



## Michael Park

President Trump nominated Michael Park to serve on the U.S. Court of Appeals for the Second Circuit on October 10, 2018. Park is anti-choice.

### Career<sup>1</sup>

- Bachelor of Arts, Princeton University, 1998
- Juris Doctorate, Yale Law School, 2001
- Clerk, Hon. Samuel Alito, U.S. Court of Appeals for the Third Circuit, 2001-2002
- Associate, Wilmer Cutler Pickering Hale and Dorr LLP, 2002-2006
- Attorney-Adviser, Office of Legal Counsel, U.S. Department of Justice, 2006-2008
- Clerk, Associate Justice Samuel Alito, U.S. Supreme Court, 2008-2009
- Counsel, Dechert LLP, 2009-2011
- Partner, Dechert LLP, 2012-2015
- Adjunct Professor, Antonin Scalia Law School, George Mason University, 2015-present
- Partner, Consovoy McCarthy Park PLLC, 2015-present

### Record on Choice-Related Issues

#### Court Cases

- Park represented Kansas in its unsuccessful attempt to defund Planned Parenthood by terminating its Medicaid agreements.<sup>2</sup> These agreements allow Planned Parenthood clinics to provide birth control, cancer screenings, and STD testing and treatment to Kansas residents who receive insurance through Medicaid.<sup>3</sup> After losing in the courts, Kansas asked the Supreme Court to take up the case. The Court declined to do so in a 6-3 vote. Had Park succeeded in this case, the result would have been devastating to Kansas women. According to the Guttmacher Institute, 188,000 women were in need of publicly funded family planning services in the state of Kansas in 2014.<sup>4</sup>
- Park has vigorously defended the Trump administration's efforts to block undocumented young women from accessing abortion care.<sup>5</sup> The administration wrongly claims that these young women have "no constitutional right to abortion,"<sup>6</sup> and even went so far as to consider "reversing" a young woman's medication abortion against her wishes using an untested and unproven method.<sup>7</sup>

## Notable Information

- Park has made a habit of supporting anti-choice judicial nominations. He appeared in a television advertisement supporting anti-choice Associate Justice Sam Alito's nomination to the Supreme Court and signed a letter to the Senate Judiciary Committee in support of anti-choice Judge Andrew Oldham's nomination to the Fifth Circuit.<sup>8</sup>
- Park is a member of the conservative, anti-choice Federalist Society.<sup>9</sup> The Federalist Society is led by Leonard Leo, the anti-choice activist who is heavily involved in selecting Trump's Supreme Court and lower court nominees. Leo has been outspoken in his anti-choice views, calling abortion "an act of force" and "a threat to human life,"<sup>10</sup> and serves as co-chairman of Students for Life,<sup>11</sup> a group whose mission is to "abolish abortion."<sup>12</sup>

## Record on Other Key Issues

- Park is currently representing conservative activist Edward Blum in his efforts to end affirmative action in college admissions. Experts have said that if Park's lawsuit is successful, it could "shut out large numbers of minorities from top schools."<sup>13</sup>

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<sup>1</sup> Questionnaire for Judicial Nominees: Michael Hun Park, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

<sup>2</sup> Petition for Writ of Certiorari, *Andersen v. Planned Parenthood of Kansas and Mid-Missouri*, No. 17-1340 (U.S. 2018); *Planned Parenthood of Kansas and Mid-Missouri v. Andersen*, 882 F.3d 1205 (10<sup>th</sup> Cir. 2018) (No. 16-3249); *Planned Parenthood of Kansas and Mid-Missouri v. Mosier*, No. 16-2284 (D. Kan. 2016).

<sup>3</sup> *Supreme Court Denial is a Victory for Planned Parenthood Patients*, PLANNED PARENTHOOD, <https://www.plannedparenthood.org/about-us/newsroom/press-releases/supreme-court-denial-is-a-victory-for-planned-parenthood-patients> (last visited December 12, 2018)

<sup>4</sup> *State Facts About Unintended Pregnancy: Kansas*, GUTTMACHER INSTITUTE, <https://www.guttmacher.org/factsheet/state-facts-about-unintended-pregnancy-kansas> (last visited December 12, 2018)

<sup>5</sup> *Garza v. Hargan*, No. 1:17-cv-02122 (D.D.C. 2017)

<sup>6</sup> *Official: Pregnant teens in migrant shelters have no abortion rights*, CBS NEWS (March 1, 2018), <https://www.cbsnews.com/news/official-pregnant-teens-in-migrant-shelters-have-no-abortion-rights/>

<sup>7</sup> Brigitte Amiri, *Scott Lloyd's Anti-Abortion Ideology is Harming the People His Agency is Supposed to Protect*, ACLU (March 1, 2018), <https://www.aclu.org/blog/reproductive-freedom/abortion/scott-lloyds-anti-abortion-ideology-harming-people-his-agency>

<sup>8</sup> Questionnaire for Judicial Nominees: Michael Hun Park, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

<sup>9</sup> Questionnaire for Judicial Nominees: Michael Hun Park, UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

<sup>10</sup> Jeffrey Toobin, *The Conservative Pipeline to the Supreme Court*, THE NEW YORKER (April 17, 2017), <https://www.newyorker.com/magazine/2017/04/17/the-conservative-pipeline-to-the-supreme-court>

<sup>11</sup> Board of Directors, STUDENTS FOR LIFE, <http://studentsforlife.org/supporters/board-of-directors-1> (last visited July 5, 2018)

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<sup>12</sup> *Mission Statement*, STUDENTS FOR LIFE, <http://studentsforlife.org/about/mission-statement/> (last visited July 5, 2018)

<sup>13</sup> Stephanie Mencimer, *Trump Appeals Court Nominee Is Working to End Affirmative Action at Harvard*, MOTHER JONES (Oct. 23, 2018), <https://www.motherjones.com/politics/2018/10/trump-appeals-court-nominee-is-working-to-end-affirmative-action-at-harvard/>