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**Research Summary of**  
**Zachary M. Bluestone**  
**Judicial Nominee to the U.S. District Court for the Eastern District of Missouri**

**Age:** 39 (born in Chesterfield, Mo.)

2021 – Present: Appellate Chief, Eastern District of Missouri, U.S. Attorney’s Office

2020 – Present: Assistant U.S. Attorney, Violent Crimes Unit, Eastern District of Missouri, U.S. Attorney’s Office

2020: Special Assistant Attorney General, Missouri Attorney General’s Office

2018 – 2020: Deputy Solicitor General of Missouri, Missouri Attorney General’s Office

2016 – 2018: Law Clerk, The Hon. Raymond W. Gruender, U.S. Court of Appeals for the Eighth Circuit

Education: Harvard Law School (J.D.) 2016; University of Oxford (MBA) 2011; Georgetown University (B.S., Foreign Service) 2009.

**Judicial Philosophy & Separation of Powers:**

- Bluestone and colleagues argued that Missouri’s union reform bill, which required labor agreements to prohibit public-sector employees from striking or picketing, punishable by employment termination, did not violate any speech protections because the “speech” about employment conditions, in the form of picketing, was not speech of “public concern.”
  - Bluestone and his co-counsel explained, “*Even if public-employee picketing about an employment dispute touched on a matter of public concern, the state’s interest in avoiding the disruption associated with labor picketing outweighs any free-speech interest.*”<sup>2</sup>
  - After the trial court ruled that the picketing restrictions were unlawful restrictions on speech, the Missouri Supreme Court affirmed, holding that the picketing restrictions were too broad, even prohibiting speech that might not interfere with state services.<sup>3</sup>

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<sup>1</sup> This research summary was produced through a coalition research cooperative between AFA Action’s Center for Judicial Renewal and Judicial Action Group.

<sup>2</sup> Brief of Appellants, *Mo. Dep’t of Labor & Indus. Rels. v. Karney*, 2019 Mo. S. Ct. Briefs Lexis 360 (Mo. 2019), <https://www.courts.mo.gov/file.jsp?id=147294>, at PDF p. 28 (emphasis added).

<sup>3</sup> *Mo. Dep’t of Labor & Indus. Rels. v. Karney*, 2019 Mo. S. Ct. Briefs Lexis 360 (Mo. 2019), <https://law.justia.com/cases/missouri/supreme-court/2020/sc97833.html#:~:text=Department%20of%20Labor%20%26%20Industrial%20Relations,-Annotate%20this%20Case&text=The%20Supreme%20Court%20affirmed%20the,Rev>, at PDF p. 15.

- Bluestone argued that because a Missouri statute about right to counsel is ambiguous as to whether the arrested has a right to privately consult with his attorney, the Court should only consider the plain language of the statute.
  - Bluestone and then Attorney General Hawley argued, “‘[C]ourts must give effect to [a statute’s] plain meaning and refrain from applying rules of construction unless there is some ambiguity.’ *Ross*, 311 S.W.3d at 735. *Roesing* does not suggest that section 577.041.1 is ambiguous, and indeed, this provision clearly defines a limited right ‘to attempt to contact an attorney.’ Thus, the Court need proceed no further than the plain text to resolve this case.”<sup>4</sup>
  - Additionally, Bluestone argued that the Court should not imply any statutory right of private consultation because doing so would be a usurpation of legislative power, writing, “*Courts must not engage in ‘[a]d hoc judicial discovery of implied statutory rights’ because such an approach would impinge on the purview of the legislature.*”<sup>5</sup>
- Bluestone and colleagues defended Missouri’s regulation on alcohol distribution that prohibited unlicensed out-of-state retailers from shipping wine to local consumers.<sup>6</sup>
  - In response to opposing claims that the restriction on alcohol distribution violated the Privileges and Immunities Clause, Bluestone and his co-counsel argued that *the alcohol distribution restriction “advances vital state interests” and “promotes responsible alcohol consumption” and “moderation.”*<sup>7</sup>
  - They also stated, “The district court correctly found that ‘the privilege of engaging in the occupation of selling alcohol is not protected by the Privileges and Immunities Clause.’”<sup>8</sup>
  - Ultimately, the Eighth Circuit affirmed and ruled in Bluestone’s favor.<sup>9</sup>

**Faith & the Public Square:** No information has been located on this topic.

**Religious Liberty:** No information has been located on this topic.

**Sanctity of Life:**

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<sup>4</sup> Respondent’s Substitute Brief, *Roesing v. Dir. of Revenue*, 573 S.W.3d 634 (Mo. 2019), <https://www.courts.mo.gov/file.jsp?id=134373>, at PDF p. 15-16 (emphasis added).

