

SUPREME COURT NOMINEE PROCESS

SUPREME COURT NOMINEE PROCESS IS A CRUCIAL COMPONENT OF THE UNITED STATES JUDICIAL SYSTEM, INVOLVING A SERIES OF WELL-DEFINED STEPS THAT LEAD TO THE APPOINTMENT OF JUSTICES TO THE HIGHEST COURT IN THE LAND. THIS PROCESS ENSURES THAT NOMINEES ARE THOROUGHLY VETTED AND CONFIRMS THAT ONLY QUALIFIED CANDIDATES ASCEND TO THE SUPREME COURT BENCH. UNDERSTANDING THE SUPREME COURT NOMINEE PROCESS PROVIDES INSIGHT INTO THE BALANCE OF POWERS AMONG THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF THE GOVERNMENT. IT INVOLVES THE PRESIDENT'S NOMINATION, SENATE JUDICIARY COMMITTEE HEARINGS, BACKGROUND INVESTIGATIONS, AND A FINAL CONFIRMATION VOTE BY THE SENATE. THROUGHOUT THIS ARTICLE, THE VARIOUS STAGES OF THE PROCESS WILL BE EXAMINED IN DETAIL, INCLUDING HISTORICAL CONTEXT, POLITICAL CONSIDERATIONS, AND THE ROLE OF PUBLIC OPINION. THE DISCUSSION WILL ALSO HIGHLIGHT THE IMPACT OF THE NOMINEE PROCESS ON THE JUDICIARY AND THE BROADER LEGAL LANDSCAPE.

- THE PRESIDENTIAL NOMINATION
- SENATE JUDICIARY COMMITTEE REVIEW
- SENATE CONFIRMATION VOTE
- HISTORICAL AND POLITICAL CONTEXT
- IMPACT AND IMPORTANCE OF THE NOMINEE PROCESS

THE PRESIDENTIAL NOMINATION

THE SUPREME COURT NOMINEE PROCESS BEGINS WITH THE PRESIDENT SELECTING A CANDIDATE TO FILL A VACANCY ON THE SUPREME COURT. THIS INITIAL STEP IS CRITICAL, AS THE PRESIDENT'S CHOICE CAN INFLUENCE THE IDEOLOGICAL BALANCE OF THE COURT FOR DECADES. PRESIDENTS TYPICALLY CONSIDER SEVERAL FACTORS WHEN SELECTING A NOMINEE, INCLUDING LEGAL QUALIFICATIONS, JUDICIAL PHILOSOPHY, POLITICAL ALIGNMENT, AND DEMOGRAPHIC REPRESENTATION. OFTEN, NOMINEES HAVE PRIOR JUDICIAL EXPERIENCE, PARTICULARLY ON THE FEDERAL APPELLATE COURTS, THOUGH THIS IS NOT A CONSTITUTIONAL REQUIREMENT.

CRITERIA FOR SELECTION

PRESIDENTS SEEK NOMINEES WHO DEMONSTRATE EXCEPTIONAL LEGAL ACUMEN, ETHICAL INTEGRITY, AND THE ABILITY TO INTERPRET THE CONSTITUTION. OTHER CONSIDERATIONS INCLUDE:

- PROFESSIONAL EXPERIENCE, SUCH AS PRIOR JUDICIAL SERVICE OR LEGAL PRACTICE
- ACADEMIC CREDENTIALS AND PUBLICATIONS
- AGE AND POTENTIAL LENGTH OF SERVICE ON THE COURT
- POLITICAL IDEOLOGY AND VIEWS ON KEY CONSTITUTIONAL ISSUES
- DEMOGRAPHIC FACTORS SUCH AS RACE, GENDER, AND GEOGRAPHIC REPRESENTATION

ROLE OF THE WHITE HOUSE AND ADVISORS

THE PRESIDENT OFTEN RELIES ON ADVISORS, INCLUDING THE ATTORNEY GENERAL, WHITE HOUSE COUNSEL, AND LEGAL EXPERTS, TO VET POTENTIAL NOMINEES. BACKGROUND CHECKS ARE CONDUCTED TO ASSESS CANDIDATES' SUITABILITY AND UNCOVER ANY CONTROVERSIES THAT COULD ARISE DURING SENATE SCRUTINY. THE NOMINATION IS FORMALLY ANNOUNCED ONCE THE PRESIDENT HAS SELECTED A CANDIDATE DEEMED CAPABLE OF SECURING SENATE CONFIRMATION.

