



Lee Rudofsky

President Trump nominated Lee Rudofsky to serve on the United States Court of Appeals for the Eighth Circuit on August 18, 2026.

Career¹

- Bachelor of Science, Cornell University, 2001
- Master of Public Administration, Cornell Institute of Public Affairs, 2002
- Juris Doctor, Harvard Law School, 2005
- Law Clerk, United States Senate Judiciary Committee, 2005
- Law Clerk to the Hon. Robert Cordy, Supreme Judicial Court of Massachusetts, 2005-2006
- Law Clerk to the Hon. Andrew Kleinfeld, 9th Circuit Court of Appeals, 2006-2007
- Adjunct Professor, George Mason University School of Law, 2009
- Associate, Kirkland & Ellis, LLP, 2007-2009
- Associate, Borgeson & Burns, PC, 2009
- Steve Poizner for Governor Campaign, 2010
 - Deputy General Counsel
 - Acting General Counsel
- Associate, Kirkland & Ellis, LLP, 2010-2012
- Romney for President, 2012
 - Deputy General Counsel
 - Director of Legal Election Day Operations
- Senior Associate, Kirkland & Ellis, LLP, 2013-2014
- Assistant General Counsel, Corporate Affairs & Government Relations, Walmart, 2014-2015
- Solicitor General, Office of the Arkansas Attorney General, 2015-2018
- Adjunct Professor, University of Arkansas School of Law, 2017-2019
- Senior Director, Global Anti-Corruption Compliance Team, Walmart, 2018-2019
- District Judge, U.S. District Court for the Eastern District of Arkansas, 2019-present

Record on Reproductive Freedom

Defended Abortion Bans and Restrictions

- During his time as the Arkansas Solicitor General, Rudofsky defended various abortion restrictions:
 - Rudofsky defended the Arkansas abortion restriction that banned people from accessing abortion care after twelve weeks.² The district court found that the ban was unconstitutional because, under the legal framework under *Roe v. Wade*, it “impermissibly infringe[ed] a woman's Fourteenth Amendment right to

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elect to terminate a pregnancy before viability.”³ The case was appealed to the Eighth Circuit, which affirmed the lower court’s decision that the ban “violated a woman’s due process right to choose to terminate her pregnancy.”⁴

- Rudofsky also defended legislation to impose medically unnecessary and burdensome requirements on providers who prescribe abortion medication, including that they have a contract with another doctor who maintains hospital admitting privileges. Planned Parenthood of Arkansas and Eastern Oklahoma challenged the restrictive law, arguing that it would create burdensome requirements for physicians providing care and patients seeking care, making access to abortion in Arkansas inaccessible for many. The case was eventually appealed to the Eighth Circuit, which upheld the law undermining access to abortion care in Arkansas.⁵

Defended Efforts to Defund Planned Parenthood

- In his role as the Arkansas Solicitor General, Rudofsky endorsed and defended efforts to defund Planned Parenthood:
 - Rudofsky defended the Arkansas Department of Human Services in their efforts to terminate Medicaid provider agreements with Planned Parenthood affiliates.⁶ Eliminating Medicaid funding to Planned Parenthood would have left many patients without access to health care, or with limited to no choice in providers. The case was eventually appealed to the Eighth Circuit, which rejected Rudofsky’s arguments and prevented the termination of Medicaid provider agreements with Planned Parenthood affiliates.⁷
 - Rudofsky also led an amicus brief on behalf of Arkansas and 14 other states supporting efforts to terminate Medicaid provider agreements with Planned Parenthood affiliates in Texas. This effort would have resulted in a reproductive health care desert, leaving many patients without access to affordable reproductive health care.⁸

Public Commentary Against Reproductive Freedom

- Rudofsky, as the Arkansas Solicitor General, publicized his anti-reproductive freedom views as a guest on a Federalist Society podcast. In the podcast, Rudofsky stated that being forced to travel long distances or experiencing long wait times to receive medical care was “annoying” but did not amount to a substantial obstacle to a pregnant person exercising their right to access abortion care.⁹

Support for Anti-Abortion Judicial Nominees

- Rudofsky signed onto letters to the Senate Judiciary Committee supporting the confirmation of several of President Trump’s anti-reproductive freedom judicial

