

Mike Pence and the supreme court



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Introduction

When studying about the American government, a person learns about politicians who hold high political status as well as the different branches of the American government. A famous politician who we have heard a lot about in the past presidential election in 2016 is Mike Pence. Pence is our current vice president who is part of the executive branch, a key part of the American government. The United States Supreme Court is also another major branch of the government.

Mike Pence

Michael Richard Pence was born on the seventh of June in 1959 to Edward and Nancy Pence in Columbus, Indiana. As a young boy, Pence watched his parents accomplish many things that matter in life. They had a family as well as their own convenience store, but most of all they had a good reputation. Pence was taught from a young age to work hard and to value some of the most important things in life, his loving family and his faith ("Vice", n. d.).

After Pence graduated high school, he attended Hanover College where he studied history and obtained a bachelor's degree in the year of 1981. After the completion of earning a bachelor's degree, Pence made the decision to attend the Indiana University of Law ("Vice", n. d.). In the year of 1983, Mike Pence met his future wife, Karen, at a Roman Catholic church that was located in Indianapolis. Pence briefly talked to Karen and discovered that her sister also attended the Indiana University of Law. With this new information, Pence obtained Karen's sister's phone number. However, when he dialed the number, Karen's sister did not answer. Karen was watching her sister's

children when Pence called the first time. When she answered the phone, Pence began to become really nervous and he hung up the phone. Later on, Pence made the decision to call Karen back. When he did, that phone call led to them going on their first date. Not even a year after their first date, Pence proposed to Karen and she accepted. Six years after their wedding, they had their first child which was a baby girl who they named Charlotte. After Charlotte was born, Mike and Karen had two more children, Michael and Audrey Pence (Katz, 2018) (CNN Library, 2018).

Pence held many positions after he graduated from the Indiana University of Law. After graduation, he made the decision to practice law. Pence had the opportunity to lead the Indiana Policy Review Foundation as well as hosting his own radio talk show. When Pence was forty years of age, he became a representative for Indiana in the House of Representatives. In the year of 2013, Pence was elected as governor of the state of Indiana. Three years after becoming the governor of Indiana, Pence was chosen as the running mate of presidential candidate, Donald Trump ("Vice", n. d.).

It is known to most if not all Americans that Mike Pence is a very conservative Republican. He would not support the No Child Left Behind reform that was created in the administration of President Bush. He also does not support Planned Parenthood and was in full support of the government being shut down in order to withdraw any government financial support given to Planned Parenthood. Pence is a strong advocate of cutting taxes as well as fully supporting the Second Amendment, which guarantees citizens the right to own and bear arms. Pence has also attempted to place restrictions and limitations on the accessibility of abortion. He has attempted

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to enlarge the vouchers for school choice and he has also been able to obtain more government funding to develop and support charter schools (Wilson, 2018).

After failing to win Congress twice in past years, Pence decided to try again for the third time in the year of 2000. He quickly began to build a reputation as a man who would stand up for his convictions and what he believed was right even if it meant going against the majority and the other Congressmen. While serving as a Congressman for Indiana, Pence was able to become the head of the Study Committee for the Republican party in the year of 2005. A year later, Pence was defeated by John Boehner when attempting to become the minority leader. However, a couple of years after his defeat by Boehner, Pence was elected to become the conference chairman in the Republican party ("Mike", n. d.).

While Pence was the governor of Indiana, he was able to implement many beneficial changes. As governor, Pence demonstrated his strong beliefs in limited government as well as his belief in implementing lower taxes. He was able to implement a huge tax cut that made the cut the largest in the history of the state. He succeeded in being able to lower the income tax percentage of individuals as well as lowering other types of taxes as well. Pence also made a huge impact on the state of Indiana by causing the rate of unemployment to fall, which helped more citizens to be employed. Pence played a major role in the Indiana school systems. Schools were beginning to receive the extra funding that they desired and needed under Pence's administration. Pence's agenda prioritized technical education and career education as a priority while he held the office of governor ("Vice", n. d.).

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Even though Pence has accomplished many positive political changes while he held the position of governor, there were several acts that he signed that caused great controversy. Pence fully supported businesses who were against helping and being involved in any type of same-sex marriage. Due to this, Pence made the decision to sign the Religious Freedom Restoration Act which would protect these rights of owners and their businesses. However, there were many who were against this act and made credible threats which caused Pence to make alterations to the Religious Freedom Restoration Act. These alterations provided for certain exemptions that would apply to the communities who consisted of LGBT citizens. Pence showed his support for pro-life by signing a bill that would forbid a fetus that has some type of disability to be aborted ("Mike", n. d.).