SENATE JUDICIARY COMMITTEE REVIEW

FOLLOWING THE PRESIDENTIAL NOMINATION, THE NOMINEE UNDERGOES A COMPREHENSIVE REVIEW BY THE SENATE JUDICIARY COMMITTEE. THIS PHASE IS A PIVOTAL PART OF THE SUPREME COURT NOMINEE PROCESS, DESIGNED TO EVALUATE THE NOMINEE'S QUALIFICATIONS AND JUDICIAL PHILOSOPHY IN DETAIL. THE JUDICIARY COMMITTEE ACTS AS THE GATEKEEPER BEFORE THE FULL SENATE VOTES ON CONFIRMATION.

BACKGROUND INVESTIGATIONS AND QUESTIONNAIRES

THE NOMINEE IS REQUIRED TO SUBMIT EXTENSIVE DOCUMENTATION, INCLUDING A DETAILED QUESTIONNAIRE COVERING PROFESSIONAL HISTORY, FINANCIAL DISCLOSURES, AND PRIOR WRITINGS OR RULINGS. THE FBI CONDUCTS A BACKGROUND INVESTIGATION TO UNCOVER ANY POTENTIAL ISSUES RELATED TO CHARACTER OR SECURITY RISKS. THIS INFORMATION IS REVIEWED BY THE JUDICIARY COMMITTEE MEMBERS TO PREPARE FOR HEARINGS.

CONFIRMATION HEARINGS

DURING CONFIRMATION HEARINGS, COMMITTEE MEMBERS QUESTION THE NOMINEE ON A BROAD RANGE OF TOPICS, SUCH AS CONSTITUTIONAL INTERPRETATION, PREVIOUS JUDICIAL DECISIONS, AND VIEWS ON CONTROVERSIAL LEGAL ISSUES. WITNESSES, INCLUDING LEGAL EXPERTS AND INTEREST GROUPS, MAY BE INVITED TO PROVIDE TESTIMONY SUPPORTING OR OPPOSING THE NOMINEE. THE HEARINGS ARE HIGHLY PUBLICIZED AND CAN BE CONTENTIOUS, REFLECTING THE HIGH STAKES INVOLVED IN THE NOMINEE PROCESS.

COMMITTEE VOTE

AFTER THE HEARINGS, THE JUDICIARY COMMITTEE VOTES ON WHETHER TO RECOMMEND THE NOMINEE TO THE FULL SENATE. THE COMMITTEE'S RECOMMENDATION CAN BE POSITIVE, NEGATIVE, OR WITHOUT RECOMMENDATION. THIS VOTE SIGNIFICANTLY INFLUENCES THE FULL SENATE'S DECISION.

SENATE CONFIRMATION VOTE

THE FINAL STAGE IN THE SUPREME COURT NOMINEE PROCESS IS THE FULL SENATE VOTE. THE CONSTITUTION GRANTS THE SENATE THE AUTHORITY TO PROVIDE "ADVICE AND CONSENT" ON THE PRESIDENT'S NOMINATION, MAKING THIS STEP ESSENTIAL FOR CONFIRMATION. A SIMPLE MAJORITY VOTE IS REQUIRED TO CONFIRM THE NOMINEE AND OFFICIALLY APPOINT THEM TO THE SUPREME COURT.

DEBATE IN THE SENATE

PRIOR TO THE VOTE, SENATORS ENGAGE IN DEBATE OVER THE NOMINEE'S QUALIFICATIONS AND SUITABILITY FOR THE SUPREME COURT. DEBATE ALLOWS SENATORS TO EXPRESS SUPPORT OR OPPOSITION AND TO DISCUSS THE BROADER IMPLICATIONS OF THE APPOINTMENT. THE LENGTH AND INTENSITY OF THE DEBATE CAN VARY DEPENDING ON THE NOMINEE'S PROFILE AND POLITICAL CLIMATE.

FILIBUSTER AND CLOTURE

HISTORICALLY, THE SENATE COULD USE A FILIBUSTER TO BLOCK A SUPREME COURT NOMINEE, REQUIRING A SUPERMAJORITY VOTE OF 60 SENATORS TO END DEBATE AND PROCEED TO A CONFIRMATION VOTE. HOWEVER, RECENT CHANGES TO SENATE RULES HAVE ELIMINATED THE FILIBUSTER FOR SUPREME COURT NOMINATIONS, ALLOWING A SIMPLE MAJORITY TO CONFIRM.

