

THE FIGHT TO SAVE WOMEN'S RIGHTS:

A Supreme Court Toolkit



Introduction

Everything is on the line for women with the Supreme Court vacancy left by Justice Anthony Kennedy's retirement, including the constitutional right to an abortion, health insurance for those with pre-existing conditions, and access to birth control. This fight is critically important, which means every single one of us has a role to play in making sure that the Senate rejects President Trump's extremist anti-women, anti-abortion, anti-Affordable Care Act nominee: Judge Brett Kavanaugh.

We can win this fight. Use this toolkit to learn what's at stake for women, how to talk about Judge Kavanaugh's dangerous and anti-women record, and how you can have the most impact, no matter where you live or who your senator is.

HOW TO TALK ABOUT THIS FIGHT
PAGE 3

FACTS ABOUT KAVANAUGH'S
RECORD
PAGE 8

HOW TO GET INVOLVED
PAGE 10

HOW TO TALK ABOUT THIS FIGHT



THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

It's important to try to talk to everyone you know – on every platform you use – about what's at stake with this Supreme Court vacancy, and specifically with Judge Brett Kavanaugh's nomination. We've compiled some of the most effective facts, messages, and talking points for you to use.

What's at Stake

- > President Trump's nomination of Brett Kavanaugh puts women's constitutional rights, including abortion, at risk.
- > The process has been flawed from the start. Trump promised to nominate only justices who would overturn *Roe v. Wade* and dismantle the Affordable Care Act (ACA). We must take Trump at his word – and every senator should too.
- > The Supreme Court will make decisions that affect abortion access; health care access; immigrant justice; and the opportunities for people to be financially stable and live free, safe, and healthy lives.
- > Kavanaugh will turn the balance of the Supreme Court against women's constitutional rights, including abortion.
- > This is about people's freedom and opportunity to control their lives at the most basic level: their bodies, their families, and their future.
- > We need and deserve a justice who will protect the constitutional rights of all persons, not just the wealthy and powerful.
- > We need a justice who believes that the Constitution protects the individual right of all people to make personal decisions about their bodies and relationships – including the rights to use birth control and have an abortion.
- > The Supreme Court must have justices who uphold the rights, freedoms, and opportunities for everyone, no matter our race or ethnicity or where we come from.
- > The Senate must reject Judge Kavanaugh's nomination to the Supreme Court.

Reproductive Rights

- > President Trump has repeatedly promised to nominate only justices to the U.S. Supreme Court who will overturn *Roe v. Wade*.
- > Kavanaugh has argued for bosses overriding women's access to birth control.
- > Kavanaugh has ruled in favor of government overreach to restrict women's access to safe, legal abortion.
- > With this nomination, women's ability to make decisions about our own bodies and lives is at stake.
 - Abortion opponents are already pushing cases challenging *Roe* through the lower courts, and at least 20 states are poised to immediately seek to ban abortion if *Roe* is overturned. If *Roe* is overturned, women of color and those struggling to make ends meet will suffer the most.
 - Since 2011, politicians have passed 401 new laws against abortion in 33 states across the country that shame, pressure, and punish women who have decided to have an abortion.

Health Care and the Affordable Care Act

- > Access to quality, affordable health care is on the line. Trump promised to appoint a nominee who would dismantle the Affordable Care Act (ACA).
- > Judge Kavanaugh has criticized the Affordable Care Act and could vote to allow insurance companies to deny coverage to people for pre-existing conditions.
- > Without the ACA's protection for people with pre-existing conditions, we could be dragged back to the days when having a cesarean delivery or even receiving treatment for rape was considered a pre-existing condition that limited access to health insurance.
- > Being a woman could once again be considered a pre-existing condition and a reason to deny women health insurance coverage.

Employment

- > Kavanaugh has repeatedly ruled against workers pursuing claims of employment discrimination. He built his judicial career by continuously siding with big employers against working people. If confirmed as a Supreme Court justice, Kavanaugh would tip the balance of power even further in favor of corporate interests.
- > People who face workplace harassment and other forms of discrimination need to be able to hold their harassers accountable. But Kavanaugh sees anti-discrimination protection for employees as a burden for employers.
- > We cannot allow the balance of the Court to shift further in favor of corporate interests and against hard-won protections for working people. What we need is a justice who will uphold workers' rights, including protecting workers from sexual harassment.

