

Supreme Court Nominee Gorsuch Receives ABA's Highest Rating

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On Thursday evening, March 9, the American Bar Association (ABA) released its much-anticipated evaluation of Supreme Court Nominee Neil Gorsuch to the Senate Judiciary Committee. After a thorough and detailed review of the candidate's temperament, integrity, and overall competence, all 14 members of the ABA's Standing Committee unanimously rated Gorsuch – currently a judge on the Tenth Circuit Court of Appeals – as being “well-qualified,” the highest rating possible. Getting a seal of approval from the ABA, which is often viewed as aligning with more liberal viewpoints, may well be a boost for Gorsuch's chances of securing the open Supreme Court post created by the passing of Justice Antonin Scalia. The ABA's vetting process for these ratings involves no small effort, consisting of hundreds of interviews and a thorough review of his legal writings by numerous prominent law school professors and Supreme Court veterans. Gorsuch's challenge is to garner enough votes to overcome a potential filibuster of Senate Democrats who are still hopping mad about the blockade of former nominee Merrick Garland (who got the same “well-qualified” rating) last year. With the current Republican/Democrat split at 52/48 (the two independents caucus with Democrats) Gorsuch must be able to sway at least eight Democrats (presumably from red states) to break party ranks to reach a filibuster-proof majority of 60. Failing that, Majority Leader Mitch McConnell has stated the “nuclear option,” which involves the changing of Senate rules to nix filibusters for Supreme Court nominees, remains a viable path forward, despite his reservations about potential future consequences of diving down such a rabbit hole. Stay tuned, as this whole situation is about to get interesting.

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