FINAL CONFIRMATION

ONCE DEBATE CONCLUDES, THE SENATE VOTES ON THE NOMINEE. IF THE NOMINEE RECEIVES A MAJORITY OF VOTES, THEY ARE CONFIRMED AND OFFICIALLY COMMISSIONED AS A SUPREME COURT JUSTICE. THIS APPOINTMENT IS FOR LIFE, PENDING RETIREMENT, RESIGNATION, OR REMOVAL UNDER EXTRAORDINARY CIRCUMSTANCES.

HISTORICAL AND POLITICAL CONTEXT

THE SUPREME COURT NOMINEE PROCESS HAS EVOLVED SIGNIFICANTLY SINCE THE FOUNDING OF THE UNITED STATES. POLITICAL CONSIDERATIONS AND HISTORICAL EVENTS HAVE SHAPED HOW NOMINATIONS AND CONFIRMATIONS ARE HANDLED TODAY. THE PROCESS OFTEN REFLECTS THE BROADER POLITICAL DYNAMICS BETWEEN THE PRESIDENCY AND THE SENATE.

HISTORICAL MILESTONES

KEY HISTORICAL MOMENTS HAVE INFLUENCED THE NOMINEE PROCESS, INCLUDING:

1. THE REJECTION OF PRESIDENT JOHN TYLER'S NOMINEE IN 1844, ILLUSTRATING SENATE ASSERTIVENESS
2. THE CONTENTIOUS CONFIRMATION HEARINGS OF ROBERT BORK IN 1987, WHICH GREATLY POLITICIZED THE PROCESS
3. THE USE OF FILIBUSTERS AND JUDICIAL NOMINATIONS BATTLES IN THE LATE 20TH AND EARLY 21ST CENTURIES
4. THE 2016 REFUSAL OF THE SENATE TO CONSIDER MERRICK GARLAND'S NOMINATION, HIGHLIGHTING POLITICAL STRATEGY

POLITICAL IMPLICATIONS

THE SUPREME COURT NOMINEE PROCESS IS INHERENTLY POLITICAL, WITH PARTIES SEEKING TO SHAPE THE JUDICIARY IN ALIGNMENT WITH IDEOLOGICAL GOALS. THE PROCESS CAN BECOME A FOCAL POINT FOR PARTISAN CONFLICT, GIVEN THE LIFETIME TENURE OF

JUSTICES AND THEIR ROLE IN DECIDING LANDMARK CASES.

IMPACT AND IMPORTANCE OF THE NOMINEE PROCESS

THE SUPREME COURT NOMINEE PROCESS HOLDS PROFOUND SIGNIFICANCE FOR THE AMERICAN LEGAL SYSTEM AND SOCIETY AT LARGE. JUSTICES APPOINTED THROUGH THIS PROCESS INFLUENCE CONSTITUTIONAL LAW, CIVIL RIGHTS, AND GOVERNMENT POWERS FOR GENERATIONS. THE LEGITIMACY AND INDEPENDENCE OF THE SUPREME COURT DEPEND IN PART ON THE RIGOR AND TRANSPARENCY OF THE NOMINATION AND CONFIRMATION PROCEDURE.

JUDICIAL INDEPENDENCE AND PUBLIC TRUST

A THOROUGH AND FAIR NOMINEE PROCESS PROMOTES JUDICIAL INDEPENDENCE BY ENSURING THAT JUSTICES ARE SELECTED BASED ON MERIT RATHER THAN PURELY POLITICAL CONSIDERATIONS. THIS HELPS MAINTAIN PUBLIC CONFIDENCE IN THE JUDICIARY'S IMPARTIALITY AND FAIRNESS.

LONG-TERM LEGAL IMPACT

SUPREME COURT JUSTICES SERVE LIFETIME APPOINTMENTS, SHAPING LEGAL INTERPRETATIONS ON CRITICAL ISSUES SUCH AS FREE SPEECH, PRIVACY, AND FEDERALISM. THE NOMINEE PROCESS, THEREFORE, HAS LASTING CONSEQUENCES BEYOND THE IMMEDIATE POLITICAL ENVIRONMENT.

