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Supreme Court Preview

Conferences, Events, and Lectures

9-16-2022

2022-2023 Supreme Court Preview: Schedule of Events

Institute of Bill of Rights Law at The College of William & Mary Law School

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Schedule of Events

Friday, September 16, 2022

Greenroom with Students

Brief Description: Available panelists will meet with registered W&M students to talk about their lives in the law and to give advice they wish they had been given when in law school. 2:30pm

Welcome

4:00pm

Moot Court

Moore v. Harper (the independent state legislature case)

Brief Description: The Supreme Court will hear a case arising from North Carolina's efforts to draw new congressional maps in response to the 2020 census. Petitioners invoke the "independent state legislature doctrine" which is the idea that, under the U.S. Constitution, only the state legislature has the power to regulate federal elections, without interference from state courts. 4:05pm

- Advocates: Luke McCloud and Morgan Ratner
- Justices: Joan Biskupic (Chief), Kevin Newsom, Toby Heytens, Robert Barnes, Jess Bravin, Katherine Mims Crocker, Bertrall Ross, Meaghan VerGow, Jeff Wall

The Roberts Court after a Seismic Term:

What comes next, whose influence is paramount, and will the fallout from the leak have lasting implications?

Brief Description: Journalists ran out of adjectives—landmark, sweeping, historic—to describe the decisions made in the 2021-22 Term. What comes next for the Roberts Court after a Term like that? Are we at the beginning of a new era or will the Justices (or some of the Justices) pump the brakes? And how will the fallout from the *Dobbs* leak or the 2022 midterm elections affect the answer to that question? 5:30pm

Saturday, September 17, 2021

The Court and Limits on the Administrative State

Brief Description: This Court does not seem shy about limiting the power of administrative agencies, including limits on agency authority and agency structure, all in the name of preserving separation of powers. This panel will discuss what comes next: pending appointments challenges to the FTC and SEC, the broad direction of the Court's limitations on the administrative state, and how far those limits will extend. 9:00am

The Roberts Court and Race

Brief Description: The Supreme Court has already granted several cases that deal explicitly with race: the Harvard/UNC affirmative action cases, the Alabama Voting Rights Act case, and the Indian Child Welfare Act cases, to name a few. This panel will forecast what will come in those cases, contemplate potential surprises or unusual vote lineups, and explore what broader conclusions can be drawn about the Roberts Court and race. 10:00am

Judging Hard Cases:

What factors make cases particularly difficult to decide and can the Court do anything about it?

Brief Description: A panel of distinguished federal appellate judges will take us behind the scenes to address the variables that make for the most challenging cases they hear and offer ideas on ways to mitigate the difficulty. 11:15am

Lunch Break

12:15pm

Docket Deep Dives (3 choices in 3 different rooms):

1:00pm

- Election Law:

- Business Docket:

- Criminal Law Docket:

The Court and Religion

Brief Description: The 2021-22 Term brought significant victories for religious liberty petitioners: a high school football coach disciplined for midfield after-game prayers, a Christian group requesting to fly its flag at city hall when secular flags had been allowed, and families seeking for Maine to pay public tuition grants to religious schools. This panel will address what religious liberty claims are likely to be victorious next Term, including the possible expansion of religious exemptions for wedding vendors in same-sex weddings. The panelists will also explore more broadly what theory the Roberts Court sees for religion and public life under the US Constitution. 2:00pm

Abortion Litigation and Second Amendment Litigation After *Dobbs* and *Bruen*

Brief Description: With its landmark decisions in *Dobbs* (overruling *Roe v. Wade*) and *Bruen* (vindicating a Second Amendment right to carry a gun outside the home), the Court spoke with a tone of finality. Quickly thereafter, however, many complicated legal issues have arisen in the wake of both *Dobbs* and *Bruen*—including questions on the right to travel, federal/state authority over access to abortion medication, and new challenges to gun regulations, like California’s ban on high-capacity magazines. This panel will discuss which issues are likely to reach the Court first and will predict whether and how the Justices will handle them. 3:15pm

Concluding Remarks

4:15pm



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