<sup>5</sup> Respondent’s Substitute Brief, *Roesing v. Dir. of Revenue*, 573 S.W.3d 634 (Mo. 2019), <https://www.courts.mo.gov/file.jsp?id=134373>, at PDF p. 19-20 (emphasis added).

<sup>6</sup> Brief of Appellees, *Sarasota Wine Mkt., LLC v. Schmitt*, 987 F.3d 1171 (8th Cir. 2021), <https://law.indiana.edu/instruction/tanford/litigation/Mo-StateBrief.pdf>, at PDF p. 2.

<sup>7</sup> Brief of Appellees, *Sarasota Wine Mkt., LLC v. Schmitt*, 987 F.3d 1171 (8th Cir. 2021), <https://law.indiana.edu/instruction/tanford/litigation/Mo-StateBrief.pdf>, at PDF p. 2, 20 (emphasis added).

<sup>8</sup> Brief of Appellees, *Sarasota Wine Mkt., LLC v. Schmitt*, 987 F.3d 1171 (8th Cir. 2021), <https://law.indiana.edu/instruction/tanford/litigation/Mo-StateBrief.pdf>, at PDF p. 49.

<sup>9</sup> *Sarasota Wine Mkt., LLC v. Schmitt*, 987 F.3d 1171 (8th Cir. 2021), <https://law.justia.com/cases/federal/appellate-courts/ca8/19-1948/19-1948-2021-02-16.html>.

- Bluestone prosecuted a criminal case against Cornelius Green for the murder of his pregnant girlfriend and their unborn child.<sup>10</sup>
  - Ultimately, Green pleaded guilty and was sentenced to two consecutive life terms in prison.<sup>11</sup>
- Bluestone “participated in the moot-court process for the Solicitor’s General argument” in *Bucklew v. Precythe*.<sup>12</sup>
  - In *Bucklew v. Precythe*, the court considered whether a lethal injection would be considered a “cruel and unusual punishment” under the Eighth Amendment, considering the inmate had a “unique congenital medical condition” that could lead to a hemorrhage and cause him to choke on his blood once injected.<sup>13</sup>
  - Missouri’s Solicitor General John Sauer argued that the lethal injection was the “most humane and effective method of execution” and that no horrific medical circumstances would occur.<sup>14</sup>

**LGBT Issues:** No information has been located on this topic.

### **Faith & Worldview:**

- In 2021, Bluestone was a panelist for a discussion titled, “Being Happy as a Lawyer,” for the Collegium Institute for Catholic Thought & Culture.<sup>15</sup>
- Bluestone is married, and his wife is a non-equity partner at a law firm.<sup>16</sup>
  - Bluestone and his wife are “active supporters” of Almost Home, a nonprofit organization that helps young, impoverished mothers keep and care for their children.<sup>17</sup>

### **Second Amendment:**

- Bluestone participated in a challenge to a University of Missouri rule that categorically prohibited all firearms on campus.
  - More specifically, Bluestone “oversaw all aspects of the case on the as-applied constitutional challenges” and “drafted the State’s proposed findings of fact and conclusions of law.”<sup>18</sup>

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<sup>10</sup> *Former St. Louis School Principal Sentenced to Two Consecutive Life Terms in Prison for Teacher’s Murder*, E. DIST. OF MO., U.S. ATT’Y OFF. (June 25, 2024), <https://www.justice.gov/usao-edmo/pr/former-st-louis-school-principal-sentenced-two-consecutive-life-terms-prison-teachers>.

<sup>11</sup> *Former St. Louis School Principal Sentenced to Two Consecutive Life Terms in Prison for Teacher’s Murder*, E. DIST. OF MO., U.S. ATT’Y OFF. (June 25, 2024), <https://www.justice.gov/usao-edmo/pr/former-st-louis-school-principal-sentenced-two-consecutive-life-terms-prison-teachers>.

