



Trump's Supreme Court Front-Runners on Guns, Immigration & Healthcare

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President Donald Trump is set to announce his nominee for the U.S. Supreme Court Tuesday night.

Since the death of Justice Antonin Scalia last February, the high court has been left ideologically divided, with four conservative and four liberal-leaning justices.

Trump, who previously released a list of 21 potential conservative judges to fill the vacancy, has reportedly whittled that list down to two federal appeals court judges: Judge Thomas Hardiman and Judge Neil Gorsuch. Here is a closer look at how the two potential picks have weighed in on issues such as immigration, gun rights and employer rights under the Affordable Care Act.

Judge Thomas Hardiman: The Law and Order Nominee

Hardiman, 51, was appointed by President George W. Bush to serve as a judge on the U.S. Court of Appeals for the Third Circuit in Philadelphia. He has widely established himself as a law and order judge, continually demonstrating "his strong defense of the right to keep and bear arms," Ilya Shapiro, senior fellow in constitutional studies at the Cato Institute, told FOX Business.

Hardiman has an expansive view of the second amendment, believing the right to bear arms extends outside the home. In an opinion he wrote disagreeing with a New Jersey law that requires people to show "justifiable need" to be armed outside the home, Hardiman was alone in his opposition, expressing the view that the need for self-defense exists beyond the confines of the household. In a separate case, he held that even violent felons could regain their second amendment rights so long as they met certain conditions.

In addition, Hardiman notably ruled in favor of a New Jersey prison's strip-search policy, believing the need for security trumps potential inmates' rights to privacy.

While there have been questions raised by conservatives about Hardiman's views on immigration due to some legal work he did for a clinic called Ayuda early in his career--- when

he helped poor, Spanish-speaking immigrants in political asylum and domestic abuse cases--- he has also written unpublished opinions against non-citizens.

“I don't believe there's much in Hardiman's record to fully gauge him [on immigration]. Ayuda cuts both ways. It could help politically due to the concerns that Trump is anti-immigration,” Philip Holloway, legal analyst at the Holloway Law Group, told FOX Business.

Democratic Minority Leader Senator Chuck Schumer has vowed to keep Scalia's seat open indefinitely if Trump's nominee is “not bipartisan and mainstream,” but Hardiman may breeze through the confirmation process if history is any indication, said Shapiro.

“He brings no ideological agenda to his tasks and so may be less like Scalia in that respect. He also was confirmed unanimously [to the District Court] and should face no significant opposition.”