

Critics of Trump’s Supreme Court pick likely to question him on religious freedom

Legal debates to watch in the Gorsuch hearings



Freedom of religion

- Gorsuch hasn’t ruled on some hot-button social issues like abortion, same-sex marriage rights or the constitutionality of the death penalty, and he is likely to avoid answering specific questions about them at his hearing; most legal experts expect he will be reliably conservative on those issues, however
- Gorsuch famously ruled in favor of Hobby Lobby in its challenge to Obamacare’s contraception mandate, and Democrats will probably pressure him to defend this decision
- The Hobby Lobby decision will concern liberals because the next phase in the legal battle over same-sex marriage will probably focus on vendors who cite religious beliefs as grounds to refuse to serve same-sex couples



Chevron deference

- Chevron deference is the notion that when a legislative statute is vague, the courts should defer to agencies’ judgment in implementing it
- Gorsuch is a critic of the Chevron deference principle, calling it “a judge-made doctrine for the abdication of the judicial duty”

Total Ad Spending on Neil Gorsuch

1/31 – 3/18



Sources: Sam Baker, “The legal debates to watch during the Gorsuch hearings,” National Journal, March 19, 2017; Paul Kane, “Senate Democrats vastly outspent by right in Gorsuch fight,” The Washington Post, March 18, 2017.