



*Judge Amy Coney Barrett delivers remarks after President Donald J. Trump announced her as his nominee for Associate Justice of the Supreme Court of the United States Saturday, Sept. 26, 2020, in the Rose Garden of the White House.*

## The Senate Confirms Amy Coney Barrett

Judge Barrett was confirmed as the 115th Supreme Court justice on October 26, 2020. Barrett became the fifth woman ever to serve on the high court, succeeding the late liberal Associate Justice Ruth Bader Ginsburg. Republicans, who hold a majority in the Senate, pushed ahead with one of the quickest nomination proceedings in modern times.

For Barrett to be confirmed to the Supreme Court, she needed to get a simple majority of the 100 senators. The result was a vote of 52-48 to approve Amy Coney Barrett lifetime appointment to the Supreme Court of the United States. It was the first time in 151 years that a justice was confirmed without the support of a single member of the minority party, a sign of how bitter Washington's war over judicial nominations has become.

She begins her Supreme Court tenure one week before Election Day after a rushed appointment and amid controversy on her appointment so close to a Presidential Election. Democrats insisted Republicans should have waited for voters to have their say on Election Day.

## The Tilt of the Supreme Court

After the two prior Donald Trump appointments (Judge Kavanaugh and Judge Gorsuch), the high court's ideological balance was most certainly going to shift more to the right. With Judge Barrett's presence, this cements a solid 6-3 conservative majority for many years to come. Issues that could be affected include abortion and religious rights, LGBTQ protections, and the scope of federal regulatory control over the environment, workplace safety, and consumer protection.

Judge Barrett pledged during her confirmation hearings to be an independent mind. But she is widely viewed by both parties as a judge in the mold of Justice Scalia, her mentor, who would rule consistently in favor of conservative positions.

Republicans will want Barrett to deliver on a conservative agenda. With Judge Barrett (age 48) being relatively young, it will give her plenty of time to influence the court.

## Presidents Role in Filling Vacancy

The confirmation of Justice Barrett gives President Donald Trump his third Supreme Court appointment. In April 2017, President Trump selected Neil Gorsuch to replace Justice Antonin Scalia after his unexpected death.

Three days after Judge Ginsburg's death (September 18, 2020), Barrett was selected as her replacement by Donald Trump. The current Supreme Court justices were confirmed in an average of 73 days. Judge Barrett's confirmation took 35 days.

As we know, the president appoints a high number of officials in the executive branch as well as justices in the judicial branch. Per U.S. Constitution (Article II, Section 2, Clause 2), states that the president "shall nominate, and by and with the Advice and Consent of the Senate, shall appoint ... Judges of the Supreme Court."

Each federal judge holds office for life and may be removed only by impeachment. There are no expressed qualifications for federal judges in the Constitution.

## Conclusion

The Supreme Court consists of nine Justices, each with their views and beliefs which may align with the Democratic (liberal) or Republican (conservative) parties. As we have studied, federal courts are often called the "guardians of the Constitution" because their rulings protect rights and liberties guaranteed by the Constitution. Through fair and impartial judgments, the Supreme Court Justices interpret and apply the law to resolve disputes.

## REVIEW QUESTIONS

### FILL IN THE BLANKS

1. Which article of the Constitution mentions the nomination of Supreme Court Justices? \_\_\_\_\_
2. What is term of a Supreme Court Justice? \_\_\_\_\_  
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3. Who are the two other Supreme Court Justices that President Trump has appointed? \_\_\_\_\_  
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4. Why are Supreme Court justices considered "guardians of the constitution"? \_\_\_\_\_  
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