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nominees, including Eric Murphy, Andrew Brasher, Britt Grant, Patrick Wyrick, Campbell Barker, Kyle Duncan, Andrew Oldham, Jeff Mateer and, Brett Talley.¹⁰

Affiliation with Anti-Reproductive Freedom Organizations

- Rudofsky was endorsed by the **Family Council** during his 2019 nomination¹¹ to the Eastern District of Arkansas and during his 2026 nomination to the Eighth Circuit.¹²
 - The Family Council is an anti-abortion, anti-LGBTQ+, conservative education and research organization based in Arkansas. Family Council advocates for abortion bans and other abortion restrictions through spreading anti-reproductive freedom rhetoric.¹³
- Rudofsky has been a member of the **Federalist Society** since 2002.¹⁴
 - The Federalist Society is a well-funded, conservative legal network that exerts influence through law schools, professional networks, conferences, and over the judiciary at large. It serves as a talent and influence pipeline for the conservative movement to help cultivate young lawyers and pack the courts with judges who will execute their unpopular agenda, which includes undermining reproductive freedom.

Record on Intersectional Commitments

Democracy and Voting Rights: As a judge for the Eastern District of Arkansas, Rudofsky authored an unprecedented decision in a Voting Rights Act (VRA) lawsuit.¹⁵ He shielded the Arkansas House of Representatives from repercussions following the 2021 Arkansas reapportionment plan that would have diluted Black voting strength in several regions of Arkansas¹⁶ and argued that Section 2 of the VRA was reserved for the Attorney General of the United States.¹⁷ Rudofsky's decision threatened the future of the VRA and the type of lawsuits that may be filed by private actors, setting a precedent that had not previously been reflected in any other jurisdiction.¹⁸

LGBTQIA+ Equality: While Solicitor General for the Arkansas Attorney General, Rudofsky was a staunch opponent of LGBTQIA+ equality:

- Rudofsky defended the Arkansas Department of Health in their efforts to undermine the rights of same-sex parents by refusing to list both parents on a child's birth certificate.¹⁹ The Supreme Court rejected Rudofsky's arguments and reaffirmed the rights affirmed by *Obergefell v. Hodges*.²⁰
- Rudofsky signed an amicus brief²¹ on behalf of Arkansas defending a Washington flower shop's business practices that overtly discriminated against same-sex couples.²²

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Gender Justice: As Solicitor General for the Arkansas Attorney General, Rudofsky signed an amicus brief on behalf of Arkansas supporting a state university's claim that the school was immune from Title IX lawsuits.²³ Title IX protects all students from discrimination based on sex and gender, including sexual assault harassment. The Eighth Circuit ultimately rejected the university's arguments.²⁴ Had the court agreed with the Arkansas university, students may not have been able to sue their schools for money damages for violating their rights by mishandling sexual assault reports.

Immigrant Rights: While Rudofsky was Solicitor General, the Arkansas Attorney General signed multiple briefs opposing the implementation of the Deferred Action for Parents of Americans (DAPA) program and the expansion of the Deferred Action for Childhood Arrivals (DACA) program – programs designed to protect immigrant children and their parents.²⁵

Racial Justice: As a judge for the Eastern District of Arkansas, Rudofsky endorsed the Arkansas Secretary of Education's removal of an African American Studies course under the guise of protecting students from alleged "indoctrination."²⁶ Rudofsky's decision greenlighted efforts to deprive students of the opportunity to learn more about the comprehensive history of marginalized communities.

¹ Lee Rudofsky, Questionnaire for Judicial Nominees, United States Senate Committee on the Judiciary (Sept. 3, 2026).

² *Edwards v. Beck*, 8 F.Supp.3d 1091 (E.D.Ark., 2014).

³ *Id.* at 1097.

⁴ *Edwards v. Beck*, 786 F.3d 1113 (8th Cir. 2015).

⁵ *Planned Parenthood Arkansas & Eastern Oklahoma v. Jegley*, 864 F. 3d 953 (8th Cir. 2017).