Education

- > Kavanaugh is aligned with Betsy DeVos' plot to restrict students' rights and expand school vouchers.
- > Kavanaugh was hand-picked by right-wing groups that oppose Title IX. Instead of thinking of ways to keep victims of sexual assault in school, these groups want special rights for accused rapists and have filed transphobic lawsuits demanding that schools police bathrooms. They support Kavanaugh because of his record of ruling against students and young people seeking fair access to school.
- > As a judge, Kavanaugh sought to restrict the rights of students with disabilities. This hostility to laws that protect the rights of children with disabilities spells danger for all students.

Using the Right Words

Words to Use:

- > “Women’s access to abortion” is on the line.
- > Kavanaugh would be a “narrow-minded” judge.
- > Kavanaugh will “shift the balance of the court.”

Words to Avoid

- > “Federalist Society” or “Heritage Foundation.” Kavanaugh appeared on a list of potential nominees made by the Federalist Society or Heritage Foundation, but these organizations are largely unknown among most voters.
- > Kavanaugh would be an “activist judge.”
- > He will be the “key vote” or “swing vote.”

Key Polling Results to Use

- > Voters support abortion rights. Seven in ten are opposed to the Supreme Court restricting women’s constitutional rights, including abortion. This includes 87% of Democrats, 86% of Independents, and 54% of Republicans.
- > A majority of voters of all political leanings say it is important to them personally that a new Supreme Court justice rule to uphold women’s constitutional rights, including abortion (71% of Independents, 91% of Democrats, and 60% of Republicans).
- > Voters are twice as likely to support, rather than oppose, senators who vote for a nominee who would uphold *Roe v. Wade*. And voters are twice as likely to support a candidate for elected office who supports women’s rights on abortion.
- > More than 93 percent of voters want the Supreme Court to uphold laws that protect people with pre-existing conditions from being denied insurance coverage.
- > Eighty percent of voters are opposed to the Supreme Court ruling to restrict access to birth control.
- > Voters want full and complete answers from Kavanaugh on their individual rights and liberties. Eighty-seven percent of likely voters, including 82% of Republicans, said it was important to them that Kavanaugh discuss his beliefs on whether the Constitution protects the individual right of all people to make personal decisions about their bodies and relationships, including the right to use contraception and to have an abortion.

FACTS ABOUT KAVANAUGH'S RECORD



THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

- > Before becoming a judge, Kavanaugh was a D.C. political operative who worked for the impeachment of President Clinton and on the Florida recount legal team for George W. Bush.
- > After Bush's victory, Kavanaugh received a position in the White House Counsel's office and then became White House Cabinet Staff Secretary.
- > Judge Kavanaugh was chosen from a pre-screened list of judges who are already biased against women's constitutional rights on abortion.
- > During his career, Kavanaugh has sided against women's constitutional rights to abortion, against the Affordable Care Act, and against working people and students.
 - Judge Kavanaugh recently used his judicial power to allow the Trump administration to block a young immigrant woman in U.S. custody from accessing a safe, legal abortion.
 - Judge Kavanaugh broke ranks with other judges on his court to vote to allow a boss' religious beliefs to override an individual's right to insurance coverage of birth control.
 - Kavanaugh expressed contempt for the Affordable Care Act in two cases that came before him. One of his former law clerks said, ". . . he left no doubt about where he stood. No other contender on President Trump's list is on record so vigorously criticizing the law."
 - Judge Kavanaugh has built his judicial career by siding with big employers against working people, time and time again. Indeed, two of the law firms best known for representing big corporations in fights against employees agree: one noted approvingly that "Kavanaugh's opinions over the years typically favored the employer" in discrimination cases, while the other gushed that Kavanaugh "routinely rules in favor of employers."
 - As a judge, Kavanaugh ruled to limit the rights of students with disabilities. As a lawyer, he defended Florida's school voucher program, which forces parents to forfeit their child's rights under special education law.
 - Kavanaugh believes that a sitting president shouldn't be independently investigated or indicted. Kavanaugh will not be the independent voice we need to prevent abuses of power by the President.