Even though Pence encountered some controversy towards the end of his term as the governor of Indiana, Donald Trump selected Pence as his running mate in the 2016 presidential election. There were multiple reasons for Trump's selection of Pence; His strong faith, his willingness to stand up for what he believed was right, his connections in the Republican party, and his credible history in politics. Pence differed a lot from Trump in many ways being more diplomatic. However, they have both worked together really well while serving their presidential and vice-presidential terms (Wilson, 2018).

Pence has made a great impression as vice president. He has fully supported and backed President Trump throughout the term. Vice President Pence, also the President over the Senate, has made numerous tie-breaking decisions that affect America greatly. He placed the tie-breaking vote that decided whether or not Betsy DeVos would become the Education Secretary. As

stated, Pence has made beneficial changes while presiding as the President of the Senate. Pence has made foreign appearances in order to develop diplomatic relations with the foreign nations. He even went to Israel and strongly showed his support of recognizing Jerusalem as Israel's capital (usatoday.com). Pence has also made statements about the recent synagogue shooting. Pence stated that in the history of America, it has been the worst and the deadliest crime against the Jews (Sonmez, 2018).

Mike Pence has had a successful career in politics. Pence went from being an attorney and the host of a radio talk show to holding the position of a Congressman for several years representing the state of Indiana. After his terms in the House of Representatives, Pence successfully ran to become the governor of Indiana. After making great improvement with tax cuts, school funding, and unemployment rates, Pence was chosen by Donald Trump as Trump's running mate for the 2016 presidential election. After winning the election, Pence has completed many things during his term as vice president. Even though Pence has succeeded in the political realm, he has not forsaken his values, faith, and family. He still stands firm for what he believes is right and he still values his family.

The Supreme Court

The Supreme Court was established and set up by the Constitution of the United States. The Judiciary Act of 1789 began to shape and form the Supreme Court. This act granted extensive powers to the Supreme Court. In the early years of the court, there were very limited numbers of cases to be ruled on by The Supreme Court. Becoming a Supreme Court justice was not

considered as an important position back then like it is today. Some of those who were offered positions as justices turned them down and some who accepted the position, resigned shortly thereafter in order to obtain positions with higher political and social statuses. In the year of 1801, John Marshall was made chief justice by President John Adams. Judicial review became established while Marshall was chief justice. This was first introduced in the case of *Marbury v. Madison*. Marshall claimed that when there is any type of federal law that does not coincide with the Constitution then that law will be declared to be unconstitutional by the Supreme Court and that law will no longer be enforced. It was not many years after this that the Supreme Court declared that they had the right of judicial review not only over federal laws but over state laws, also (Baum, 2016, p. 21).

The Supreme Court consists of the Supreme Court justices who hear cases and make decisions. These all play a vital role in the judicial branch of American government. When there is a vacant spot for the position of a Supreme Court associate justice, the President of the United States nominates a nominee for the vacant position. The Senate then has to vote either for or against the nominee becoming a Supreme Court justice. If the majority of the Senators vote in favor of the nominee, then the nominee becomes the Supreme Court justice. However, if the majority of the senators vote against the nominee, then another nominee will be appointed, and the process will be repeated (Baum, 2016, p. 30). The current associate Supreme Court justices are Brett Kavanaugh, Samuel A. Alito, Jr., Stephen Breyer, Ruth Bader Ginsburg, Neil Gorsuch, Elena Kagan, Sonia Sotomayor, and Clarence Thomas (Schallhorn, 2018).

When the position of chief justice of the Supreme Court is vacant, then there are two options that the President can choose from to fill the vacancy. The first option is that the President can choose one of the associate justices as a nominee for the seat of chief justice. If the associate justice is approved to become the chief justice, then the President will nominate a nominee to fill the vacant spot of the associate justice. However, if the associate justice does not get approved for chief justice, then the President must find another nominee. The second option that the President can choose from when the position of chief justice is vacant is to choose a nominee from outside of the associate Supreme Court justices. If the Senate approves the nominee, then the position of chief justice is filled. If the nomination is denied then the President must choose another nominee and the process is repeated (Baum, 2016, p. 30). The current Supreme Court chief justice is John Roberts (Schallhorn, 2018).

