

Biden Supreme Court commission votes to send president report taking ‘no position’ on court-packing

Disagreements among the commission on court-packing mirror ‘the broader public debate,’ the report said.

The Presidential Commission on the Supreme Court voted unanimously Tuesday in favor of approving their final report and sending it to President Biden’s desk.

The vote concluded the work of the 34-member commission, which held six public meetings and called on 44 witnesses. Biden, who has expressed opposition to expanding the court, formed the commission in April to study court expansion and reform amid calls from some within the Democratic Party to add more justices.

The final draft of the 288-page report, which drew vocal opposition regarding some of its conclusions, was released Monday and stopped short of offering specific recommendations. Instead, it offered a summary of arguments for and against issues ranging from court-packing and judicial term limits to various elements of court practice.

During Tuesday’s virtual hearing, several members noted the sharp differences of opinion among those on the commission regarding such issues, which the report summary said mirrors “the broader public debate.”

“Given the size and nature of the Commission and the complexity of the issues addressed, individual members of the Commission would have written the Report with different emphases and approaches,” the report’s summary read. “But the Commission submits this Report today in the belief that it represents a fair and constructive treatment of the complex and often highly controversial issues it was charged with examining.”

Regarding court-packing, the report said: “No serious person, in either major political party, suggests court packing as a means of overturning disliked

Supreme Court decisions, whether the decision in question is *Roe v. Wade* or *Citizens United*. Scholars could say, until very recently, that even as compared to other court reform efforts, 'court-packing' is especially out of bounds. This is part of the convention of judicial independence."

"The commission takes no position on the validity or strength of these claims," the report's summary added. "Mirroring the broader public debate, there is profound disagreement among commissioners on these issues. We present the arguments in order to fulfill our charge to provide a complete account of the contemporary court reform debate."

Kelly Shackelford, who serves as president, CEO and chief counsel for First Liberty Institute, said in a statement: "The American public reject court-packing and any other attempt to destabilize the judiciary. Even after numerous polls show Americans reject court-packing, far-Left progressives are clearly trying to expand their political power under the guise of 'court-reform.'

"Expanding the membership of the United States Supreme Court is nothing more than a transparent, partisan scheme to achieve purely political objectives and exercise raw power that must be rejected," Shackelford added.

Source:

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