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## How Does a Vacant Supreme Court Seat Get Filled?

Justice Ruth Bader Ginsburg's passage could pave the way for President Trump's third Supreme Court nomination. The confirmation process hinges on approval from the US Senate.

### The Process:

STEP  
1

#### NOMINATION

President Trump will announce his nomination for the vacant Supreme Court seat.

STEP  
2

#### SENATE JUDICIARY COMMITTEE

The nomination is sent to the Senate Judiciary Committee for consideration. The Committee collects necessary records on the nominee, holds hearings on the nomination, then votes on the nomination and sends its recommendation to the full Senate. The Committee can recommend, reject, or offer no recommendation.

STEP  
3

#### THE SENATE

The full senate now debates the nomination. The Senate rules allow unlimited debate (filibustering). Historically, 60 votes were necessary to end debate and bring the nomination up for a vote. However, in April 2017, the Senate changed the filibuster rules to allow a simple majority vote (51) to end debate. This change makes it easier for the majority party to confirm a judicial nominee.

STEP  
4

#### THE VOTE

When there are sufficient votes to end the debate, the Senate votes on the nomination. A simple majority of the Senators present and voting is required for the nominee to be confirmed. In case of a tie, the Vice President, who presides over the Senate, casts the deciding vote.

Things can become complicated when an election is just around the corner. In 2016, Senator McConnell refused to give President Obama's last appointee to the Supreme Court a Senate hearing.

As President Trump nominee moves through the confirmation process, it is **vital** that our communities contact their Senators and urge them to delay a confirmation until after the inauguration day. **Call your Senators at 202-224-3121 to voice your opinion.**

*The information contained in this resource is for educational purposes only and should not be a substitute for professional legal advice.*