

CONFIRMED: Neil Gorsuch Is About to Become an Associate Justice of the Supreme Court

By the end of Friday, the U.S. Supreme Court will be back to full strength, just in time for the next round of cases to be heard by the high court.

Senators voted 54-45 to confirm the nomination of 10th Circuit Court of Appeals Judge Neil Gorsuch to succeed the late Associate Justice Antonin Scalia with three Democrats joining all of the Republicans in the chamber in support of President Donald Trump's nominee. Sen. Johnny Isakson (R-Ga.), who is still recovering from two back surgeries in the past 45 days, did not vote.

The "Red State Democrats" who voted for Gorsuch's confirmation were:

- Sen. Joe Manchin (D-W.V.)
- Sen. Heidi Heitkamp (D-N.D.)
- Sen. Joe Donnelly (D-Ind.)

Vice President Mike Pence took up his constitutional duty as the Senate's presiding officer prior to the vote. Senate Judiciary Committee Chairman Chuck Grassley (R-Iowa) spoke briefly before the vote, as well, stating:

I opened our Judiciary Committee hearing with this. As Justice Scalia said, it is 'the proud boast of our democracy that we have a government of laws and not men ... Without a secure structure of separated powers, our Bill of Rights would be worthless.'

The separation of powers in our Constitution is the guardian of our liberty. Judge Gorsuch understands that. His deep

understanding of the separation of powers enlivens his opinions.

By faithfully enforcing the boundaries among branches of the government and the power of the federal government in our lives, this justice will ensure that the law protects our liberties.

And here's the other thing that's important about a judge who respects the separation of powers. We know he'll be independent. He told us that he's his own man, that no man speaks for him. He's not beholden to the president who appointed him.

And his testimony shows that he's not beholden to us, either. He wouldn't compromise his independence to win confirmation votes. He passed the test. This is a man of integrity.

And his qualifications for the bench are exceptional. You know the story. Columbia University, Harvard Law School, Oxford University. Partnership at a prestigious law firm and high-level Justice Department service. And most importantly, a decade-long record of faithfully applying the law on the federal bench in 2,700 cases.

This brilliant, honest, humble man is a judge's judge. And he will make a superb justice.

Once he is sworn in, Gorsuch will immediately be able to issue opinions on cases before the Supreme Court. With the court potentially deadlocked during the Scalia vacancy, there is the possibility some cases already heard by the other eight members may be reheard with Gorsuch present—such a move would indicate the court faced a 4-4 tie without his vote.

But the next high court battle could already be brewing. The rumors in Washington, D.C., are building that Associate Justice Anthony Kennedy—who was one of Gorsuch's mentors—is

ready to retire and could do so at the conclusion of the current term in June or July.

Kennedy is, arguably, the court's "swing vote," and replacing him with another conservative like Gorsuch would swing its balance for many years to come. By forcing the Republicans to invoke the so-called "Nuclear Option" on Gorsuch's nomination, however, Democrats have little means to put up much of a parliamentary fight as long as the GOP controls both the White House and the Senate. {eoa}