HOW TO GET INVOLVED



THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

No matter where you live, you can help with this fight. Senators need to know that their constituents are not just paying attention to this confirmation vote but expect their elected officials to uphold their rights by rejecting Judge Kavanaugh's nomination.

Contact Your Senators

Call Them

Calls directly to your senators' offices, whether in D.C. or back home, have the most impact. Congressional staffers tally the calls they receive each day and report them to their bosses. We need senators to understand that this vote is incredibly important to their constituents. Note: You should only call the senators that represent the state where you vote. However, you can reach out to your friends and family in other states and urge them to call too.

How to Call

Dial 1-844-387-6952 or go to www.nwlc.org/SCOTUScalls to get started.

Here is a script you can use for your call:

Hello, my name is [name] from [State]. I'm calling to urge you to oppose Brett Kavanaugh's nomination to the Supreme Court.

Judge Kavanaugh has been approved by the Trump administration as someone who would gut Roe v. Wade and the Affordable Care Act.

Please only support justices who will uphold women's constitutional rights, including abortion.

The rights and freedoms of an entire generation are at stake.

Email Your Senators

In addition to calls, personalized emails to your senators are also effective.

Visit www.nwlc.org/SCOTUsemails to send a message to your senators today. Remember, adding a personal story is incredibly important.

Here is a sample email for you to adapt:

As your constituent, I urge you to defend our rights by opposing Judge Brett Kavanaugh, President Trump's nominee to the Supreme Court. The rights and freedoms of an entire generation are at stake.

Brett Kavanaugh's name was on Trump's short list of potential nominees - so we know he has been approved by this administration as someone who would gut Roe v. Wade and the Affordable Care Act.

He has ruled in favor of government overreach to restrict women's access to safe, legal abortion.

He believes a boss' religious beliefs should override an employee's access to birth control coverage.

And he believes the president should be above the law - which means he won't serve as a check on the executive branch.

The Supreme Court decides the fundamental legal rights that we rely on every day: the constitutional right to liberty, including Roe v. Wade, and to equal protection; important health and safety regulations, and laws that protect against sex discrimination at work and at school. We need a Supreme Court Justice who will protect all of us. I'm counting on you to oppose Judge Kavanaugh's nomination and only support justices who will uphold women's constitutional rights, including abortion.

Visit Your Senators' Offices

You've taken action online, you've called your senators, and now you're wondering: what else can I do? One of the most effective ways constituents can have an impact on the legislative process is to actually show up in person at the local office of your senators. Here's a step-by-step guide to an awesome in-person visit:

1. Get your people together. Going to a Congressional office on your own can be intimidating — and there's power in numbers! Show your senator that this is an issue that's deeply felt by bringing as many people as possible with you to either their D.C. or local district office. If that's not possible, go on your own!
2. You can call the senator's office or email the staff to request a meeting, and some offices even allow you to request a meeting on their website. Let them know how many people will be coming with you, and if the senator is unavailable to meet with your group, ask for a meeting with the staffer in charge of confirmation votes. Don't be discouraged if there isn't an issue expert at your local office. Some offices are staffed by only two to three people. The important thing here is to FOLLOW UP until you get on the calendar. Be respectful, but don't let them forget about you.
3. Think about what you're going to say in the meeting, and practice a few times with your group. You can even assign speaking roles, but don't get too caught up in trying to say the perfect thing. It's important that you be authentic; you don't have to be an expert. If you have a personal story to share, be ready to do so. Be prepared to ASK something of him or her at the end of your meeting – in this case, to oppose Judge Kavanaugh's nomination.
4. Print background materials. You can find reports and fact sheets about this Supreme Court fight at www.nwlc.org/StopKavanaugh — find some materials that back you up, and print some out to leave behind after your meeting.