SUMMARY OF THE NOMINEE PROCESS STEPS

- PRESIDENTIAL SELECTION OF A QUALIFIED CANDIDATE
- EXTENSIVE BACKGROUND CHECKS AND SUBMISSION OF DETAILED QUESTIONNAIRES
- SENATE JUDICIARY COMMITTEE HEARINGS AND EVALUATION
- COMMITTEE VOTE AND RECOMMENDATION TO THE FULL SENATE
- SENATE DEBATE AND FINAL CONFIRMATION VOTE
- OFFICIAL APPOINTMENT AND COMMISSIONING OF THE NEW JUSTICE

FREQUENTLY ASKED QUESTIONS

WHAT IS THE SUPREME COURT NOMINEE PROCESS?

THE SUPREME COURT NOMINEE PROCESS IS THE PROCEDURE BY WHICH THE PRESIDENT OF THE UNITED STATES SELECTS AND NOMINATES A CANDIDATE TO SERVE AS A JUSTICE ON THE SUPREME COURT, FOLLOWED BY SENATE CONFIRMATION.

WHO NOMINATES A SUPREME COURT JUSTICE?

THE PRESIDENT OF THE UNITED STATES NOMINATES A SUPREME COURT JUSTICE WHEN A VACANCY OCCURS ON THE COURT.

WHAT ROLE DOES THE SENATE PLAY IN THE SUPREME COURT NOMINEE PROCESS?

THE SENATE CONDUCTS CONFIRMATION HEARINGS, EVALUATES THE NOMINEE'S QUALIFICATIONS, AND VOTES TO CONFIRM OR REJECT THE NOMINEE.

HOW LONG DOES THE SUPREME COURT NOMINEE CONFIRMATION PROCESS USUALLY TAKE?

THE CONFIRMATION PROCESS CAN VARY BUT TYPICALLY TAKES SEVERAL WEEKS TO A FEW MONTHS, DEPENDING ON THE POLITICAL CLIMATE AND THE NOMINEE'S BACKGROUND.

WHAT FACTORS ARE CONSIDERED WHEN SELECTING A SUPREME COURT NOMINEE?

FACTORS INCLUDE LEGAL EXPERTISE, JUDICIAL PHILOSOPHY, PROFESSIONAL EXPERIENCE, PAST RULINGS, POLITICAL IDEOLOGY, AND THE NOMINEE'S POTENTIAL IMPACT ON THE COURT'S BALANCE.

CAN THE SENATE REJECT A SUPREME COURT NOMINEE?

YES, THE SENATE CAN REJECT A NOMINEE BY VOTING AGAINST CONFIRMATION, EFFECTIVELY BLOCKING THE APPOINTMENT.

WHAT HAPPENS IF THE SENATE DOES NOT CONFIRM A SUPREME COURT NOMINEE?

IF THE SENATE DOES NOT CONFIRM THE NOMINEE, THE PRESIDENT MUST SELECT AND NOMINATE ANOTHER CANDIDATE FOR CONSIDERATION.

ARE SUPREME COURT NOMINEES REQUIRED TO TESTIFY DURING CONFIRMATION HEARINGS?

YES, NOMINEES TYPICALLY TESTIFY BEFORE THE SENATE JUDICIARY COMMITTEE TO ANSWER QUESTIONS ABOUT THEIR QUALIFICATIONS, JUDICIAL PHILOSOPHY, AND PAST RULINGS.

HAS THE SUPREME COURT NOMINEE PROCESS CHANGED OVER TIME?

YES, THE PROCESS HAS EVOLVED, WITH INCREASING PARTISANSHIP AND MEDIA SCRUTINY, MAKING CONFIRMATIONS MORE CONTENTIOUS IN RECENT DECADES.

WHAT IS THE IMPORTANCE OF THE SUPREME COURT NOMINEE PROCESS?

THE PROCESS IS CRUCIAL BECAUSE SUPREME COURT JUSTICES SERVE LIFETIME APPOINTMENTS AND THEIR DECISIONS CAN SHAPE U.S. LAW AND SOCIETY FOR GENERATIONS.

ADDITIONAL RESOURCES

1. *THE CONFIRMATION MESS: CLEANING UP THE FEDERAL APPOINTMENTS PROCESS*

THIS BOOK DELVES INTO THE COMPLEXITIES AND CHALLENGES OF THE FEDERAL APPOINTMENT PROCESS, FOCUSING ON THE CONFIRMATION OF SUPREME COURT NOMINEES. IT EXPLORES THE POLITICAL DYNAMICS, PROCEDURAL HURDLES, AND THE EVOLVING NATURE OF SENATE CONFIRMATIONS. THE AUTHOR OFFERS INSIGHTS INTO HOW THE PROCESS CAN BE IMPROVED TO ENSURE FAIRNESS AND EFFICIENCY.

