



THE BENCHMARK

THE SENATE JUDICIARY COMMITTEE

Judicial Nominations

Senate Confirms First Trump Judge

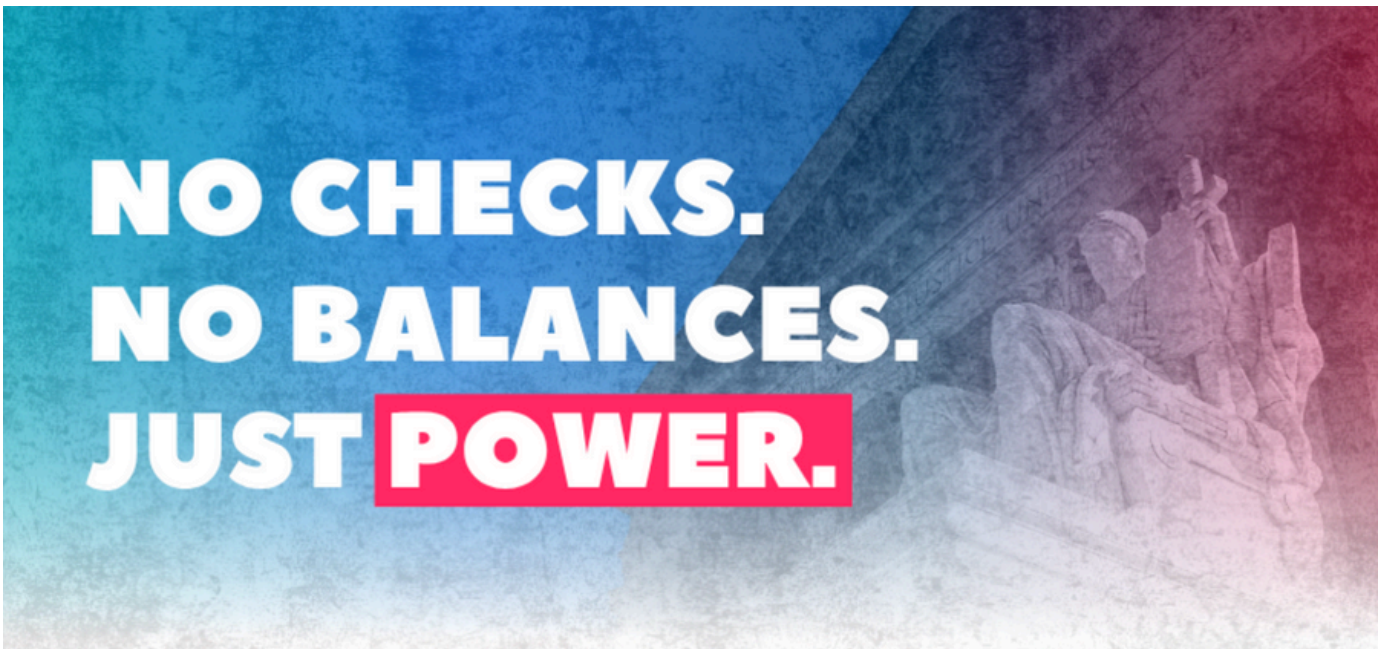
On Monday evening, the Senate **voted** 46–42 on a party line vote to confirm **Whitney Hermandorfer** to the U.S. Court of Appeals for the Sixth Circuit. Alliance for Justice opposed this nomination and condemns the confirmation of a judge whose **record** reflects a disturbing hostility toward civil rights and unwavering loyalty to Donald Trump. If all the Democratic Senators had voted (Fetterman, Murray, Rosen, Slotkin, and Welsh were absent), then they could have temporarily set back her confirmation.

Today, the Senate voted on two of Trump’s extreme District Court nominees — **Cristian Stevens** and **Joshua Divine**. The Senate voted to override a filibuster, in a party line vote, on Divine and Stevens. This will likely get them to a confirmation vote early next week. Like so many of Trump’s judicial nominees, both individuals are driven by extreme right-wing ideology — not a commitment to the rule of law. AFJ has repeatedly sounded the alarm on Divine, who has openly argued that we should bring back the **historically discriminatory literacy tests** for voting and has proudly declared himself a religious “zealot.” These are only a few of the **dangerous indicators** as to how he would weaponize the courts to advance Christian nationalism and roll back civil rights. No one with these views belongs on the federal bench.

