

# CAPTURED COURTS

The GOP's Big-Money Assault on the Constitution, Our Independent Judiciary, and the Rule of Law

The Trump Administration and Mitch McConnell's Senate Republicans have few significant legislative accomplishments. Instead, they're packing the judiciary with far-right extremist judges. The Senate has confirmed 200 new life-tenured federal judges, most of whom were chosen not for their qualifications or experience—which are often lacking—but for their allegiance to Republican political goals.

This court capture has been perpetrated through a complex network of anonymously-funded groups like the Federalist Society and spearheaded by right-wing activists like Leonard Leo. Their web consists of:

1. deep-pocketed, special-interest donors, who provide the money;
2. shell entities, which funnel the money and exploit tax laws to keep donors' identities secret;
3. public relations firms and political operatives who run multi-million-dollar ad campaigns to support and oppose judges and generate press to craft favorable public narratives; and
4. a brain trust of ideological think tanks, academic institutions, and "public interest" law firms, filled with lawyers and professors who generate "intellectual capital"—law review articles, *amicus* briefs, and so on—to advance the donors' interests through the courts.

## Senate Democrats' new report exposes that web:

- How the "conservative legal movement" has rewritten federal law to favor the rich and powerful with 80 partisan Supreme Court decisions
- How the Federalist Society, Leonard Leo, and special-interest money dominate our courts
- How Mitch McConnell's broken Senate confirmation process helps Republicans and the big-money donors behind them

## WHAT DOES GOP COURT-PACKING MEAN FOR AMERICA:

- Voters across the country wait in line for hours to vote
- Special interests flood our airways with political ads
- Workers have discrimination cases thrown out of court
- Communities can't regulate gun violence
- Polluters can pollute our air and water without consequence
- Access to healthcare, including protections for pre-existing conditions, remains under attack

## BY THE NUMBERS:



**AT LEAST \$250 MILLION** in dark money is funding Republicans' court capture machine



**86%** of Donald Trump's nominees to the Supreme Court and influential appellate courts are Federalist Society members



**FOR 50 YEARS** right-wing donors and paid-for activists built a "conservative legal movement" to deliver for their agenda



**80 PARTISAN 5-4 DECISIONS** at the Roberts Supreme Court have delivered wins to the Republican Party and the big corporate interests behind it



**NEARLY 90%** of the House-passed bills that Mitch McConnell sidelined to confirm partisan judges received bipartisan support