin Scalia planned to take some *time* off.

Scalia was not only a reliable conservative vote, but also a powerful leader on the court, with influence over the other conservative justices, Tobias said.

But Democratic President Barack Obama wants to name his replacement, although the White House says he will not rush.

"We ought to make the 2016 election a referendum on the Supreme Court", US Senator and Republican presidential candidate Ted Cruz said on NBC's "*Meet the Press*" Sunday.

The prospect drew swift and furious comments from Republican candidates during a televised debate as they vie with each other to be elected president in November.

Republicans argued that Obama, as a lame duck, should not fill the vacancy created by Scalia's death, but leave it to the next president - which they hope will be one of them.

Hot topics The array of policy issues sitting on the court's upcoming docket means the presidential election will be transformed into a referendum on a range of hotly contested topics, from union rights to climate change, from abortion to immigration, to religious discrimination.

Schumer, presumed to be the next leader of Senate Democrats, said "a lot of the mainstream Republicans" eventually would buck McConnell and support an Obama nominee to fill Scalia's seat.

Of the approximately 100 justices *who* have served on the court and left, a little fewer than half have died while still holding the position.

Ilya Shapiro, the editor-in-chief of the Cato Institute's "Cato Supreme Court Review", told CBS News that Garland would be "the most moderate Democratic" possibility - and therefore the "least controversial" appointment the president could make.

Antonin Scalia's body lay in a Texas funeral home Sunday and officials awaited word about whether they would need to perform an autopsy before the late Supreme Court justice could return home to Virginia.

Democrats pointed out that Justice Anthony Kennedy was confirmed in an election year - 1988 - the final year of Ronald Reagan's presidency. "It would also prove that all the Republican talk about loving the Constitution is just that - empty talk", said Warren.

Toomey could not be reached for a statement on nomination and confirmation by Sunday evening. The question is, does Obama replace him or does the country wait until the next president is in office to decide the nominee?

The White House contenders opened the night with praise for Scalia. One prominent exception was his majority decision in District of Columbia v. Heller, in which the court ruled for the first *time* that the Second Amendment granted an individual right to bear arms. With Scalia's vote, the Court was expected to overrule a 1977 decision and allow employees to opt out of paying public sector union fees.

Justice Scalia, *who* was 79, was found dead in his room at a West Texas resort early Saturday after he didn't come out for breakfast.

"Generally, the argument is that senators might like to sort of confirm one of their own or she has a greater chance in a very deadlocked Senate of being able to get through because she's a senator".