Initial Kennedy Retirement Talking Points, June 22, 2018

* Justice Kennedy’s retirement removes a significant moderating influence on the Court that could have enormous impact on the rights and liberties of all Americans
* Justice Kennedy will be missed on the Court and we wish him well in his retirement.
* Justice Kennedy played a historic role on the bench as the deciding vote in many important cases, including his vote and majority opinion in *Obergefell v. Hodges*, affirming same-sex couples’ right to marry.
* Without Justice Kennedy, the balance on the Court could shift dramatically to the right and threatens a host of hard won rights and liberties secured over many decades.
* President Trump has an opportunity to nominate someone who could maintain balance on the Court.
* President Trump has an opportunity to nominate someone who garners broad support from both parties.
* The next nominee must be a fair-minded constitutionalist who values equality and justice for all, not just the wealthy and powerful, and understands the impact of the law on all Americans
* The stakes for this next nomination are enormous; the progress we’ve made on health care and on rights for women, workers, LGBTQ people, people of color, and others are literally on the line.
* The next nominee could determine whether corporations can rewrite the law to pollute the air we breathe and water we drink, endanger workers’ safety, and deny employees access to healthcare.
* Unless checked by the Senate – and the American people – Trump will place on the highest court in the land, a narrow-minded elitist who will protect corporations, the wealthy and the powerful over all Americans
* Trump has promised that he would appoint a justice who would overturn Roe and dismantle the Affordable Care Act. We need a fair-minded constitutionalist who values equality and justice for all.
* No one on Trump’s shortlist of 25 potential nominees hand-picked by the Federalist Society and Heritage Foundation is fair-minded. We need an independent justice who considers each case based on the issues, not a political litmus test.
* We need justices on the Supreme Court who understand the Constitution protects all of us, not just the wealthy and powerful.
* We urge the White House to consult with senators of both parties and put forward a nominee who will uphold rights and freedoms, not turn back the clock.
* We want a justice who makes rulings on a case by case basis, not by following a political agenda. This is especially important if Justice Kennedy’s seat is being filled.
* We need justices on the Supreme Court who will stand up to Trump’s abuses of power and attacks on our rights.