

How Cases Reach The Supreme Court

Worksheet Answers

Name _____ Date _____ Class _____

Supreme Court Case Study 14



Legality of Segregation by Race

Plessy v. Ferguson, 1896

***** Background of the Case *****

In 1890 Louisiana passed a law ordering railroads in the state to "provide equal but separate accommodations for the white and colored races." Violations of the law carried a fine of \$25 or 20 days in jail. Railway personnel were responsible for assigning seats according to race.

On June 7, 1892, Homer A. Plessy, who was one-eighth African American, decided to test the law's validity by sitting in the white section of a train going from New Orleans to Covington, Louisiana. When a conductor ordered Plessy to give up his seat, he refused. He was then arrested and imprisoned in a New Orleans jail. He was tried by a New Orleans court and found guilty of having violated the Louisiana law described above. He appealed to the Louisiana Supreme Court, which found the law valid. Plessy then appealed to the United States Supreme Court, claiming his conviction and the Louisiana railroad law were unconstitutional because they violated the Thirteenth and Fourteenth Amendments.

Constitutional Issue *****

In the Reconstruction period after the Civil War, although slavery had been abolished by the Thirteenth Amendment, African Americans lived in a segregated society, especially in the South. The Fourteenth Amendment banned the deprivation of life, liberty, or property without "due process of law." Yet laws were passed in southern states that required segregated schools, theaters, parks, buses, and railroad trains. The *Plessy* case challenged the constitutionality of these so-called Jim Crow practices.

Homer A. Plessy challenged the constitutionality of segregation laws in Louisiana. He based his appeal on the Thirteenth Amendment, which abolished slavery, and the Fourteenth Amendment, which prohibited the states from denying "the equal protection of the law" to any person.

***** The Supreme Court's Decision *****

A majority of the Court denied Plessy's appeal and upheld the practice of segregation as required by the Louisiana law. Justice Henry Brown wrote the majority opinion. First, the ruling brushed aside the relevance to the case of the Thirteenth Amendment. Brown wrote that "a legal distinction between white and colored races . . . has no tendency to destroy the legal equality of the two races."

The rest of the Court's opinion, however, dealt with the applicability of the Fourteenth Amendment. Brown concluded that this amendment aimed strictly "to enforce the absolute equality of the two races before the law," but that it "could not have been intended to abolish distinctions based on color, or to enforce social, as distinguished from political, equality . . ."

(continued)

How cases reach the Supreme Court is a critical aspect of understanding the judicial system in the United States. The Supreme Court, established by the Constitution, has the ultimate authority in interpreting the laws of the land. However, not all cases make it to this highest court. Various factors influence how cases reach the Supreme Court, including the nature of the case, the legal questions involved, and the procedural steps taken by the parties involved. This article will explore the journey of cases as they ascend to the Supreme Court, detailing the processes and criteria that determine which cases are worthy of consideration.

Understanding the Structure of the U.S. Court System

Before delving into how cases reach the Supreme Court, it's essential to understand the structure of the U.S. court system. The judiciary is divided into several levels:

1. Federal Courts

- District Courts: These are the trial courts of the federal system. Most federal cases begin here.
- Circuit Courts of Appeals: These courts review cases from the district courts and can uphold, reverse, or remand decisions.

2. State Courts

- State Trial Courts: Similar to federal district courts, these handle the majority of cases at the state level.
- State Appellate Courts: These courts review decisions from state trial courts.
- State Supreme Courts: The highest court within a state, which can hear appeals from lower state courts.

Criteria for Supreme Court Review

Not all cases that are appealed to the Supreme Court are accepted for review. The Court receives thousands of petitions each year but typically hears only about 70 to 100 cases. Here are some key criteria that influence which cases are granted certiorari:

1. Importance of the Legal Question

The Supreme Court often looks for cases that present significant constitutional questions or issues of national importance. Examples include:

- Civil rights
- Federal laws and regulations
- Conflicts between state and federal laws

2. Conflict in Lower Court Decisions

When different circuit courts of appeals reach conflicting conclusions on a legal issue, the Supreme Court may step in to resolve the discrepancy. This ensures a uniform interpretation of federal law across the country.

3. Legal Precedents

The Court is often guided by previous rulings and the desire to uphold or overturn established precedents. Cases that challenge longstanding interpretations of the law are more likely to be considered.