2. *SUPREME AMBITION: BRETT KAVANAUGH AND THE CONSERVATIVE TAKEOVER*

AN IN-DEPTH LOOK AT BRETT KAVANAUGH'S NOMINATION AND CONFIRMATION TO THE SUPREME COURT, THIS BOOK CHRONICLES THE INTENSE POLITICAL BATTLES AND PUBLIC CONTROVERSIES THAT SURROUNDED THE PROCESS. IT PROVIDES A DETAILED ACCOUNT OF THE HEARINGS, THE ROLE OF MEDIA, AND THE IMPACT ON THE COURT'S IDEOLOGICAL BALANCE. THE NARRATIVE HIGHLIGHTS THE BROADER IMPLICATIONS FOR FUTURE NOMINATIONS.

3. *THE SUPREME COURT NOMINATION PROCESS: A REFERENCE HANDBOOK*

THIS COMPREHENSIVE REFERENCE GUIDE OUTLINES THE HISTORICAL AND PROCEDURAL ASPECTS OF NOMINATING AND CONFIRMING SUPREME COURT JUSTICES. IT COVERS KEY MILESTONES, INFLUENTIAL FIGURES, AND LANDMARK CONFIRMATION BATTLES. THE BOOK SERVES AS AN ESSENTIAL RESOURCE FOR UNDERSTANDING THE LEGAL AND POLITICAL FRAMEWORK GOVERNING THE NOMINATION PROCESS.

4. *ADVICE AND CONSENT: THE POLITICS OF JUDICIAL APPOINTMENTS*

FOCUSING ON THE SENATE'S ROLE IN ADVISING AND CONSENTING TO JUDICIAL NOMINEES, THIS BOOK ANALYZES THE POLITICAL STRATEGIES AND POWER STRUGGLES INVOLVED IN SUPREME COURT CONFIRMATIONS. IT EXAMINES HOW PARTISAN CONSIDERATIONS AND IDEOLOGICAL CONFLICTS SHAPE THE OUTCOMES. THE AUTHOR ALSO DISCUSSES REFORMS AIMED AT DEPOLITICIZING THE PROCESS.

5. *THE BATTLE FOR THE SUPREME COURT: THE NOMINATION OF JUSTICE NEIL GORSUCH*

THIS TITLE PROVIDES A DETAILED ACCOUNT OF NEIL GORSUCH'S NOMINATION, HIGHLIGHTING THE POLITICAL TENSIONS AND PROCEDURAL MANEUVERS IN THE SENATE. IT EXPLORES THE USE OF THE FILIBUSTER AND THE "NUCLEAR OPTION" TO CONFIRM GORSUCH, SIGNALING A SHIFT IN SENATE NORMS. READERS GAIN INSIGHT INTO THE CONTEMPORARY CHALLENGES OF THE CONFIRMATION PROCESS.

6. *SUPREME COURT CONFIRMATION HEARINGS AND THE SENATE JUDICIARY COMMITTEE*

AN ANALYTICAL STUDY OF THE ROLE PLAYED BY THE SENATE JUDICIARY COMMITTEE DURING SUPREME COURT CONFIRMATION HEARINGS. THE BOOK EXAMINES HOW THE COMMITTEE CONDUCTS INVESTIGATIONS, QUESTIONING, AND HEARINGS TO EVALUATE NOMINEES. IT ALSO DISCUSSES THE IMPACT OF PUBLIC OPINION AND MEDIA COVERAGE ON THE PROCESS.

7. *NOMINEE: THE STORY OF THE SUPREME COURT CONFIRMATION PROCESS*

THIS NARRATIVE-DRIVEN BOOK TRACES THE HISTORY OF SUPREME COURT NOMINATIONS FROM THE EARLY DAYS TO THE PRESENT. IT HIGHLIGHTS PIVOTAL CONFIRMATIONS AND CONTROVERSIES THAT HAVE SHAPED THE COURT AND THE NATION'S POLITICS. THE AUTHOR EMPHASIZES THE DELICATE BALANCE BETWEEN LAW, POLITICS, AND PERSONAL CHARACTER IN THE CONFIRMATION PROCESS.

