

Student Handout: Cases before the Court

Activity 2, Part B

Name _____

Date _____

In this activity, you will be working with a small group to research to review details of one of the cases listed below that is currently before the Supreme Court. From your research you will work with members of the group to determine an appropriate ruling.

Directions:

1. Review the description of the case you were assigned.
2. Go to the following websites and locate your case by its docket number or name:
 - <http://www.supremecourtus.gov/docket/docket.html> (search by docket number, click docket link, then click “Questions Presented” link)
 - <http://docket.medill.northwestern.edu/archives/002315.php>
 - <http://www.law.cornell.edu/supct/cert/>
3. Research the details of the case.
4. Work with group members to discuss the details and take a vote to rule on the case. Provide reasons for your decisions. Split decisions are allowed.
5. Then speculate on how you think the Supreme Court might rule on the case under its current configuration.
6. Report your findings to the class.

Extension Activity: The Supreme Court will announce its decisions on these cases in May. Check with these websites at that time to see how the Court ruled.

The Cases

- War Powers – *Hamdan v. Rumsfeld*, No. 05-184 In question is the legality of the Bush administration’s planned military commissions (or courts) for accused terrorists. The focus is on whether President Bush has the power to set up the commissions and whether detainees facing military trials can go to court in the U.S. to secure protections under the Geneva Conventions.
- Federalism – *United States v. Georgia*, No. 04-1203 The government is appealing a ruling that states do not have to give their prison inmates the protections of the Americans with Disabilities Act (ADA). The case is similar to one two years ago when the court ruled 5-to-4 rejecting state immunity and applying the disabilities act to require accessible courthouses. Here the states are contending inmates in prison have lost their constitutional right to protections from ADA.
- Gay marriage - The question in *Rumsfeld v. Forum for Academic and Institutional Rights Inc.*), No. 04-1152, is whether the government can withhold or withdraw its financial support of an entire university if any school within the university does not grant military recruiters the same access to students granted to others who come to the campus with offers of employment.
- Under 18 abortion rights – *Ayotte v. Planned Parenthood of Northern New England*, No. 04-1144 raises substantive and procedural issues in the context of a New Hampshire law that requires girls younger than 18 to notify their parents or receive a judge's permission before obtaining abortions.
- Right to die – *Gonzales v. Oregon*, No. 04-623, is whether the Controlled Substances Act authorizes the federal government to revoke the federal prescription license of any doctor, following the Death with Dignity Act in Oregon, who gives a terminally ill patient a lethal dose of prescription drugs.
- Free speech – *Wisconsin Right to Life Inc. v. Federal Election Commission*, No. 04-1581 The Supreme Court will look at the long running debate over money in politics in this case and the one below. In this case the Court is to decide whether grass-roots advocacy groups (like the Wisconsin group) should be

- exempt from limits that the McCain-Feingold law placed on political advertising paid from corporate treasuries in the weeks before Election Day.
- Campaign finance reform – *Randal v. Sorrell*, No. 04-1528, and *Vermont Republican State Committee v. Sorrell*, No. 04-1530. In this case the Court is to decide whether Vermont's strict limits on campaign spending and contributions are constitutional.