In order for a case to come to the Supreme Court, there has to be a minimum of two litigants. A minimum of one litigant must be on both sides of the case. The litigants of cases can vary. However, most of the litigants are usually defendants in criminal proceedings (Baum, 2016, p. 68). The Supreme Court holds the right to accept cases as well as reject cases. There are multiple reasons as to why the Supreme Court may accept a case. However, there are just as many reasons as to why they may reject a case. The Supreme Court may accept a case because the case deals with an issue that interests the Supreme Court. They also hold the right to accept a case because they would like to confront and to increase knowledge on the subject matter of the case. The Supreme Court is also granted the right to

reject cases. Cases can be rejected because they do not think that the case is important enough for them to hear (Baum, 2016, p. 84).

Once the Supreme Court has made a decision to hear a case, they determine how much deliberation and consideration the case will obtain. If the case is granted full consideration, then a current or new summary of the parties' merits on the case will be accepted by the Supreme Court. The court will then hear the oral arguments on the case. Once this has been completed, the Supreme Court will then come to a decision and give an explanation as to why the decision was made. If the Supreme Court decided to only grant summary consideration, then the Court will make a decision based solely on the documented information from the litigants (Baum, 2016, p. 84-85).

When the Supreme Court decides to hear a case, the process of making a decision on the case begins. The attorneys on each side are tasked with the job of preparing new briefs. These briefs confront the case's merits. These merits contain multiple legal concerns. Each party locates evidence that supports their stance and interpretation of the laws and provisions in the Constitution. The parties will also attempt to persuade all of the justices that their stance on the matter is also appropriate public policy (Baum, 2016, p. 105).

After the briefs are submitted, then the Supreme Court allows for oral arguments. Each party receives a maximum time limit of thirty minutes to present their argument. When the time limit for oral arguments is over, a red light in the courtroom comes on to make the attorney as well as the justices aware that the attorney's time is up. The Supreme Court justices ask

multiple questions during oral arguments. Thus, the attorneys are often interrupted. Sometimes the justices inject their questions while the attorney is in the middle of a sentence. At times, the justices have interrupted each other when asking questions. Oral arguments have a couple of different functions. During the process of oral arguments, the justices can collect more information on the strengths as well as the weaknesses of each parties' stance on the case. While participating in oral arguments, the attorneys for each party also have the opportunity to mold the way that their associates perceive the case (Baum, 2016, p. 106-107).

Once each party has completed their oral arguments, then the justices will discuss the case in a conference that is held later in the week. While the justices are in a conference, the chief justice will introduce the case for discussion. The discussion begins with the chief justice who makes statements about his views on the case. Each justice will then make statements about their stance on the case. After the chief justice initiates the discussion on a case, the justice with the most seniority states his opinions after the chief justice. The discussion ends with the junior justice. If the majority of the justices agree on the subject matter by the time that it is the junior justice's turn to speak, then what the junior justice says does not really affect the decision of the case. However, if the other justices are split on a decision in a case, then the other justices pay close attention to what the junior justice has to say. When the two-week sitting is completed, a justice is assigned to write what the opinion of the Supreme Court is in each case that was discussed. When the majority of the justices, including the chief justice, held the same opinion on a case, then the chief justice chooses

a justice and assigns the writing of the opinion to that justice. However, when the chief justice was not in agreement with the majority of the justices, the associate justice with the most seniority chooses which justice is assigned the writing of the opinion (Baum, 2016, p. 107).

Once the justice is assigned to the writing of the opinion, the selected justice writes a draft that is guided by the opinions and views of the other justices as they were stated in the conference. After the completion of the opinion, the opinion is circulated where the justices who voted with the majority of the other justices may or may not sign it. If the opinion is not signed, there can be several different reasons as to why the justice chose not to sign it. The justice may have decided against his initial opinion, or the justice may not be in complete agreement with the language that was used to write the draft or the justice may disagree with the reasoning behind the opinion. A process of negotiation takes place over the opinion. Sometimes some if not all of the justices will then write opinions. These opinions have been written by justices for the opposite outcome and some have been written for the same outcome but with different reasonings to back up the opinion. If the justices cannot come to a decision, they will usually reschedule a second set of oral arguments in the upcoming term (Baum, 2016. p. 108-110).

Conclusion

Many political leaders, as well as the different branches of government, greatly impact America and its citizens. The decisions made by those who hold political power, such as Mike Pence, can directly and indirectly influence America. The Supreme Court also plays a key role in the government and

how it affects America. The decisions that are made by the Supreme Court justices not only impacts those that are involved in the cases but also those who live in America.

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