4. Amicus Curiae Briefs

Amicus curiae, or "friend of the court," briefs can influence the Court's decision to hear a case. These briefs are submitted by individuals or organizations that are not parties to the case but have an interest in its outcome. They can provide additional insights or perspectives that highlight the case's significance.

The Process of Getting to the Supreme Court

The journey of a case to the Supreme Court involves several steps. Here's a detailed breakdown of that process:

1. Filing a Petition for Writ of Certiorari

- After a case is decided in a lower court, the losing party can file a petition for a writ of certiorari with the Supreme Court.
- This petition must outline the legal questions and the reasons why the Court should hear the case.

2. The Rule of Four

- The Supreme Court employs the Rule of Four, which means that at least four justices must agree to hear a case for it to be accepted.
- If fewer than four justices agree, the lower court's decision stands, and the case does not move forward.

3. Briefing and Oral Arguments

- Once a case is accepted, both parties submit written briefs outlining their arguments and supporting evidence.
- Amicus curiae briefs may also be submitted during this phase.
- After the briefs are filed, the Court schedules oral arguments, where each side presents their case and answers questions from the justices.

4. Deliberation and Decision

- Following oral arguments, the justices deliberate privately to discuss the case.
- They vote on the outcome, and a majority opinion is drafted, which may also include concurring and dissenting opinions.

Types of Cases That Reach the Supreme Court

The Supreme Court hears a variety of case types. Understanding these can provide insight into the Court's role in American society:

1. Constitutional Cases

- Cases that challenge the interpretation of the Constitution are among the most common.
- These include issues related to free speech, due process, and equal protection under the law.

2. Federal Statute Cases

- Cases involving federal laws or regulations can also reach the Supreme Court.
- This may include disputes regarding the interpretation of federal statutes or administrative regulations.

3. State vs. Federal Cases

- Cases that involve conflicts between state laws and federal laws often require Supreme Court review.
- These cases help define the balance of power between state and federal authority.

Challenges in the Supreme Court Process

While the process of how cases reach the Supreme Court is established, several challenges can affect the outcomes:

1. Accessibility of Legal Representation

- Many parties may struggle to secure adequate legal representation, limiting their ability to navigate the complex judicial system.
- This can affect their chances of appealing to the Supreme Court.

2. Resources and Costs

- The financial burden of pursuing a case to the Supreme Court can be prohibitive for many individuals or organizations.
- Legal fees, filing costs, and other expenses can deter parties from seeking justice at this level.

3. Political and Social Influences

- The Supreme Court is not immune to the influences of public opinion, political pressures, and social movements.
- These factors can shape the types of cases that are pursued and the decisions made by the justices.

Conclusion

Understanding how cases reach the Supreme Court is essential for grasping the complexities of the U.S. judicial system. The process involves various steps, criteria, and challenges that can significantly impact the outcome of legal disputes. By examining the structure of the court system, the criteria for Supreme Court review, and the types of cases that typically reach this highest court, we gain insight into the critical role the Supreme Court plays in interpreting and upholding the law. Ultimately, the journey to the Supreme Court is not only about legal principles but also about ensuring justice and protecting the rights of individuals in a democracy.

Frequently Asked Questions

What are the primary ways a case can reach the Supreme Court?

A case can reach the Supreme Court through a writ of certiorari, appeals from lower federal courts, or state supreme courts.

What is a writ of certiorari?

A writ of certiorari is an order by which a higher court reviews a decision of a lower court.

How many justices must agree to hear a case in the Supreme Court?

At least four justices must agree to grant a writ of certiorari for a case to be heard.

What is the role of the Solicitor General in Supreme Court

cases?

The Solicitor General represents the federal government before the Supreme Court and can influence which cases are taken.

What types of cases are most likely to be accepted by the Supreme Court?

Cases that involve significant constitutional questions, conflicting decisions among lower courts, or important public interest issues are more likely to be accepted.

What is the significance of amicus curiae briefs in the Supreme Court process?

Amicus curiae briefs allow non-parties to provide information and insights that may assist the Court in making its decision.

What happens during the Supreme Court's oral arguments?

During oral arguments, attorneys for both sides present their cases and answer questions posed by the justices.

How long does the Supreme Court usually take to issue a decision after oral arguments?

The Supreme Court typically takes several months to issue a decision after oral arguments, often releasing opinions in late spring.

What is the final outcome when a case is decided by the Supreme Court?

The final outcome can be a majority opinion, a concurring opinion, or a dissenting opinion, which collectively establish the Court's ruling.

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