**THE FIGHT
TO SAVE
WOMEN'S
RIGHTS:
A Supreme
Court Toolkit**

5. Show up. Deep breath, you got this. Be on time, conduct your meeting, let things go with the flow, but get your ask in. Leave behind your materials and get the contact information for the folks you met with so you can follow-up. Thank your senator and their staff, and hey, why not ask for a photo op? (They love that.)
6. Follow Up! A few days after your meeting (or sooner if it's urgent!), send a quick thank-you note by email or mail. If you have more materials to bolster your case, send them along with this message. And use this opportunity to reiterate your ask — thank them if they've committed to oppose Kavanaugh or ask them to reconsider if they haven't. If they have not made up their decision yet, tell them too much is on the line and that they must demand clear answers from Kavanaugh about his position on women's rights. If you're not getting an answer on your ask, don't be afraid to be persistent. Get a timeline for when an answer will be available, and follow up again!

Go to Your Senator's Event or a Town Hall

Members of Congress all host town halls and other events that are free and open to the public. Posing a question to a senator in this kind of forum can be a great way to apply pressure to do the right thing and bring attention to a cause you care about. Here's a step-by-step guide to getting to ask your senator a question in front of everyone:

- 1.** Find out where they'll be and when. Most Senators will post public events on their website or social media accounts, but if you're having trouble finding out about their events, you can always call their office to ask directly.
- 2.** Get your people together. Showing up to an event to get all eyes on you and your issue can feel intimidating — and there's power in numbers! Show your senator that this is an issue that's deeply felt by showing up with as many people who can join you. But if you can't round up supporters, your voice will still count!
- 3.** Do your research. Use the facts in this toolkit or at www.nwlc.org/StopKavanaugh to back you up, and be ready to ask your senator where they stand on Judge Kavanaugh's nomination.
- 4.** Don't hide in the back of the room! Remember, this is all about getting attention — so get ready for your close-up. You're more likely to be acknowledged if you're sitting right up front.
- 5.** Ask the question — and be ready to press them if they duck and dodge. Keep your language short and simple, but make clear your ask. If you can cite their own words on the issue, even better -- make sure they know you've done your research! And if they try to dodge the question (which they very well might!) be ready to respectfully follow up and ask them to respond more directly to your question. If there's no Q&A portion of the event, don't be afraid to ask one-on-one in a meet-and-greet at the end of the event. Remember, your senators work for you! You can also consider recording the conversation or town hall and sharing it on social media!

Call In to a Local Radio Show

Your senators likely have their staff paying attention to various news outlets, including local radio – plus, you can raise awareness in the community about this Supreme Court fight. Here's a step-by-step guide to your first brush with radio fame:

- 1.** Get the lay of the land. Check out the radio station's website or give them a call to find out about shows that accept call-ins. We strongly suggest listening to the program a few times to make sure that you'll get a fair shot at stating your case — you don't want to be caught on live radio with a shock jock who's not going to let you make your point!
- 2.** Do your prep work. Know the issue you want to talk about, have the facts in this toolkit on hand to back you up, and take some notes. In the heat of the moment, you might get nervous (which is totally okay!) and having some simple bullet points to refer back to can help bolster your confidence. Make sure to have some water on hand, too!
- 3.** You're on the air! Once you make it onto a radio show, introduce yourself clearly and tell the host why you care about this issue. As always, make it personal if you can. Be yourself and make your case quickly, but with clear and strong language. And try to match the show's tone. If they're a newsy, serious show, don't crack a ton of jokes. If it's drive-time chat, relax a bit. If you're a good "fit" with their format, they may give you extra time.
- 4.** Have a closing statement ready. You may be asked if there's anything you want to add before going off the air, so think about two quick sentences that sum up this important fight over Judge Kavanaugh's nomination to the Supreme Court.

Write a Letter to the Editor

Most newspapers publish letters from readers who live in the region. A short letter can have a big impact, as most senators pay attention to local news. Not to mention: LTEs are FREE media for the issue you care about. Here's a step-by-step guide on how to get your letter noticed:

- 1.** Always check the paper's guidelines for LTEs! A surefire way to get your letter rejected is not paying attention to their submission guidelines. These are usually found on the editorial page and will give you guidance on word counts and how to submit. The easiest way to find the guidelines is to do an Internet search: "how to submit a letter to the editor to X newspaper."
- 2.** Check out what's already being published. Read a few existing LTEs to get a sense for what kind of stuff makes it in — that'll help you craft your letter. You'll also want to make sure that your letter is relevant to the newspaper, so see if you can write your letter as a response to an article or another opinion piece.
- 3.** Keep it simple! Short and to-the-point is what often gets published, so try to avoid longwinded arguments and keep your sentences succinct. Make your case in strong, clear language. Use NWLC talking points!
- 4.** Name drop. The senator you want to reach likely gets a round-up every morning of the news articles that he or she is mentioned in. By calling on your elected officials by name in your LTE, you can help make sure they are reading it and getting your message.
- 5.** You guessed it...make it personal. A compelling personal story is always good to include when trying to influence decision makers. If you have a personal stake in the issue, share it in the LTE, but remember to keep it short!
- 6.** Reread what you wrote — or get a proofer! Make sure you give your letter a close read after you've written it, or better yet, find a friend or family member to proof it for you. A fresh set of eyes can help catch run-on sentences and grammatical errors that you might miss.
- 7.** Share your contact info. Most newspapers will confirm that you still want your LTE published, so make sure you provide up-to-date contact information with your submission.

Activate on Social Media

Social media plays an important role in helping to shape the narrative around this confirmation fight and what's at stake with Judge Kavanaugh. Below are steps on how to make sure everyone you know is aware and taking part in this Supreme Court fight.

Use the Right Hashtags

Primary: #StopKavanaugh

Secondary: #SaveSCOTUS, #SCOTUS #SaveRoe

Accounts to Follow

@NWLC

@DemandJustice

@CivilRightsOrg

@PPAct

@LamdaLegal

@HRC

@AdvocatesTweets

@NPWF

@transequality

@napawf

Key States and Senators

Alaska - Murkowski

Alabama - Jones

Arizona - Flake

Colorado - Gardner

Indiana - Donnelly

Maine - Collins

Michigan - Stabenow

Missouri - McCaskill

North Dakota - Heitkamp

Tennessee - Corker

West Virginia - Manchin

THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

How to Find Friends in Key States on Facebook

Activating friends and family in target states is vital to winning this fight - and there's an easy way to do it on Facebook! Simply use the links below to search for friends in specific states (you can also copy and paste these links into your own social media posts).

[Alaska](#)

[Alabama](#)

[Arizona](#)

[Colorado](#)

[Indiana](#)

[Maine](#)

[Michigan](#)

[Missouri](#)

[North Dakota](#)

[Tennessee](#)

[West Virginia](#)

THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

Sample Social Copy

Use the sample social media content below. You can find more and download graphics at www.nwlc.org/SCOTUSsocial.

Sample Facebook Posts

Kavanaugh's judicial opinions, NOT his canned talking points, give us the clearest picture of the kind of justice he'd be: an anti-Roe, anti-ACA extremist who could roll back rights for generations of women and families. Urge your senators to act. [Share with call in GIF]

We've sent anti-women SCOTUS nominees packing before, and we can do it again. Step 1: Pick up the phone and call your senators. Step 2: Ask your friends and family to do the same. The time to be heard is NOW. <https://on.nwlc.org/2uMzgs8> [Share with Kavanope GIF]

Sample Twitter Posts

Brett Kavanaugh's nomination to #SCOTUS places Roe v. Wade and the ACA in danger. These laws include protections that women and families across the country rely on--we can't let Trump put them at risk. Call your senators now. #StopKavanaugh #SaveSCOTUS <https://on.nwlc.org/2JbNPuI>

Supreme Court Justices hold their seats for LIFE, and whoever fills this empty seat will be a decision-maker for decades. Tell your senators: We can't let the next justice be anti-women like Kavanaugh. #StopKavanaugh #SaveSCOTUS <https://on.nwlc.org/2uulzxQ>

Kavanaugh's judicial opinions, NOT his canned talking points, give us the clearest picture of the kind of justice he'd be: an anti-Roe, anti-ACA extremist who could roll back rights for generations of women and families. Urge your senators to act. #StopKavanaugh #SaveSCOTUS <https://on.nwlc.org/2uulzxQ>

THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

We've sent anti-women #SCOTUS nominees packing before, and we can do it again. Step 1: Pick up the phone and call your senators. Step 2: Ask your friends and family to do the same. The time to be heard is NOW. #StopKavanaugh #SaveSCOTUS [Share with call in GIF]

