PRESS KIT

UMPIRES NO MORE?

Has the Judiciary Become a Third Political Branch? Is That Constitutional? · by Bryan Kaufman

THE BOOK

In 2005, John Roberts told the Senate a judge is like an umpire. *Umpires No More?* lines up what the justices promised at their confirmation hearings with how they later voted, follows the precedents that fell and the ethics fights through the 2025–26 term, and gives every charge the defense's best answer. A plain-English primer and a hands-on quiz let any reader judge the judges.

THE FINDINGS

- **88 percent.** In ten divided cases from 2022 to 2026 where the two parties took opposite sides, 78 of 89 votes matched the nominating president's party (the Party Test).
- **Six redprints, zero blueprints, four purpleprints.** The six Republican appointees formed the majority alone in six of the ten cases; mixed majorities decided the other four.
- **Every break ran one way.** All 11 votes against the nominating party came from Republican appointees: Roberts (4), Kavanaugh (3), Barrett (3), and Gorsuch (1).
- **The trust gap.** Gallup put the Court's approval at 34 percent in September 2026, near its record low.

QUICK FACTS

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ABOUT THE AUTHOR

Bryan Kaufman is a trial lawyer with more than 18 years on nearly every side of the courtroom: state prosecutor, federal trial attorney for the U.S. Department of Labor, senior assistant city attorney for Denver, and litigator in private practice. He lives in Denver.

SUGGESTED INTERVIEW QUESTIONS

- Is today's Supreme Court still an umpire?
- Your Party Test found 88 percent party alignment. Doesn't that prove the Court is political?
- Which confirmation-hearing answer aged the worst?
- What surprised you most about the 2025–26 term?
- How can someone with no legal background judge the Court fairly?

Every quotation, citation, vote count, and date in the book was checked against court opinions, Senate records, and original reporting. Written with Claude, an AI assistant made by Anthropic; the author reviewed and revised numerous drafts. The views are the author's own.

PRAISE

★ ★ ★ ★ ★

"An exceptionally good introduction to the whole process."

"A well-researched and clearly presented discussion."

"I learned a lot from this book and thoroughly enjoyed it."

— Grant Leishman, Readers' Favorite (five stars), November 2026

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