

ABBREVIATED U.S. SUPREME COURT CHART

U.S. SUPREME COURT TERM: 2011-12

Updated: May 22, 2012

New filings=green font

Updates=red font

Amicus cases= yellow highlight

CASE/DOCKET NO. /DATE FILED	ISSUE	STATUS
<i>Hurtgam v. Lyndonville Cent. Sch. Dist.</i> , 11-1336, 5/3/12	(1) Is the respondent's assertion that its decision to transfer the petitioner was final dispositive as to when a discriminatory or retaliatory act occurred, or is it properly a question of fact that should be submitted to a jury; (2) Does the decision in <i>Chardon v. Fernandez</i> , 454 U.S. 6 (1981), describe the proper standard for determining when an adverse action has occurred	Pending consideration
<i>Mikel v. School Bd. of Spotsylvania Cnty., Va.</i> , 11-1276, 4/19/12	Student Rights & Discipline: 1) Does the fundamental 14th Amendment due process requirement that laws provide fair warning and notice of prohibited behavior and corresponding penalties apply in the public school setting; (2) Does a school board act arbitrarily and capriciously, and thus deny a student's 14th Amendment rights, when it classifies childish behavior that was not intended to harm as "violent criminal conduct" despite the fact that the school's policy does not clearly delineate the behavior as such	Pending consideration
<i>Deep v. Clinton Sch. Dist.</i> , 11-1243, 3/19/12	Employment & Labor: Does pretext form part of the analysis for First Amendment retaliation claims	Pending consideration
<i>Student Doe 1 v. Lower Merion Sch. Dist.</i> , 11-1135, 3/13/12	Equity & Discrimination: (1) Did the U.S. Court of Appeals for the Third Circuit improperly overturn the district court's factual finding that race was a factor in the respondent's student redistricting; (2) Do the respondent's reasons for using race in its redistricting decisionmaking constitute compelling state interests; (3) Did the respondent prove at trial that it used race in its redistricting decisionmaking to address the achievement gap and racial isolation; (4) Did the respondent prove at trial that its race-related redistricting actions were narrowly tailored to serve a compelling state interest; (5) Do the respondent's race-related redistricting actions survive strict scrutiny because they are not limited in duration; (6) Did the respondent preserve the defense that its redistricting plan inevitably would have been adopted notwithstanding its race-related redistricting actions; (7) Did the respondent prove at trial that its redistricting plan inevitably would have been adopted notwithstanding its race-related redistricting actions; (8) Did the district court properly allocate the burden of proof to the petitioners when making its determinations concerning the respondent's walk zone; (9) Do 42 U.S.C. § 1981 and Title VI of the Civil Rights Act, 42 U.S.C. § 2000d et seq., prohibit the respondent's race-related redistricting actions even though the 14th Amendment may not	Pending consideration
<i>Evans v. Kentucky High Sch. Ass'n</i> , 11-1131, 3/14/12	Athletics: (1) Did the U.S. Court of Appeals for the Sixth Circuit prohibit the petitioners' free exercise of religion by upholding a rule promulgated by the respondent; (2) Did the respondent discriminate against Roman Catholic students in Kentucky by creating a suspect classification and treating them differently because of their pursuit of a Catholic education; (3) Is the rule promulgated by the respondent free of religious animus	Review Denied 5/21/12

CASE/DOCKET NO. /DATE FILED	ISSUE	STATUS
Morgan v. Swanson , 11-804, 12/22/11	Student Rights & Discipline: 1) Is it clearly established that private, non-curricular student speech may not be discriminated against solely on the basis of its religious viewpoint; (2) At a minimum, is it clearly established that private, non-curricular student speech that takes place outside of the school and after school hours may not be discriminated against solely on the basis of its religious viewpoint	Pending consideration
Morgan v. Swanson , 11-804, 12/22/11	Student Rights & Discipline: 1) Is it clearly established that private, non-curricular student speech may not be discriminated against solely on the basis of its religious viewpoint; (2) At a minimum, is it clearly established that private, non-curricular student speech that takes place outside of the school and after school hours may not be discriminated against solely on the basis of its religious viewpoint	Pending consideration
Vance v. Ball State Univ. , 11-556, 10/31/11	Employment & Labor: As the Second, Fourth, and Ninth circuits have held, does the supervisor liability rule under <i>Faragher v. City of Boca Raton</i> , 524 U.S. 775 (1998), and <i>Burlington Industries Inc. v. Ellerth</i> , 524 U.S. 742 (1998), apply to harassment by those whom the employer vests with authority to direct and oversee their victim's daily work, or is it limited to those harassers who have the power to hire, fire, demote, promote, transfer, or discipline their victim, as the First, Seventh, and Eighth circuits have held	Pending consideration
Fisher v. University of Texas at Austin , 11-345, 9/15/11	Equity & Discrimination: Do this Court's decisions interpreting the Equal Protection Clause of the Fourth Amendment, including <i>Grutter v. Bollinger</i> , 539 U.S. 306, 71 U.S.L.W. 1788 (2003), permit the University of Texas at Austin's use of race in undergraduate admissions decisions	Review Granted 2/21/12
Filarsky v. Delia , 10-1018, 2/3/11	Legal System: Is a lawyer retained to work with government employees in conducting an internal affairs investigation precluded from asserting qualified immunity solely because of his status as a "private" lawyer rather than a government employee	Decided 4/17/12 Unanimous – Held: Private individuals retained to do work for government are entitled to qualified immunity under § 1983