

Supreme Court Cases to Know

Court Case	Summary Issues
Marbury v. Madison (1803)	Established judicial review; “midnight judges;” John Marshall wrote decision; gave more power to Supreme Court.
McCulloch v. Maryland (1819)	Established national supremacy; established implied powers; defense and definition of elastic clause; states unable to tax federal institutions; John Marshall wrote decision; “power to tax involves the power to destroy.”
Plessy v. Ferguson (1896)	Established “separate but equal.”
Schenck v. U.S. (1919)	Oliver Wendell Holmes wrote decision; established “clear and present danger” test; shouting “fire” in a crowded theater; limits on speech, especially in wartime.
Gitlow v. New York (1925)	Established precedent of federalizing Bill of Rights (applying them to states); states cannot deny freedom of speech – protected through due process clause of 14 th Amendment.
Palko v. Connecticut (1937)	Provided test for determining which parts of Bill of Rights should be federalized – those which are implicitly or explicitly necessary to liberty to exist.
Brown v. Board, 1 st (1954)	School segregation unconstitutional; segregation psychologically damaging; overturned Plessy, separate but equal; clarified 14 th Amendment; unanimous decision of Warren Court.
Brown v. Board 2 nd (1955)	Ordered schools to desegregate “with all due and deliberate speed.”
Mapp v. Ohio (1961)	Established exclusionary rule; illegally obtained evidence cannot be used in court; Earl Warren wrote decision.
Engel v. Vitale (1962)	Prohibited state-sponsored recitation of prayer in public schools by virtue of 1 st Amendment’s established clause and 14 th Amendment’s due process clause; Earl Warren’s decision.
Baker v. Carr (1962)	“One man, one vote”; Ordered state legislative districts to be as near equal as possible in population; Earl Warren....
Abington v. Schempp (1963)	Prohibited devotional Bible reading in public schools by virtue of establishment clause of 1 st Amendment and due process clause.

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Gideon v. Wainwright (1963)	Ordered states to provide lawyers (“adequate counsel”) for those unable to afford them in criminal proceedings; clarified 6 th Amendment.
Wesberry v. Sanders (1963)	Ordered House districts to be as near equal in population as possible.
Griswald v. Connecticut (1965)	Established right of privacy through 4 th and 9 th Amendments; set precedent for Roe v. Wade (1973)
Miranda v. AZ (1966)	Established Miranda warnings of right to counsel and right to silence; must be given before questioning; clarified 5 th and 6 th Amendments.
Lemon v. Kurtzman (1971)	Established 3-part test to determine if establishment clause violated: nonsecular purpose, advances/inhibits religion, excessive entanglement with government.
Roe v. Wade (1973)	Established national abortion guidelines; trimester guidelines: no state interference in 1 st trimester, state may regulate to protect health of mother in 2 nd , state may regulate to protect health of unborn child in 3 rd ; inferred from right of privacy established in Griswald v. Connecticut (1965).
U.S. v. Nixon (1974)	Allowed for executive privilege, but the privilege is not absolute—in this case, not in a criminal case; “even the President is not above the law”; Watergate.
Buckley v. Valeo (1976)	1 st Amendment protects campaign spending; legislatures can limit contributions, but not how much one spends of his own money on campaigns.
U.C. Regents v. Bakke (1978)	Alan Bakke and U.C. Davis Medical School; Bakke was white applicant; strict quotas unconstitutional, but states may allow race to be taken into consideration as ONE factor in admissions decisions; Bakke admitted.
Webster v. Reproductive Health Services (1987)	More leeway for states in regulating abortion, though no overturning of Roe.
Texas v. Johnson (1989)	Struck down Texas law banning flag burning, which Court claimed was a protected form of symbolic speech.
Planned Parenthood v. Casey (1992)	States can regulate abortion, but not with regulations that impose “undue burden” on women; did not overturn Roe, but gave states more leeway in regulating abortion—e.g., 24-hour waiting period, parental consent for minors, etc.

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Shaw v. Reno (1993)	No racial gerrymandering; race cannot be the sole or predominant factor in redrawing legislative boundaries; majority-minority districts.
U.S. v. Lopez (1995)	Gun Free School Zones Act exceeded Congress' authority to regulate interstate commerce; put limits on commerce clause.
Clinton v. NY (1998)	Banned presidential use of line-item veto.
Bush v. Gore (2000)	Use of 14 th Amendment's equal protection clause to stop Florida recount in 2000 presidential election; states can decide issues regarding elections.
Zelman v. Simmons-Harris (2002)	Public money can be used to send disadvantaged children to religious schools in tuition voucher program.
Ashcroft v. ACLU (2002)	Struck down federal ban on "virtual" child pornography.
Lawrence v. Texas (2003)	Using right to privacy, struck down Texas law banning sodomy.
Gratz v. Bollinger (2003)	Struck down use of "bonus points" for race in undergraduate admissions at University of Michigan.
Grutter v. Bollinger (2003)	Allowed use of race as general factor in law school admissions at public university, Univ. of Michigan; upheld Bakke.

Websites	Comments
www.oyez.org	Supreme Court cases arranged by topic. Good short summaries.
www.landmarkcases.org	Good summaries of several cases; flowcharts and additional information very helpful.
www.law.cornell.edu/focus/bulletins.html	Free subscription to email bulletins on Supreme Court decisions.
www.nytimes.com , www.chicagotribune.com .	Both sites have excellent coverage of current Supreme Court proceedings. The <i>NY Times</i> site requires registration; it's free!
http://www.findlaw.com ; http://www.findlaw.com/casecode/constitution	Superb, comprehensive sites; the second site provides a helpful annotated version of the Constitution, article by article and amendment by amendment.