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## 10 conservatives selected for federal courts as part of Trump's move to reshape judiciary

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The White House announced President Trump's intention Monday to nominate a slate of 10 conservatives to the federal judiciary, building on his successful nomination of Supreme Court Justice Neil M. Gorsuch in his biggest push yet to reshape the federal courts.

The list includes five nominees for federal appeals courts, which are one step below the Supreme Court and decide far more cases annually than the high court.

Two of the nominees, Michigan Supreme Court Justice Joan Larsen for the 6th U.S. Circuit Court of Appeals and Minnesota Supreme Court Justice David Stras for the 8th Circuit, were on the president's list of jurists released during the campaign as potential candidates for the Supreme Court.

Federal courts have a total of 129 vacancies, giving Mr. Trump an opportunity to mold the judiciary with a conservative outlook for decades to come. The nominations are lifetime appointments.

The president's other nominees for appellate judgeships are Louisville, Kentucky, lawyer John K. Bush to the 6th Circuit; University of Notre Dame law professor Amy Coney Barrett, a former law clerk for the late Supreme Court Justice Antonin Scalia, to the 7th Circuit; and former Alabama state Solicitor General Kevin Newsom, a former law clerk for retired Justice David H. Souter, to the 11th Circuit.

While Mr. Trump took his first step toward making his mark on the appeals courts, he didn't move Monday to fill any of the four vacancies in the liberal 9th U.S. Circuit Court of Appeals, which covers California and eight other Western states.

The president's executive order banning travel from several majority-Muslim nations was initially blocked in the 9th Circuit, prompting criticism from Mr. Trump about the appeals court's record of being overturned by the Supreme Court and a suggestion that he break up the court's jurisdiction.

White House press secretary Sean Spicer said the president intends to push a "robust" pace of nominations, both in the judiciary and in other administration positions.

"These 10 individuals that the president has chosen were chosen for their deep knowledge of the law and their commitment to upholding constitutional principles," Mr. Spicer said.

Conservative activists praised the latest nominations.

“President Trump is building on the success of his nomination of Justice Gorsuch with an outstanding new slate of nominees for the lower federal courts,” said Carrie Severino, chief counsel of the Judicial Crisis Network.

“The nominees have stellar qualifications and a record of courageous commitment to the rule of law that will make them excellent additions to the federal bench. When it comes to fulfilling his campaign promise to appoint strong, principled judges, Trump is knocking it out of the park,” she said.

Among the group’s conservative legal credentials, Justice Larsen also clerked for Justice Scalia, and Justice Stras clerked for Supreme Court Justice Clarence Thomas.

Democrats accused Mr. Trump of pandering to conservatives on his first slate of lower-court nominees instead of seeking input from progressives about potential candidates.

“Just as he did with the Supreme Court vacancy, the president is taking the Senate’s advice and consent role in judicial nominees and handing it over to The Heritage Foundation and Federalist Society,” said Senate Minority Leader Charles E. Schumer, New York Democrat.

“Instead of allowing these groups to single-handedly pick judges that will tilt the lower courts to the hard right for a generation, the president should work with members of both parties to pick judges from within the judicial mainstream, who will interpret the law rather than make it,” Mr. Schumer said.

Alliance for Justice President Nan Aron panned the nominees as too conservative.

“Packing the federal courts with judges whose records suggest they want to weaken critical constitutional rights and legal protections would undermine the Constitution’s promise of equal justice for all and cause serious harm to millions of Americans,” she said.

Until Monday, Mr. Trump had only one other pending judicial nomination. U.S. District Judge Amul Thapar of the Eastern District of Kentucky is waiting for Senate confirmation for the 6th U.S. Circuit Court of Appeals.

Federal appeals courts have 20 vacancies out of a total of 179 judgeships. There are also 101 vacancies on U.S. district courts out of 677 total seats and eight other vacancies on the U.S. Court of International Trade and the U.S. Court of Federal Claims.

The president also appointed four judges to district court seats on Monday and one nominee to the Court of Federal Claims.

Mr. Spicer said the nominees were chosen for “their deep knowledge of the law and their commitment to upholding constitutional principles.”

Ilya Shapiro, senior fellow in constitutional studies at the Cato Institute, called the group an “excellent slate.”

Heritage Foundation legal analyst Hans von Spakovsky said he is impressed with Mr. Trump’s choice of lawyer Damien Schiff of the Pacific Legal Foundation for the little-known U.S. Court of Federal Claims.

Mr. Schiff won a unanimous ruling at the Supreme Court in 2012 in a case challenging the Environmental Protection Agency over property rights case and due process.

“Putting him on the Court of Federal Claims, which is the court that handles claims made against the federal government, that’s a great choice,” Mr. von Spakovsky said.

With the filibuster no longer available to Senate Democrats on any judicial nominations, Mr. Trump should encounter less-effective opposition to his nominees. Senate Democrats eliminated filibusters on judicial nominees below the level of the Supreme Court when they held the majority in 2013 to get more of President Obama’s nominations approved.

Still, Committee for Justice President Curt Levey said Senate Democrats are likely to slow the confirmation process by exploiting debate time at a record level. He said Democrats also could try to defeat nominees “by abusing the blue-slip privileges granted to the two senators from each nominee’s home state.”

“If Democrats go that extreme, Senate Judiciary Chairman Chuck Grassley [Iowa Republican] may be forced to curtail the 100-year-old blue-slip tradition,” he said.

The blue slip is a tradition that allows senators from a nominee’s home state to block a nomination for virtually any reason.

Mr. Levey noted that five of Mr. Trump’s first six expected nominees to federal appeals courts are younger than 50.

“The large number of judicial vacancies gives President Trump a historic opportunity to move the federal courts in the right direction — towards constitutionalism and away from judicial activism — in just four years,” Mr. Levey said. “Fulfilling this opportunity will require a steady stream of judicial nominations from the White House and a brisk pace of hearings in the Senate Judiciary Committee.”

Wade Henderson, president and CEO of The Leadership Conference on Civil and Human Rights, said some of the nominees are being considered for seats that the Senate Republican majority blocked during Mr. Obama’s presidency.

“The Senate hasn’t confirmed a circuit court judge since January 2016, enabling Trump to inherit 19 circuit court vacancies when he took office,” Mr. Henderson said. “The Republicans should not be rewarded for their bad behavior.”