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President Trump Names 10 Nominees for Federal Courts

Slate of nominees draws praise from conservative groups, criticism from liberals

Joe Palazzolo

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President Donald Trump began to make his mark on the lower federal courts on Monday with 10 judicial nominations that drew praise from conservative legal groups and concern from their liberal counterparts.

The five federal appellate nominees in the batch include state supreme court justices, former law clerks to the late Justice Antonin Scalia, corporate lawyers and law professors.

Mr. Trump nominated Michigan Supreme Court Justice Joan Larsen, a former Scalia clerk, to the Sixth U.S. Circuit Court of Appeals in Cincinnati; David Stras, a Minnesota Supreme Court justice and former clerk to Justice Clarence Thomas, to the Eighth Circuit in St. Louis; Louisville, Ky., lawyer John Bush to the Sixth Circuit; Amy Coney Barrett, a University of Notre Dame law professor and former Scalia clerk, to the Seventh Circuit in Chicago; and Birmingham, Ala., lawyer Kevin Newsom, a former clerk to Justice David Souter, to the Eleventh Circuit in Atlanta.

White House press secretary Sean Spicer said on Monday that Mr. Trump chose the nominees “for their deep knowledge of the law and their commitment to upholding constitutional principles.”

Justice Larsen and Justice Stras appeared on Mr. Trump’s list of potential Supreme Court justices, which was compiled by the conservative Heritage Foundation and the Federalist Society, a right-leaning legal group. Mr. Spicer said the president used the same template in choosing the eight other nominees.

Ilya Shapiro, senior fellow in Constitutional Studies at the libertarian Cato Institute, called Mr. Trump’s nominees an “excellent slate” and more evidence of Mr. Trump’s commitment to appointing judges who believe laws and the Constitution should be interpreted based on the plain meaning of their words at the time they were written.

Conservatives praised Mr. Trump’s selection of Justice Neil Gorsuch, whose confirmation in April was considered by many to be among the most significant achievements of the president’s first 100 days.

Amul Thapar, Mr. Trump’s first lower court nominee, awaits a vote on his elevation from a federal trial court in Kentucky to the Sixth U.S. Circuit Court of Appeals, after an uneventful confirmation hearing in April.

Marge Baker, executive vice president of the left-leaning People For the American Way, said the slate of nominees sends a message that Mr. Trump intends to appoint judges who “will use their positions to shift the law dramatically in favor of corporations and the wealthy at the expense of ordinary people.”

Ms. Baker contrasted the 10 nominees, all but one of them white, with President Barack Obama’s judicial appointees, about two-thirds of whom were women or members of minority groups.

Mr. Obama tipped the balance of the appeals courts in his two terms, creating majorities of Democratic-appointed judges on eight of the 12 regional appeals courts, the last stop for most federal cases. He entered office with Republican-appointed judges holding majorities on nine of the appeals courts.

Mr. Trump also named four nominees for the federal trial courts. They include Dabney Friedrich, an associate counsel to President George W. Bush and former member of the U.S. Sentencing Commission, who was nominated to the U.S. District Court for the District of Columbia; Magistrate Judge Terry Moorer, a retired colonel in the Alabama National Guard, to the Middle District of Alabama; Scott Palk, assistant dean at University of Oklahoma College of Law, to the Western District of Oklahoma; and Idaho state Judge David Nye, to the District of Idaho.

Mr. Obama nominated Mr. Palk and Judge Nye before leaving office, and Mr. Trump decided to renominate them for the same positions.

Mr. Trump also nominated Damien Schiff, a senior attorney at Pacific Legal Foundation, another conservative legal group, to the U.S. Court of Federal Claims.

The five nominees to the courts of appeals leaves Mr. Trump with 19 vacancies and future vacancies, and more could open soon. More than 60 federal appellate judges are eligible for senior status, a form of semiretirement, according to Russell Wheeler, a fellow at the Brookings Institution who studies federal courts. They could step down from full-time work or resign at anytime, making room for new judges.

Another 114 vacancies and future vacancies are scattered among the nation’s 94 federal trial courts. Mr. Wheeler said nearly 100 additional federal trial judges are eligible for senior status but haven’t announced any intention to slow down or step aside.

The minority party can no longer hold up judicial nominees with a filibuster. Democrats changed the chamber’s rules in 2013 to allow a simple majority of senators to move nominations, in the face of a Republican blockade of Mr. Obama’s nominees.

Sen. Chuck Grassley (R., Iowa), chairman of the Senate Judiciary Committee, has said he would continue to honor so-called “blue slips,” which allow senators to hold up nominees to judgeships in their states.