

# Who Will President Biden Choose for the Supreme Court's Open Spot?

*Who's who on the short-list for Supreme Court Justices*

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Justice Stephen Breyer, one of the three liberal justices, will retire at the end of the Court's current term, allowing President Biden to appoint an African American woman to the Court, fulfilling one of his original campaign promises.

Former President Trump made his mark on the American system long after his one-term presidency, appointing three members to the nine-member court, enshrining a 6-3 conservative supermajority on the court for decades to come.

Despite no official announcement from the White House as for the nominee, the following women: Leandra Kruger, Ketanji Brown Jackson, and J. Michelle Childs are among the names circulating in multiple media outlets.

Justice Leandra Kruger, a moderate on the California Supreme Court, would be the first nominee since Sandra Day O'Connor in the 1980s appointed from a state court to the Supreme Court. In 2007, she served as the U.S. Assistant Solicitor General, arguing cases for the Federal Government before the Supreme Court. She has served on the California Supreme Court since 2015 and has been instrumental in decisions leaning both as a liberal and conservative justice in the state.

This is a point in Kruger's favor, yet what it means to be conservative in California does not reflect what it means to be conservative in the U.S. She has reportedly rejected two offers from the Biden administration to become the U.S. Solicitor General, a position that requires Senate confirmation but is not a lifetime appointment.

Judge Ketanji Brown Jackson has an impressive record among the possible nominees. She is the only one on this list, and the only one since Thur

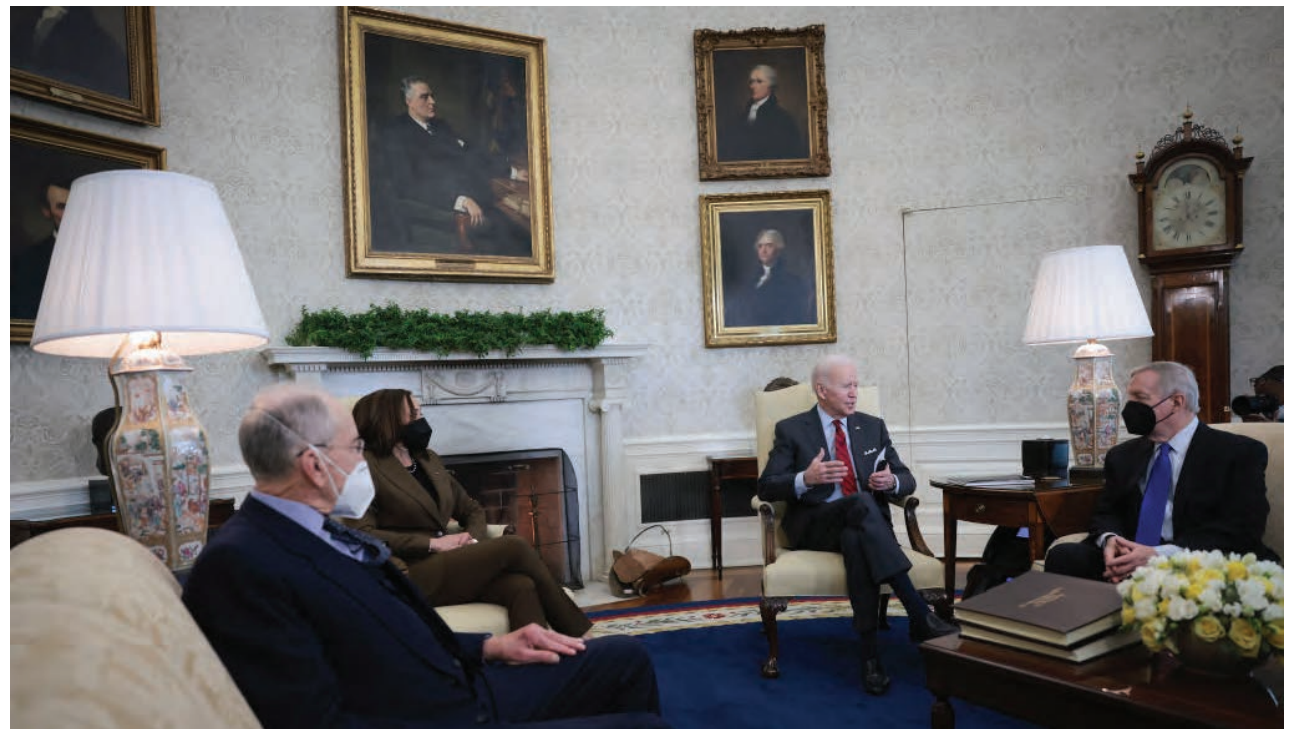


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good Marshall, to have been a public defender. Jackson served as a clerk to Justice Breyer, a close friend and ally. She is currently serving as a judge on the DC Circuit, a position five very recent justices have served. She replaced current Attorney General Merrick Garland after President Biden appointed him.

Jackson has the backing of both liberal and conservative justices and attorneys due to her work being considered deliberate and methodical and has received glowing recommendations from former Supreme Court Justices.

Judge J. Michelle Childs boasts a resume unique from other members of the Supreme Court and the other two women on this list. Childs did not graduate from an Ivy League School but attended public universities, a unique education that sets them apart from the other justices. She also has the ear of Representative James Clyburn (SC-6), whose key endorsement helped President Biden win his first primary election.

Clyburn has spoken highly of Childs and is not the only member of Congress to do so; Senator Lindsey Graham (R-SC) has also advocated for Childs and would likely ensure that Childs is appointed with bipartisan support if nominated. Childs has served the Federal Court system in South Carolina since her appointment by President Obama in 2009. She was nearly appointed to the

DC Circuit Court and Jackson, yet her nomination has been put on hold as she is considered for the Supreme Court.

Whoever President Biden chooses could face a long haul throughout the Senate, even if all three of these women seem to have bipartisan support for their nominations. In November 2022, one month after Breyer's retirement, there will be elections that could decide the fate of the Senate.

The last time this happened was after Justice Antonin Scalia's passing and the appointment of Merrick Garland in 2016. The Court had only eight members for months as Republican Senators pushed off the hearing for Garland until after the 2016 election. While the Democrats technically control the Senate, there is no telling how Senators Joe Manchin (D-WV) and Krysten Sinema (D-AZ) will vote.