⁶ *Planned Parenthood Arkansas & Eastern Oklahoma v. Selig*, 313 F.R.D. 81 (E.D.Ark., 2016).

⁷ *Does v. Gillespie*, 867 F.3d 1034 (C.A.8 (Ark.), 2017).

⁸ Brief of Amici Curiae State of Arkansas and 14 Other States, *Planned Parenthood of Greater Texas Family Planning and Preventative Health Services, Inc. v. Smith*, 236 F.Supp.3d 974 (W.D.Tex., 2017).

⁹ Litigation and Religious Liberties Practice Groups Podcast, *The Texas Abortion Case in the Supreme Court: Whole Woman's Health v. Hellerstedt Oral Argument Preview - Podcast* (The Federalist Society, Mar. 1, 2016), <https://fedsoc.org/commentary/podcasts/the-texas-abortion-case-in-the-supreme-court-whole-woman-s-health-v-hellerstedt-oral-argument-preview-podcast>.

¹⁰ Lee Rudofsky, Questionnaire for Judicial Nominees, P. 15, United States Senate Committee on the Judiciary (Sept. 3, 2026); Lee Rudofsky, Questionnaire for Judicial Nominees, p. 15, United States Senate Committee on the Judiciary (July. 2019).

¹¹ Jerry Cox, *Family Council Pleased With Nomination of Arkansas Attorney Lee Rudofsky to Federal Bench*, Family Council (Jul. 1, 2019), <https://familycouncil.org/2019/07/01/family-council-pleased-with-nomination-of-arkansas-attorney-lee-rudofsky-to-federal-bench/>.

¹² Jerry Cox, *President Trump to Nominate Arkansas Federal Judge Lee Rudofsky for Eighth Circuit*, Family Council (Aug. 12, 2026), <https://familycouncil.org/2026/08/12/president-trump-to-nominate-arkansas-federal-judge-lee-rudofsky-for-eighth-circuit/>.

¹³ See Austin Gelder, *Family Council takes aim at abortion pills by mail*, The Arkansas Times (Jun. 12, 2026), <https://arktimes.com/arkansas-blog/2026/06/12/family-council-takes-aim-at-abortion-pills-by-mail>.

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¹⁴ Lee Rudofsky, Questionnaire for Judicial Nominees, p. 13, United States Senate Committee on the Judiciary (Sept. 3, 2026).

¹⁵ *Arkansas State Conference NAACP v. Arkansas Board of Apportionment*, 586 F.Supp.3d 893 (E.D.Ark., 2022).

¹⁶ *Id.* at 896.

¹⁷ *Id.* at 924.

¹⁸ *NAACP v. Arkansas Board of Apportionment*, The American Civil Liberties Union (Jan. 30, 2024), <https://www.aclu.org/cases/naacp-v-arkansas-board-of-apportionment>.

¹⁹ Lee Rudofsky, Questionnaire for Judicial Nominees, p. 81, United States Senate Committee on the Judiciary (Sept. 3, 2026).

²⁰ *Pavan v. Smith*, 582 U.S. 563, 137 S. Ct. 2075, 198 L. Ed. 2d 636 (2017).

²¹ Brief of Amici Curiae State of Arkansas and 13 Other States, *Arlene's Flowers, Inc. v. Washington*, 141 S. Ct. 2884, 210 L. Ed. 2d 991 (2021).

²² *Arlene's Flowers, Inc. v. Washington*, 141 S. Ct. 2884, 210 L. Ed. 2d 991 (2021).

²³ Amicus Curiae Brief of the States of Arkansas, Arizona, Kansas, Louisiana, Nebraska, South Carolina and Texas in Support of Appellants and in Support of Reversal, *Fryberger v. Univ. of Arkansas*, 889 F.3d 471 (8th Cir. 2018).

²⁴ *Fryberger v. Univ. of Arkansas*, 889 F.3d 471 (8th Cir. 2018).

²⁵ Brief for the State Respondents, *United States v. Texas*, No. 15-674 (2016); Brief in Opposition, *United States v. Texas*, No. 15-674 (2016).

²⁶ *Walls v. Sanders*, 760 F.Supp.3d 766 (E.D.Ark., 2024).