

Here Are Trump's Criteria for Selecting the Next Supreme Court Justice

Now that its narrative that President-elect Donald Trump's Cabinet appointments have been slow to roll out has been firmly debunked, the liberal mainstream media has changed course and is attacking him for focusing too much on the Cabinet and not enough on his forthcoming Supreme Court nomination to replace Associate Justice Antonin Scalia.

Keep in mind, he can't officially nominate anyone until he's actually sworn in. But that hasn't stopped left-of-center journalists from accusing Trump of "sucking all the air out of Trump Tower" with his Cabinet picks.

Yes, the Supreme Court seat is much more important, long term, but that will likely come soon, given the president-elect's statement that his Cabinet will be almost entirely filled by the end of this week. So the speculation games have ramped up in earnest.

The Federalist Society's Leonard Leo said Trump told him he intends to nominate a "young justice"—someone in his or her 50s or younger—to "give that person the longest tenure possible on the court." That someone also has to be "in the mold" of the late Scalia.

"He's looking for someone who understands that judges should interpret the constitution as it was meant to be," Leo told Politico. "He wants someone who is 'not weak.' That's his language."

Of the 21-plus-one (U.S. Sen. Ted Cruz) on Trump's "short list," 18 meet the qualifications Leo announced last week. So that does little to help prognosticators, but it does at least

help reassure conservatives and evangelicals who voted for the president-elect on the basis of his promise to make good appointments to the Supreme Court.

Trump has dropped the names of four people on that list since he was elected:

- Eleventh Circuit Judge Bill Pryor
- Seventh Circuit Judge Diane Sykes
- U.S. Sen. Mike Lee (R-Utah)
- U.S. Sen. Ted Cruz (R-Texas)

Pryor seems an unlikely pick given his involvement in the removal from office of Alabama Supreme Court Chief Justice Roy Moore. Lee and Cruz have both expressed an interest in remaining in the Senate.

Sykes is seen as a “moderate” who formerly served as an associate justice on the Wisconsin Supreme Court. Her husband, Charlie, is a conservative talk radio host at Milwaukee’s WTMJ-AM.

The FantasySCOTUS website where members of the legal profession attempt to predict U.S. Supreme Court decisions currently has Tenth Circuit Judge Neil Gorsuch as its “favorite” with 15 percent of the picks.

Gorsuch is a graduate of Columbia University and Harvard Law School, and has a Ph.D. from Oxford University through the Marshall Scholar program. He’s clerked for U.S. Supreme Court associate justices Byron White and Anthony Kennedy.

He also wrote the book *The Future of Assisted Suicide and Euthanasia*, which contrary to its title, is not an endorsement but rather an argument against legalization of the practices. He made a “nuanced, novel, and powerful moral and legal argument”—according to Princeton Review—which protects human life, patient autonomy and the freedom to refuse unwanted medical treatment.

Many of Gorsuch's clerks have gone on to clerk for U.S. Supreme Court justices.

Also near the top of the FantasySCOTUS rankings are:

- Pryor (14 percent)
- Florida Supreme Court Associate Justice Charles Canady (12 percent)
- Minnesota Supreme Court Associate Justice David Stras (10 percent)
- Appeals Court for the Armed Forces Judge Margaret Ryan (10 percent)
- Sykes (10 percent)

Cruz is currently at 6 percent, while Lee is at 1 percent in the FantasySCOTUS rankings.