<sup>12</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 22.

<sup>13</sup> *Bucklew v. Precythe*, 587 U.S. 119 (2019), <https://www.oyez.org/cases/2018/17-8151>.

<sup>14</sup> Oral Argument, *Bucklew v. Precythe*, 587 U.S. 119 (2019), <https://www.oyez.org/cases/2018/17-8151>, at 26:54.

<sup>15</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 15.

<sup>16</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 34.

<sup>17</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 34.

<sup>18</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 30.

- The state asserted that the firearm regulation failed to pass the “strict scrutiny standard” and undermined the state’s constitutional right to bear arms.<sup>19</sup>

**Educational Opportunity:** No information has been located on this topic.

**Administrative State:** No information has been located on this topic.

**History of Commitment to Causes:**

- Bluestone is a 2017 James Wilson Fellow and the first James Wilson Fellow to be nominated for a federal judgeship.<sup>20</sup>
  - The James Wilson Institute is a legal organization whose mission is to “restore the American Founders’ understanding of the moral grounds of our rights”<sup>21</sup> and to “inspire a new generation to discover anew our Nation’s absolute truths.”<sup>22</sup>
  - The Institute mentioned that Bluestone was “interested in foreign relations and national security law and related *separation-of-powers issues*.”<sup>23</sup>
- Bluestone is a contributor to the Federalist Society.<sup>24</sup>
- While serving under former Missouri Attorney General Josh Hawley as Deputy Solicitor General, Bluestone was involved in Hawley’s “Federalism Unit.”<sup>25</sup>
  - Hawley’s Federalism Unit aimed to limit federal regulation of and interference with state affairs. More specifically, the unit attacked progressive federal initiatives, such as the Affordable Care Act, Obamacare, Obama’s “critical habitat” regulations under the Endangered Species Act, and transgender bathroom policy.<sup>26</sup>

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<sup>19</sup> Reply Brief, *Missouri v. Choi*, 627 S.W.3d 1 (Mo. Ct. App. 2021), [https://plus.lexis.com/f/Attachment/data/V1.215.37891.00500000EYOG2R.1?attachmentType=PDF&attachmentName=OriginalSourceImage&origination=undefined&sequenceNumber=undefined&isHotDoc=false&title=Original\\_Source\\_Image](https://plus.lexis.com/f/Attachment/data/V1.215.37891.00500000EYOG2R.1?attachmentType=PDF&attachmentName=OriginalSourceImage&origination=undefined&sequenceNumber=undefined&isHotDoc=false&title=Original_Source_Image), at PDF p. 11-12.

<sup>20</sup> Zachary Bluestone '17 Becomes First JWI Fellow Nominated for Federal Judgeship!, JAMES WILSON INST. (May 8, 2025), <https://www.jameswilsoninstitute.org/articles/zachary-bluestone-17-becomes-first-jwi-fellow-nominated-for-federal-judgeship>.

<sup>21</sup> *Our Mission*, JAMES WILSON INST., <https://www.jameswilsoninstitute.org/mission> (last visited May 27, 2025).

<sup>22</sup> *Our Mission*, JAMES WILSON INST., <https://www.jameswilsoninstitute.org/mission> (last visited May 27, 2025).

<sup>23</sup> Zach Bluestone, JAMES WILSON INST., <https://www.jameswilsoninstitute.org/zack-bluestone> (last visited May 27, 2025).

<sup>24</sup> Zach Bluestone, FEDERALIST SOC’Y, <https://fedsoc.org/contributors/zack-bluestone> (last visited May 19, 2025).

<sup>25</sup> Zachary Bluestone, ALL. FOR JUST., <https://afj.org/wp-content/uploads/2025/05/Unqualified-Unacceptable-Zachary-Bluestone-Factsheet.pdf> (last visited May 28, 2025).

