**The Right-Wing Organization That Hand-Picked President Trump’s Anti-Choice Supreme Court Wish List**

**PRESIDENT TRUMP OUTSOURCED HIS SUPREME COURT WISHLIST TO THE RIGHT WING FEDERALIST SOCIETY**

**Then-Candidate Donald Trump:** “I’m getting names. The Federalist [Society] people. Some very good people.” [Washington Post, [4/2/16](https://www.washingtonpost.com/politics/in-turmoil-or-triumph-donald-trump-stands-alone/2016/04/02/8c0619b6-f8d6-11e5-a3ce-f06b5ba21f33_story.html?utm_term=.7c8ab3320c5d)]

**CNN:** “According to a source familiar with the meeting, Trump told House leadership he would come out with a list, assisted by conservative groups The Federalist Society and the Heritage Foundation, of judicial nominations he would make if he had the opportunity to fill a vacancy on the Supreme Court.” [CNN, [5/12/16](https://www.cnn.com/2016/05/11/politics/paul-ryan-donald-trump-meeting/index.html)]

**WSJ Editorial Page Editor Paul Gigot:** “One of the things here, Joe, this was a subcontracting operation to some extent. **Leonard Leo, from the Federal Society - who we're going to hear from soon -- he gave that list to Donald Trump**, with Don McGann (ph), general counsel at the White House. Gorsuch was off the list. It worked.” [Fox News, [4/8/17](http://www.foxnews.com/transcript/2017/04/08/how-will-gorsuch-shape-future-scotus-rulings-hiring-slowdown-produces-disappointing-march-jobs-report.html)]

**Reuters:** “Leonard Leo, an outside legal activist, will be another key member of the president’s advisory team, sources said. Leo is on leave from his position as executive vice president of the Federalist Society, an influential conservative legal group that regularly gathers like-minded lawyers and judges at conferences and on law school campuses nationwide. He helped compile a 25-person list of likely nominees from which Trump has said he will make his selection.” [Reuters, [6/28/18](https://www.reuters.com/article/us-usa-court-kennedy-advisers/conservative-lawyers-steer-trump-on-supreme-court-pick-idUSKBN1JO32P)]

**Politico:** “During the campaign, Trump largely outsourced the creation of his initial list of potential justices to the Federalist Society and the Heritage Foundation, meaning all came with a stamp of conservative pre-approval.” [Politico, [1/30/17](https://www.politico.com/story/2017/01/trump-supreme-court-pick-234400)]

**THE FEDERALIST SOCIETY IS DEDICATED TO A SUPREME COURT THAT WOULD OVERTURN ROE V. WADE**

**Ed Whelan, Ethics and Public Policy Center:** “No one has been more dedicated to the enterprise of building a Supreme Court that will overturn Roe v. Wade than the Federalist Society’s Leonard Leo (who also sits on the board of the think tank I head, the Ethics and Public Policy Center).” [National Review, [12/9/16](https://www.nationalreview.com/bench-memos/schlafly-attack-leonard-leo/)]

**Leonard Leo, Federalist Society:** “As you can see, in answering your question about how someone might vote to overturn Roe v. Wade but view Obergefell as settled, I pointed out how Roe (as modified by Planned Parenthood v. Casey) continues to generate lots of ‘abortion-related issues’ for the Court. In other words, **even after all these years Roe hasn’t settled things in a way** that Obergefell might seem to have done. [National Review, [12/9/16](https://www.nationalreview.com/bench-memos/schlafly-attack-leonard-leo/)]

**Leonard Leo, Federalist Society:** “When pressed on whether he [Roberts] would treat Roe as binding precedent, he also did the right thing by declining to fall into that backdoor question about Roe. **On the question of binding precedent, Roberts correctly noted that there are times when you reverse precedent and accept a jolt in the legal system**, as with Brown v Board’s reversal of Plessy and the Supreme Court’s reversal of the Lochner ‘liberty of contract’ cases.” [National Review, [9/13/05](https://www.nationalreview.com/bench-memos/roberts-roe-sean-rushton/)]

**Washington Post:** “Were these not hints that Roberts, if confirmed as chief justice, would be loath to revisit *Roe*? Not at all, said Leonard Leo, on leave from the conservative Federalist Society to promote the confirmation effort. ‘What he said about privacy is, in substance, no different from what other recent nominees have said, . . . Justice Clarence Thomas in particular,’ Leo said in an interview. And Roberts's discussion of *stare decisis* , he said, ‘was almost as though you were having a glimpse into the way a judge would sit in his chambers and do the analysis: . . . **Maybe there are times when a jolt in the legal system is acceptable**.’” [Washington Post, [9/17/05](http://www.washingtonpost.com/wp-dyn/content/article/2005/09/16/AR2005091601847.html)]

**EVERY NOMINEE ON PRESIDENT TRUMP’S LIST MEETS THE FEDERALIST SOCIETY’S RADICAL ANTI-CHOICE LITMUS TEST. PRESIDENT TRUMP HAS REPEATEDLY SAID HE WANTS TO USE THE SUPREME COURT TO OVERTURN ROE V. WADE AND UNDERMINE THE AFFORDABLE CARE ACT.**

**Then-Candidate Donald Trump:**

**BRODY:**  “But beyond judges, do you believe Roe V. Wade was wrongly decided back in the day, back in 1973?”

**TRUMP:** ‘Well I do. **It’s been very strongly decided but it can be changed.** Things are put there and they’re passed but they can be unpassed with time but it’s going to take time because you have a lot of judges to go.” [CBN, [2/18/16](http://www.lifenews.com/2016/02/18/donald-trump-roe-v-wade-was-wrongly-decided-i-will-appoint-judges-to-change-it/)]

**Then-Candidate Donald Trump:**

MATTHEWS: Do you believe in punishment for abortion, yes or no as a principle?

TRUMP: The answer is that there has to be some form of punishment.

MATTHEWS: For the woman.

TRUMP: Yeah, there has to be some form. [MSNBC, [3/30/16](https://www.nbcnews.com/meet-the-press/video/trump-s-hazy-stance-on-abortion-punishment-655457859717)]

**Then-Candidate Donald Trump:**

**WALLACE:** But what I'm asking you, sir, is, do you want to see the court overturn — you just said you want to see the court protect the Second Amendment. Do you want to see the court overturn Roe v. Wade?

**TRUMP:** Well, **if we put another two or perhaps three justice on, that's really what's going to be — that will happen. And that'll happen automatically, in my opinion, because I am putting pro-life justices on the court**. I will say this: It will go back to the states, and the states will then make a determination. [Trump-Clinton Presidential Debate in Las Vegas, [10/19/16](https://www.washingtonpost.com/news/the-fix/wp/2016/10/19/the-final-trump-clinton-debate-transcript-annotated/?utm_term=.7fa9b5ae1ef1)]

**Then-Candidate Donald Trump:** “If I win the presidency, my judicial appointments will do the right thing unlike Bush's appointee John Roberts on ObamaCare.” [Verified Twitter Account, [6/26/15](https://twitter.com/realDonaldTrump/status/614472830969880576)]