

HOUSE RESOLUTION NO. 323

Rep. Steven Johnson offered the following resolution:

1 A resolution to discourage Congress from expanding the size of
2 the Supreme Court of the United States.

3 Whereas, For over 150 years, there have been nine seats on the
4 Supreme Court of the United States. While the country has grown and
5 changed during that period, the Supreme Court has repeatedly
6 demonstrated its ability to fulfill its constitutional role as the
7 nation's highest court and remain an independent arbiter of the law
8 without additional justices; and

9 Whereas, In recent months, there have been calls to increase
10 the number of justices on the Supreme Court in an effort to gain
11 political advantage. The number of justices on the Supreme Court
12 has been fixed by federal law since 1869 and efforts to expand the
13 size of the Supreme Court in the century and a half since have been



1 met with significant resistance from the American people; and

2 Whereas, The legitimacy of the Supreme Court is its most
3 valuable asset. The Supreme Court's ability to issue rulings which
4 are followed nationwide rests on the American people's respect for
5 the institution's independence and separation from day-to-day
6 politics; and

7 Whereas, The federal judiciary, particularly the Supreme
8 Court, must remain insulated from partisan disputes. Politicizing
9 the Supreme Court by adding seats for the purpose of generating an
10 ideological shift would be enormously detrimental for the public's
11 faith in the judicial branch as an independent and impartial branch
12 of government. The framers of the U.S. Constitution envisioned a
13 system in which Supreme Court justices and federal judges would
14 serve lifetime appointments, ensuring that the judiciary would not
15 experience the kinds of political pressures that are present in the
16 elected branches; and

17 Whereas, Subjecting the Supreme Court to major structural
18 changes as a consequence of shifting partisan control of the
19 executive and legislative branches would bring the judiciary into
20 the political fray in a way that would harm its ability to fulfill
21 its critical role in our system; now, therefore, be it

22 Resolved by the House of Representatives, That we discourage
23 Congress from expanding the size of the Supreme Court of the United
24 States; and be it further

25 Resolved, That copies of this resolution be transmitted to the
26 President of the United States Senate, the Speaker of the United
27 States House of Representatives, and the members of the Michigan
28 congressional delegation.

