

HOUSE RESOLUTION NO. 143

Reps. Green and Carra 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, including the Judiciary Act of 2021, H.R. 2584
12 of 2021 and S. 1141 of 2021, which would increase the number of
13 justices to 13. The number of justices on the Supreme Court has

1 been fixed by federal law since 1869 and efforts to expand the size
2 of the Supreme Court in the century and a half since have been met
3 with significant resistance from the American people; and

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

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

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

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

27 Resolved, That copies of this resolution be transmitted to the
28 President of the United States Senate, the Speaker of the United
29 States House of Representatives, and the members of the Michigan

1 congressional delegation.