Other extreme nominees are already lined up for floor votes, including, [Maria Lanahan](#) and [Zachary Bluestone](#), both nominated to the Eastern District of Missouri, with floor votes expected soon.

And this morning, the Senate Judiciary Committee voted on party line votes to advance five more nominees to the floor. The SJC markup devolved into chaos as Republicans rammed through their controversial judicial nominees, including [Emil Bove](#), [Ed Artau](#), and [Jordan Pratt](#), despite serious misconduct allegations. Democrats, in an attempt to understand the credibility of these allegations, invoked procedural rules to call a hearing with the DOJ whistleblower, Mr. Reuveni. Chairman Grassley [refused](#) to acknowledge Senator Booker's request.

In protest, Democratic Senators walked out of the markup — Senator Hirono called it a “kangaroo court” — leaving Republicans to scramble through roll call votes without a quorum. Their refusal to allow proper scrutiny of extreme nominees reveals a broader strategy: avoid accountability because the truth would jeopardize their agenda.



Trump Announces Third Slate

Donald Trump has announced his third slate of judicial nominees in his second term, and they're right on brand. True to the ongoing trend of his appointments, these nominees have demonstrated — through their records — a commitment to undermining access to reproductive health care, shielding corporations from accountability in cases involving environmental harm, disability discrimination, and workers' rights.

This latest slate includes two circuit court nominees: **Eric Tung** for the U.S. Court of Appeals for the Ninth Circuit and **Joshua Dunlap** for the First Circuit. Dunlap's nomination is especially disturbing — thanks to last year's Senate leadership "**deal**," he's been handed a seat that should have gone to Biden's nominee **Julia Lipez**.

Trump also nominated two district court judges: **Chad Meredith** for the Eastern District of Kentucky and **William Mercer** for the District of Montana. Check our website for fact sheets and reports on these nominees coming soon!

THE SUPREME COURT



The Emergency "Shadow" Docket

This week, the Supreme Court's conservative supermajority took another major step in **expanding executive power**, granting an order that allows the mass firing of over 1,000 employees at the Department of Education. Trump's goal? To dismantle key parts of the agency, including offices that manage federal student loans and enforce civil rights protections in schools.

The Court's **decision** marks a troubling shift. It gives the green light for Trump to unilaterally gut a federal agency created by Congress — without any legislative approval. The irony is hard to ignore: the same Court that blocked President Biden from **canceling student debt** after a historic pandemic is now enabling Trump to tear down the very agency responsible for that debt relief.

In a sharp dissent joined by the Court's two other liberal justices, Justice Sotomayor called the majority's actions "indefensible," warning that the ruling hands the Executive "the power to repeal statutes by firing all those necessary to carry them out." She warned that this poses a serious "threat to our Constitution's separation of powers."

And this isn't happening in isolation. Just weeks before, the Court **cleared the way** for the administration to eliminate thousands more federal jobs across agencies like State, Treasury, and Housing and Urban Development. The Court isn't just redefining executive power — it's clearing a path for Trump and his allies to hollow out the federal government itself.

HOLDING

THE BENCHLINE

Last week, District Judge Joseph LaPlante (D. N.H.) held the Benchline. In a powerful ruling, he **blocked** Trump's ongoing attempt to strip citizenship from children born in the U.S. — a direct attack on the 14th Amendment's guarantee that anyone born on U.S. soil is a citizen, regardless of their parents' immigration status.

Judge LaPlante certified a nationwide class of impacted children and granted a preliminary injunction sought by immigrant rights advocates. He called the potential harm of Trump's order "irreparable" and emphasized that the legal question before him was "not a close call."

Although the Supreme Court, in **Trump v. CASA**, did not weigh in on the constitutionality of the order, it allowed it to take effect 30 days after its ruling. With the clock ticking, Judge LaPlante's decision is critical. It sends a clear message about the devastating consequences this order would unleash — and ensures that those targeted by Trump's policies are not left defenseless in the "zone of lawlessness" the conservative majority on the Supreme Court has created.

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