8. *POLITICS AND THE SUPREME COURT NOMINATION PROCESS*

EXPLORING THE INTERSECTION OF POLITICS AND JUDICIARY, THIS BOOK DELVES INTO HOW POLITICAL IDEOLOGIES, PARTY DYNAMICS, AND ELECTORAL CONSIDERATIONS INFLUENCE SUPREME COURT NOMINATIONS. IT OFFERS CASE STUDIES OF VARIOUS NOMINEES TO ILLUSTRATE SHIFTING TRENDS. THE WORK PROVIDES A CRITICAL PERSPECTIVE ON THE INCREASING POLARIZATION OF CONFIRMATIONS.

9. *JUSTICE ON TRIAL: THE CONFIRMATION BATTLES OF SUPREME COURT NOMINEES*

THIS BOOK PRESENTS A DETAILED EXAMINATION OF THE MOST CONTENTIOUS SUPREME COURT CONFIRMATION BATTLES IN AMERICAN HISTORY. IT COVERS NOMINEES WHO FACED SIGNIFICANT OPPOSITION DUE TO IDEOLOGICAL, ETHICAL, OR PERSONAL CONTROVERSIES. THROUGH THESE CASE STUDIES, THE BOOK REVEALS THE HIGH STAKES AND INTENSE SCRUTINY INVOLVED IN THE CONFIRMATION PROCESS.

Supreme Court Nominee Process

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supreme court nominee process: *Supreme Court Appointment Process* Congressional Service, 2018-07-04 The appointment of a Supreme Court Justice is an event of major significance in American politics. Each appointment is of consequence because of the enormous judicial power the Supreme Court exercises as the highest appellate court in the federal judiciary. Appointments are usually infrequent, as a vacancy on the nine-member Court may occur only once or twice, or never at all, during a particular President's years in office. Under the Constitution, Justices on the Supreme Court receive what can amount to lifetime appointments which, by constitutional design, helps ensure the Court's independence from the President and Congress. The procedure for appointing a Justice is provided for by the Constitution in only a few words. The Appointments Clause (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. The process of appointing Justices has undergone changes over two centuries, but its most basic feature-the sharing of power between the President and Senate-has remained unchanged: To receive appointment to the Court, a candidate must first be nominated by the President and then confirmed by the Senate. Political considerations typically play an important role in Supreme Court appointments. It is often assumed, for example, that Presidents will be inclined to select a nominee whose political or ideological views appear compatible with their own. The political nature of the appointment process becomes especially apparent when a President submits a nominee with controversial views, there are sharp partisan or ideological differences between the President and the Senate, or the outcome of important constitutional issues before the Court is seen to be at stake. Additionally, over more than two centuries, a recurring theme in the Supreme Court appointment process has been the assumed need for professional excellence in a nominee. During recent presidencies, nominees have at the time of nomination, most often, served as U.S. appellate court judges. The integrity and impartiality of an individual have also been important criteria for a President when selecting a nominee for the Court. The speed by which a President selects a nominee for a vacancy has varied during recent presidencies. A President might announce his intention to nominate a particular individual within several days of when a vacancy becomes publicly known, or a President might take multiple weeks or months to announce a nominee. The factors affecting the speed by which a President selects a nominee include whether a President had advance notice of a Justice's plan to retire, as well as when during the calendar year a Justice announces his or her departure from the Court. On rare occasions, Presidents also have made Court appointments without the Senate's consent, when the Senate was in recess. Such recess appointments, however, were temporary, with their terms expiring at the end of the Senate's next session. Recess appointments have, at times, been considered controversial because they bypassed the Senate and its advice and consent role. The last recess appointment to the Court was made in 1958 when President Eisenhower appointed Potter Stewart as an Associate Justice (Justice Stewart was confirmed by the Senate the following year).

supreme court nominee process: Supreme Court Appointment Process Denis Stevens Rutkus, 2010-08 Contents: (1) Pres. Selection of a Nominee: Senate Advice; Advice from Other Sources; Criteria for Selecting a Nominee; Background Invest.; Recess Appoint. to the Court; (2) Consid. by the Senate Judiciary Comm.: Background: Senators Nominated to the Court; Open Hear.; Nominee Appear. at Confirm. Hear.; Comm. Involvement in Appoint. Process; Pre-Hearing Stage; Hearings; Reporting the Nomin.; (3) Senate Debate and Confirm. Vote; Bringing Nomin. to the Floor; Evaluate Nominees; Filibusters and Motions to End Debate; Voice Votes, Roll Calls, and Vote Margins; Reconsid. of the Confirm. Vote; Nomin. That Failed to be Confirmed; Judiciary Comm. to Further Examine the Nomin.; After Senate Confirm.