<sup>26</sup> Jack Suntrup, *How Josh Hawley shook up the Missouri attorney general's office - and what happened next*, ST. LOUIS POST DISPATCH (Oct. 21, 2018), [https://www.stltoday.com/news/local/state-and-regional/how-josh-hawley-shook-up-the-missouri-attorney-generals-office-and-what-happened-next/article\\_28d323ab-5d76-564d-8f24-0f3743116812.html](https://www.stltoday.com/news/local/state-and-regional/how-josh-hawley-shook-up-the-missouri-attorney-generals-office-and-what-happened-next/article_28d323ab-5d76-564d-8f24-0f3743116812.html). See also Jason Hancock, *Missouri’s attorney general sues Trump to help Trump*, KANSAS CITY STAR (Mar. 25, 2017), <https://www.kansascity.com/news/politics-government/article140682468.html>.

- In a Harvard Law article, Bluestone examined the evolution of the presidential candidate selection process from America's founding to today, while also sharing personal recommendations on how he believes the nomination process can improve.<sup>27</sup>
  - Starting from America's founding, Bluestone discussed how the presidential selection process has transformed throughout America's history.<sup>28</sup>
  - Bluestone concluded the article by explaining ways the selection process can improve. Hi
    - After providing context about a 2011 Missouri primary election in a mixed primary-caucus-convention system in which Missouri unsuccessfully tried to include Republican-only caucuses, Bluestone argued "***the first goalpost of reform is that some additional degree of regulation by some authority remains necessary if the American candidate-selection process is to promote the fundamental goal of free and fair elections,***" but added "government-driven regulation cannot alone remedy the remaining woes of candidate selection—at least not under the current system of partisan nominations. Advocates of reform must bear in mind that there are important limits to state and federal regulatory authority over party nominations and that the rights of participants in primaries and caucuses differ from those of general-election voters."<sup>29</sup>
- Bluestone has said, "***I'm particularly drawn to appellate advocacy*** because it involves a deeper engagement with legal issues, greater precision, and more carefully crafted arguments."<sup>30</sup>
- In 2018, Bluestone signed a letter to Senate Judiciary Committee Chairman Chuck Grassley in support of Justice Kavanaugh's Supreme Court nomination.<sup>31</sup>
  - Bluestone was a former student of Justice Kavanaugh at Harvard Law.<sup>32</sup>

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<sup>27</sup> Zachary Bluestone, *The Unscripted Evolution of Presidential Nominations: From Founding-Era Idealism to the Dominance of Party Primaries*, 39 HARV. J.L. & PUB. POL'Y 963 (2016), [https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2010/01/39\\_3\\_Bluestone\\_F.pdf](https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2010/01/39_3_Bluestone_F.pdf), at PDF p. 36-37.

<sup>28</sup> Zachary Bluestone, *The Unscripted Evolution of Presidential Nominations: From Founding-Era Idealism to the Dominance of Party Primaries*, 39 HARV. J.L. & PUB. POL'Y 963 (2016), [https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2010/01/39\\_3\\_Bluestone\\_F.pdf](https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2010/01/39_3_Bluestone_F.pdf), at PDF p. 4.

<sup>29</sup> Zachary Bluestone, *The Unscripted Evolution of Presidential Nominations: From Founding-Era Idealism to the Dominance of Party Primaries*, 39 HARV. J.L. & PUB. POL'Y 963 (2016), [https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2010/01/39\\_3\\_Bluestone\\_F.pdf](https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2010/01/39_3_Bluestone_F.pdf), at PDF p. 31 (emphasis added).

<sup>30</sup> *Missouri lawyers selected for appellate advocacy awards*, MO. BAR (Aug. 26, 2020), <https://news.mobar.org/missouri-lawyers-selected-for-appellate-advocacy-awards/> (emphasis added).

<sup>31</sup> Letter to Chairman Grassley & Ranking Member Feinstein in Support of Judge Kavanaugh (July 19, 2018), <https://int.nyt.com/data/documenthelper/90-2018-07-19-kavanaugh-law-stude/aa5695e99a3c0bf41d13/optimized/full.pdf>, at PDF p. 1-2.

<sup>32</sup> Letter to Chairman Grassley & Ranking Member Feinstein in Support of Judge Kavanaugh (July 19, 2018), <https://int.nyt.com/data/documenthelper/90-2018-07-19-kavanaugh-law-stude/aa5695e99a3c0bf41d13/optimized/full.pdf>, at PDF p. 1-2.