We can't afford to lose Roe v. Wade and the ACA. Millions of people across the country depend on the fundamental rights they protect. Remind your senators that a vote to confirm Kavanaugh is a vote to endanger your rights. #StopKavanaugh #SaveSCOTUS <https://on.nwlc.org/2JbNPuI>

Sample Instagram Posts

[Share with Kavanaugh record image] Kavanaugh's judicial opinions, NOT his canned talking points, give us the clearest picture of the kind of justice he'd be: an anti-Roe, anti-ACA extremist who could roll back rights for generations of women and families. Urge your senators to act.

[Share with call in video] We've sent extremist anti-women #SCOTUS nominees packing before, and we can do it again. Step 1: Pick up the phone and call your senators. Step 2: Ask your friends and family to do the same. The time to be heard is NOW.



You can download these graphics and others at www.nwlc.org/SCOTUSsocial.

Donate and Raise Money for the Fight

Your support sustains our work, fueling our capacity to do the research, strategic communication, and mobilization needed to win.

In addition to directly donating at www.nwlc.org/SCOTUSdonate, you can ask your networks, friends, families and community members to support this critical fight too.

Host Friend-Raisers and House Parties to Increase the Impact of Your Support

Events are some of the best ways to bring people together to raise money. Here are some of the most important steps for hosting a successful fundraiser:

- 1.** Make the party/gathering fun and intimate!
- 2.** Be sure to have the right people in the room — inviting people to the event personally is important.
- 3.** Set a goal — everyone wants to be a part of reaching it and making a difference.
- 4.** Make a concrete ask! There will be a moment when the host makes a pitch for support.
- 5.** Talk to everyone in the room at the party.
- 6.** Be sure to follow up and send thank-yous after the event.

For assistance in holding your own fundraiser to support the National Women's Law Center's work to stop Judge Brett Kavanaugh's nomination, please contact our development team at give@nwlc.org.

»» How to Start a Facebook Fundraiser

1. Login to Facebook.

We know, obvious, but hey, we're just being thorough!

2. Navigate to the “Fundraisers” section.

You can find this on the lefthand side of your screen on desktop, or if you're on mobile, click on the hamburger button (the three lines) on the bottom right hand of your screen and then scroll down to the “Fundraisers” section.

3. Start your fundraiser.

- > First, click on the “Raise Money” button on the top of your screen.
- > Select “Nonprofit” and search for “National Women’s Law Center.”
- > Choose how much money you'd like to raise and set a deadline.

4. Give your fundraiser a title and description.

Need some help? Here are some samples you can use:

Title: Help me raise money to fight for our rights!

Description: Everything is on the line at the Supreme Court and we have to fight together!

Title: I'm raising money to stop Trump's extreme Supreme Court nominee!

Description: It will take all of us to stop Judge Brett Kavanaugh from being confirmed to the Supreme Court.

Your fundraiser will be best when it comes from the heart — so feel free to come up with your own reasons for why you're fundraising (we also love to read why you're a supporter)!

THE FIGHT TO SAVE WOMEN'S RIGHTS: A Supreme Court Toolkit

5. Pick a photo.

We've got some great photos already on Facebook you can choose from, but feel free to personalize with your own photo.

6. Share with your friends.

Don't let your hard work go to waste! Ask your friends to support your fundraiser too.

7. Receive our eternal gratitude.

Okay, this last one isn't a step — but we're so grateful that we can count you as our supporter in this fight. Thank you for having our back — and know that we've got yours.



**NATIONAL WOMEN'S
LAW CENTER**

Stop Kavanaugh

FIGHT
SAFE, LEGAL
ABORTION

**PROTECT
SAFE, LEGAL
ABORTION**

**JUSTICE FOR
JUSTICE**



**NATIONAL
WOMEN'S
LAW CENTER**
EXPANDING THE POSSIBILITIES

**11 Dupont Circle, Suite 800
Washington, DC 20036
202.588.5180 | fax 202.588.5185
www.nwlc.org**



Save SCOTUS

Planned Parenthood Action