supreme court nominee process: Supreme Court Appointment Process Congressional Service, 2018-09-14 The procedure for appointing a Justice to the Supreme Court is provided for in the U.S. Constitution in only a few words. The Appointments Clause in the 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. While the process of appointing Justices has undergone some changes over two centuries, its most essential feature-the sharing of

power between the President and the Senate-has remained unchanged: to receive lifetime appointment to the Court, one must first be formally selected (nominated) by the President and then approved (confirmed) by the Senate. For the President, the appointment of a Supreme Court Justice can be a notable measure by which history will judge his Presidency. For the Senate, a decision to confirm is a solemn matter as well, for it is the Senate alone, through its Advice and Consent function, without any formal involvement of the House of Representatives, which acts as a safeguard on the President's judgment. This report provides information and analysis related to the final stage of the confirmation process for a nomination to the Supreme Court-the consideration of the nomination by the full Senate, including floor debate and the vote on whether to approve the nomination. Traditionally, the Senate has tended to be less deferential to the President in his choice of Supreme Court Justices than in his appointment of persons to high executive branch positions. The more exacting standard usually applied to Supreme Court nominations reflects the special importance of the Court, coequal to and independent of the presidency and Congress. Senators are also mindful that Justices-unlike persons elected to legislative office or confirmed to executive branch positions-receive the opportunity to serve a lifetime appointment during good behavior. The appointment of a Supreme Court Justice might or might not proceed smoothly. From the appointment of the first Justices in 1789 through its consideration of nominee Neil Gorsuch in 2017, the Senate has confirmed 118 Supreme Court nominations out of 162 received. Of the 44 nominations that were not confirmed, 12 were rejected outright in roll-call votes by the Senate, while nearly all of the rest, in the face of substantial committee or Senate opposition to the nominee or the President, were withdrawn by the President, or were postponed, tabled, or never voted on by the Senate. Six of the unconfirmed nominations, however, involved individuals who subsequently were renominated and confirmed.

supreme court nominee process: Supreme Court Appointment Process Congressional Research Service, 2018-09-06 The appointment of a Supreme Court Justice is an event of major significance in American politics. Each appointment is of consequence because of the enormous judicial power the Supreme Court exercises as the highest appellate court in the federal judiciary. To receive appointment to the Court, a candidate must first be nominated by the President and then confirmed by the Senate. Although not mentioned in the Constitution, an important role is played midway in the process (after the President selects, but before the Senate considers) by the Senate Judiciary Committee. Specifically, the Judiciary Committee, rather than the Senate as a whole, assumes the principal responsibility for investigating the background and qualifications of each Supreme Court nominee, and typically the committee conducts a close, intensive investigation of each nominee. Since the late 1960s, the Judiciary Committee's consideration of a Supreme Court nominee almost always has consisted of three distinct stages-(1) a pre-hearing investigative stage, followed by (2) public hearings, and concluding with (3) a committee decision on what recommendation to make to the full Senate. During the pre-hearing investigative stage, the nominee responds to a detailed Judiciary Committee questionnaire, providing biographical, professional, and financial disclosure information to the committee. In addition to the committee's own investigation of the nominee, the FBI also investigates the nominee and provides the committee with confidential reports related to its investigation. During this time, the American Bar Association also evaluates the professional qualifications of the nominee, rating the nominee as well qualified, qualified, or not qualified. Additionally, prior to hearings starting, the nominee pays courtesy calls on individual Senators in their offices, including Senators who do not serve on the Judiciary Committee. Once the Judiciary Committee completes its investigation of the nominee, he or she testifies in hearings before the committee. On average, for Supreme Court nominees who have received hearings from 1975 to the present, the nominee's first hearing occurred 40 days after his or her nomination was formally submitted to the Senate by the President. Questioning of a nominee by Senators has involved, as a matter of course, the nominee's legal qualifications, biographical background, and any earlier actions as public figures. Other questions have focused on social and political issues, the Constitution, particular court rulings, current constitutional controversies, and judicial philosophy.