- In 2025, Bluestone signed a letter to Senate Judiciary Committee Chairman Chuck Grassley in support of John Sauer’s nomination to serve as Solicitor General of the United States.<sup>33</sup>
- Bluestone has performed several hours of pro-bono service working with the Department of Defense, the Senate, and White & Case. Through this pro-bono work, Bluestone has represented a women's college, a rabbi, and an education nonprofit working in Africa.<sup>34</sup>
  - In 2016, Bluestone received the Harvard Law School Graduation Recognition award for 1,000+ Hours of Pro Bono Service.<sup>35</sup>
- Bluestone volunteered for Tom Cotton for Senate, Pete Snyder for Lieutenant Governor, Romney for President, Jim Talent for Senate, and for Bush-Cheney ‘04.<sup>36</sup>
- While in school in 2016, Bluestone served as legal fellow for Republican U.S. Senator Orrin G. Hatch.<sup>37</sup>

### **Government Overreach:**

- Bluestone defended official immunity for public defenders in a case before the Missouri Supreme Court that he deems one of his “favorite cases.”<sup>38</sup>
  - The Missouri Supreme Court “held that Missouri public defenders are entitled to official immunity for conduct related to their representation of indigent defendants and rewrote official-immunity doctrine.”<sup>39</sup>
  - Regarding the case, Bluestone said, ***“I am proud to have helped ensure that public defenders are not exposed to unwarranted liability for the important work they do and to have saved taxpayers millions of dollars through reduced exposure for the State Legal Expense Fund.”***<sup>40</sup>
- Bluestone argued that Amendment Two of Missouri’s constitution which prohibited political action committees (“PACs”) from transferring money to other PACs was valid because it “serve[d] a sufficiently important interest” through the least restrictive means.<sup>41</sup>
  - In the petition for certiorari, Bluestone and colleagues asserted, “The PAC-to-PAC transfer prohibition directly advances the State’s interest in preventing the fact and

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<sup>33</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 14.

<sup>34</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 34.

<sup>35</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 4.

<sup>36</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 18.

<sup>37</sup> S. Questionnaire, [https://www.judiciary.senate.gov/imo/media/doc/bluestone\\_sjq.pdf](https://www.judiciary.senate.gov/imo/media/doc/bluestone_sjq.pdf), at PDF p. 2.

<sup>38</sup> *Missouri lawyers selected for appellate advocacy awards*, MO. BAR (Aug. 26, 2020), <https://news.mobar.org/missouri-lawyers-selected-for-appellate-advocacy-awards/> (emphasis added).

<sup>39</sup> *Missouri lawyers selected for appellate advocacy awards*, MO. BAR (Aug. 26, 2020), <https://news.mobar.org/missouri-lawyers-selected-for-appellate-advocacy-awards/>.

<sup>40</sup> *Missouri lawyers selected for appellate advocacy awards*, MO. BAR (Aug. 26, 2020), <https://news.mobar.org/missouri-lawyers-selected-for-appellate-advocacy-awards/> (emphasis added).

<sup>41</sup> *Petition for Writ of Certiorari, Mo. Ethics Comm’n v. Free & Fair Election Fund*, 587 U.S. 961 (2019), [https://www.supremecourt.gov/DocketPDF/18/18-896/78688/20190108133645823\\_Petition%20and%20Appendix.pdf](https://www.supremecourt.gov/DocketPDF/18/18-896/78688/20190108133645823_Petition%20and%20Appendix.pdf), at PDF p. 38-39.

appearance of corruption by preventing circumvention of contribution limitations.”<sup>42</sup>

- Ultimately, the Supreme Court affirmed the decision of the Eighth Circuit and denied the petition for certiorari.<sup>43</sup>

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<sup>42</sup> Petition for Writ of Certiorari, *Mo. Ethics Comm’n v. Free & Fair Election Fund*, 587 U.S. 961 (2019), [https://www.supremecourt.gov/DocketPDF/18/18-896/78688/20190108133645823\\_Petition%20and%20Appendix.pdf](https://www.supremecourt.gov/DocketPDF/18/18-896/78688/20190108133645823_Petition%20and%20Appendix.pdf), at PDF p. 40.

<sup>43</sup> *Mo. Ethics Commission v. Free and Fair Election Fund*, SCOTUSBLOG, <https://www.scotusblog.com/cases/case-files/missouri-ethics-commission-v-free-and-fair-election-fund/> (last visited May 30, 2025).