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Gorsuch hearings show him as careful, folksy, testy at times

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Associated Press

WASHINGTON (AP) - Nominees appearing before the Senate all have one goal in mind: Win confirmation. And when one party controls the Senate and the White House, the strategy of saying as little as possible doesn't vary much. But because Supreme Court nominees spend several long days in televised hearings, they still manage to reveal a few things about themselves, professionally and personally.

Here are a few things we learned about Judge Neil Gorsuch, President Donald Trump's pick for the high court:

A DELIBERATE MANNER

Gorsuch was careful in his phrasing, rarely appeared to allow his pulse to quicken and steadfastly refused the many Democratic attempts to get him to talk about abortion, guns, campaign finance and a host of key issues in a way that might signal how he'd rule on the Supreme Court. "If I did make a bunch of campaign promises here, what's that mean to the independent judiciary?" he said.

MAKING UP HIS MIND

A judge on the 10th U.S. Circuit Court of Appeals in Denver since 2006, Gorsuch described how he comes to decisions, starting with past decisions, or precedent. "It's the anchor of the law, it's the starting place for a judge," Gorsuch said, noting he is one of the authors of "The Law of Judicial Precedent." Democrats, though, seemed more interested in knowing when Gorsuch might decide a past decision needs to be jettisoned, and which ones in particular. He would not go into specifics, but listed some factors to consider, including "the age of the precedent, how often it's been reaffirmed, the reliance interests surrounding it, whether it was correctly decided, whether it was constitutional versus statutory."

WILLING TO APOLOGIZE

Shortly after Gorsuch's final day of testimony began, a unanimous Supreme Court ruled public schools must do more for learning-disabled students than Gorsuch's 10th Circuit had deemed sufficient. The opinion by Chief Justice John Roberts took aim at a phrase from an earlier case that Gorsuch himself wrote about minimum standards. "Merely more than de minimis progress" doesn't cut it, Roberts wrote. Democrats seized on the ruling because it seemed to play into their attack on Gorsuch as too often against the little guy. "If I was wrong, senator, I was wrong because I was bound by circuit precedent and I'm sorry," Gorsuch said when Sen. Richard Durbin of Illinois asked him about the ruling.

THE LAST NOMINEE, WHAT WAS HIS NAME?

Democrats remain upset about how their Republican counterparts treated Judge Merrick Garland when he was nominated to the Supreme Court by President Barack Obama after Justice Antonin Scalia died. Gorsuch would fill the same seat because the GOP blocked Garland. Gorsuch praised Garland at several points, but he cited the need to remain above the political fray in resisting Democrats' invitation to assess the treatment of a fellow judge. "Senator, I appreciate the invitation. But I know the other side has their views of this, and your side has your views of it. That by definition is politics," Gorsuch told Sen. Al Franken of Minnesota.

OLD SCHOOL? MAYBE. OLD SCHOOLS? FOR SURE.

He has degrees from the some of the best, and oldest, schools - Columbia, Harvard and Oxford - a Supreme Court clerkship, more than 10 years as a federal judge and a couple of books to his name. Even Democrats critical of his record acknowledged that Gorsuch has an enviable resume.

IN THE BLACK ROBE, FROM DENVER, COLORADO...

The judge's robe - honest, black polyester, he said - got a lot of air play. "Putting on a robe reminds us judges that it's time to lose our egos and open our minds," Gorsuch said in his opening statement and repeated in one form or another on several occasions.

DISARMING, BUT STILL CAN RUMBLE

Gorsuch was endlessly charming with Republicans. "Maybe it's a Western thing," Gorsuch, a native of Colorado, said in an admiring riff on a civics education project begun by retired Justice Sandra Day O'Connor, of Arizona. He was occasionally testy with Democrats. "I don't appreciate ... when people characterize me, as I'm sure you don't appreciate it when people characterize you. I like to speak for myself. I am a judge. I am my own man," he said in another exchange with Franken.

GOODNESS, GOSH, GOLLY

Some decidedly old-fashioned words and phrases made repeated appearances in Gorsuch's opening remarks and answers to questions. "Goodness no, senator." "Oh goodness, senator. Yes." And Gorsuch also was pleased to explain mutton busting to rodeo neophytes. "You take a poor little kid, you find a sheep and you attach the one to the other and see how long they can hold off," he said, admitting that teenage daughters Emma and Belinda had taken their turns atop a sheep. The daughters were not at the hearing, but Gorsuch's wife, Louise, was a constant presence.

A BIGLY HOMAGE

Gorsuch was describing the most prominent signature on the Declaration of Independence with a word of more recent vintage. "No one remembers who John Hancock was but they know that that's his signature, because he wrote his name so bigly, big and boldly," Gorsuch said.

The reaction was immediate. "You just said 'bigly,'" noted Sen. Ben Sasse of Nebraska, as the room filled with laughter.

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