For the most recent nominees to the Court, hearings have lasted for four or five days (although the Senate may decide to hold more hearings if a nomination is perceived as controversial-as was the case with Robert Bork's nomination in 1987, who had 11 days of hearings). Usually within a week upon completion of the hearings, the Judiciary Committee meets in open session to determine what recommendation to report to the full Senate. The committee's usual practice has been to report even those Supreme Court nominations opposed by a committee majority, allowing the full Senate to make the final decision on whether the nomination should be approved. Consequently, the committee may report the nomination favorably, report it unfavorably, or report it without making any recommendation at all. Of the 15 most recent Supreme Court nominations reported by the Judiciary Committee, 13 were reported favorably, 1 was reported unfavorably, and 1 was reported without recommendation.

supreme court nominee process: Electing Justice Richard Davis, 2005-03-10 Davis offers an illuminating tour of the current confirmation process, discussing the increasing role of interest groups, the press, and the public in the selection of Supreme Court Justices. First he examines in detail the history and nature of the process, then he looks at the impact of other players. His conclusions about how non-political actors affect the outcome of Supreme Court Justice selection leads him at the end of his book to suggest controversial reforms.

supreme court nominee process: Appointment and Nomination of Supreme Court Justices Ilka Kreimendahl, 2005-04-26 Seminar paper from the year 2002 in the subject American Studies - Culture and Applied Geography, grade: 1,0 / A, University of Kassel, course: Amerikanische Entwicklung im Spiegel ausgewählter Entscheidungen des Supreme Court, language: English, abstract: "Equal Justice Under Law" - this inscription is written above the main entrance of the Supreme Court building, proclaiming that every case and individual will be judged according to the same principles. Members of the court have the duty to come to a decision, which is free of personal and also political influences, a task that requires numerous virtues, among them independence, incorruptibility, and the self-confidence to apply new methods that might alter the country. Accordingly, the work of a Supreme Court justices makes high demands on a person and it is doubtful that any judge would be able to fulfill them. Yet from which point of view are these extraordinary individuals selected? And who has a right of codetermination in the appointment process? Since the Supreme Court is a major policy maker in the U.S, the appointments of the justices have a great impact on the future of the country. Consequently, the nominations are fundamental to a number of people, organizations and interest groups, as possible future decisions of the tribunal might transform society and American life. This paper will investigate the selection and nomination process of Supreme Court justices and the factors playing a role in the background. Beginning with an historical overview, we will take a closer look at the legal foundation and the early stages of the newestablished court. The second part attends to the qualification of justices and their ensuing appointment, also taking into consideration the various demographic factors that might influence a selection nowadays. Subsequently, the focus will be on interest groups and other society-relevant organizations, which take an interest in the tribunal and concentrate their attention on the selection of justices who are of importance to them. Finally, the thesis will go into the role presidents play in the selection procedure and to conclude I will summarize the results that follow from this work.

supreme court nominee process: Supreme Court Nominations: Presidential Nomination, the Judiciary Committee, Senate Consideration, Cloture, and the Use of the Filibuster Denis Steven Rutkus, Elizabeth Rybicki,

supreme court nominee process: Supreme Court Appointment Process Denis Steven Rutkus, 2006 The appointment of a Supreme Court Justice is an event of major significance in American politics. Each appointment is important because of the enormous judicial power the Supreme Court exercises as the highest appellate court in the federal judiciary. Appointments are usually infrequent, as a vacancy on the 9-member Court may occur only once or twice, or never at all, during a particular President's years in office. Under the Constitution, Justices on the Supreme

Court receive lifetime appointments. Such job security in the government has been conferred solely on judges and, by constitutional design, helps insure the Court's independence from the President and Congress. The procedure for appointing a Justice is provided for by the Constitution in only a few words. The Appointments Clause (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. The process of appointing Justices has undergone changes over two centuries, but its most basic feature -- the sharing of power between the President and Senate -- has remained unchanged: To receive lifetime appointment to the Court, a candidate must first be nominated by the President and then confirmed by the Senate. Although not mentioned in the Constitution, an important role is played midway in the process by the Senate Judiciary Committee. The appointment of a Justice might or might not proceed smoothly. From the first appointments in 1789, the Senate has confirmed 122 out of 158 Court nominations. A recurring theme in the appointment process has been the assumed need for excellence in a nominee. However, politics also has played an important role in Supreme Court appointments. The political nature of the appointment process becomes especially apparent when a President submits a nominee with controversial views or there are sharp ideological differences between the President and the Senate.

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