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Florida Attorney General's Office News Release

Coalition of AGs Send Letter in Opposition to President Biden's Court-Packing Scheme

TALLAHASSEE, Fla.—Attorney General Ashley Moody, along with 19 other attorneys general from across the nation, today wrote to President Biden and congressional leaders to voice strong concerns, and opposition to, the recent steps towards packing the U.S. Supreme Court. Judicial independence is a core tenet of our judicial system and the bulwark upholding our rights and liberties. Recent actions by some members of Congress and President Biden threaten the independence of our federal judicial system and the rule of law.

Attorney General Ashley Moody said, “Federal legislation has been filed, and a presidential advisory commission has been manufactured, to begin the process to pack our U.S. Supreme Court. These initial steps are alarming. We have seen historically in other nation states that this can lead to the demise of democracy. These attempts to take over our nation’s highest court, left unopposed, will shake the foundations of our system of government and fray the boundaries of separation of powers instilled in our Constitution. I, along with a coalition of other attorneys general, am standing up to protect the country that we love and the integrity of our judicial system.”

The letter signed by the multistate coalition of attorneys general describes the serious concerns held about packing the U.S. Supreme Court. After filing a bill to do just that days after the President announced the executive order to create a commission to investigate court packing, it is clear that President Biden and some members of Congress are part of a coordinated effort to grab political power, jeopardizing the integrity of our system of government.

The Framers of the Constitution created an independent judiciary, due to the judicial abuses experienced under King George III and to prevent the new federal government from repeating those abuses. The last similar attempt by President Franklin Delano Roosevelt more than 80 years ago failed because of how it threatened our constitutional system. Notably, both Justices Stephen Gerald Breyer and the late Ruth Bader Ginsburg recently condemned such schemes to pack the court.

The letter states, “Indeed, given the filing of the bill six days after the president announced his executive order regarding the Supreme Court, it is clear that the Commission on the Supreme Court is nothing but a coordinated attempt to justify a naked political power grab by the leaders of Congress and the president. We believe that such actions will seriously undermine our constitutional system, the public’s confidence in our courts, and the rule of law. We oppose passage of such a measure.”

To read the full letter, click here.

Attorney General Moody signed the letter, along with the attorneys general from the following states: Alabama, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, Texas, Utah and West Virginia.

Earlier this week, Attorney General Moody urged President Biden to allow full public access to each and every meeting of the Presidential Commission on the Supreme Court of the United States. To learn more, click here.