2019-2020 Supreme Court Landmark Cases

An overview of the October 2019-2020 term landmark cases, as deemed by the Court, and an overview of the COVID-19 impact on the Court’s term.

April 3, 2020
# 2019-2020 Supreme Court landmark cases (1/4)

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<th>Case</th>
<th>Issue</th>
<th>Argued:</th>
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<td><strong>Bostock v. Clayton County, Georgia</strong></td>
<td>Does discrimination against an employee because of sexual orientation violate Title VII of the Civil Rights Act of 1964?</td>
<td>10/8/2019</td>
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<td>*This case was consolidated with Altitude Express Inc. v. Zarda</td>
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<td><strong>R.G. &amp; G.R. Harris Funeral Homes v. EEOC</strong></td>
<td>Does Title VII of the Civil Rights Act of 1964 prohibit discrimination against transgender people based on their status as transgender or sex stereotyping under Price Waterhouse v. Hopkins?</td>
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<td><strong>Department of Homeland Security v. Regents of the University of California</strong></td>
<td>Is the DHS's decision to wind down the DACA policy judicially reviewable and lawful?</td>
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*Bostock v. Clayton County and Harris Funeral Homes v. EEOC seek to determine whether the existing ban on sex discrimination prohibits employment discrimination against LGBTQ workers. They seek to clarify whether concepts like sexual orientation or gender identity are bound to the concept of “sex” as it is written in the current law.

The Court’s ruling in both of these cases goes beyond LGBTQ rights and protections, as it could undermine the country’s anti-discrimination law. If the Court rules against the plaintiffs, it could make it so that individuals who are fired because of their sexual orientation and gender identity have no options to seek protections or recourse. The broader implications of the Court’s ruling could also undercut existing civil rights protections that protect individuals from sex stereotyping and sexual harassment.

*DHS v. Regents will determine whether the Trump administration’s explanation for ending DACA was satisfactory and followed the correct procedural steps. The administration has the power to end DACA regardless of the Court’s decision. However, the Court’s ruling will determine whether the program should be terminated immediately or if the process to terminate the program will be a lengthier one.*
Issue: Is New York City’s ban on transporting a licensed handgun to a home or shooting range outside city limits consistent with the 2nd Amendment, the Commerce Clause, and the fundamental right to travel?

New York State Rifle & Pistol Association Inc. v. City of New York
Argued: 12/02/2019

This case is the biggest Second Amendment case to be taken up by the Court in ten years. The City of New York has moved to dismiss the case as moot, but the Court decided to continue oral arguments as usual. Some believe the Court may use this case as an opportunity to expand the Second Amendment. The Court’s decision could signify whether judges are willing to ignore the rules determining Supreme Court litigation in order to determine this case.

Issue: Does a law invalidating a religiously neutral student-aid program because it affords students the choice of attending religious schools violate the Religion Clauses or Equal Protection Clause of the Constitution?

Espinoza v. Montana Department of Revenue
Argued: 01/14/2020

Espinoza v. Montana questions whether states may subsidize secular private education without subsidizing religious education. Because of a prior Court decision on a similar case, it is likely the Court will rule in favor of subsidies or decide it lacks jurisdiction to decide this case. The Court’s decision could lead to states denying basic services to religious institutions or requiring that public funding of religious schools becomes mandatory.

June Medical Services LLC v. Gee
Argued: 03/04/2020

June Medical v. Gee seeks to uphold a Louisiana law that will require abortion doctors to earn admitting privileges at hospitals within 30 miles of their abortion clinic. The Court’s decision will have a lasting impact on abortion rights because the Court could decide to overrule Roe v. Wade. The Court could keep Roe and still eliminate the constitutional right to abortion. Additionally, the ruling could make it harder to challenge anti-abortion laws in the courts.
2019-2020 Supreme Court landmark cases (3/4)

**Seila Law LLC v. Consumer Financial Protection Bureau**

*Issue:* (1) Does the vesting of substantial executive authority in the Consumer Financial Protection Bureau violate the separation of powers? (2) If that is the case, can Title 12, section 5491 from the U.S. Code be severed from the Dodd-Frank Act?

This case questions whether the CFPB was unconstitutionally structured by granting its director too much power. The director may only be dismissed from their five-year term by the president, under claims of “inefficiency, neglect of duty, or malfeasance in office.” The Court must decide whether the removal provision places an unconstitutional burden on the executive office and if it may be removed. This decision could impact other independent government agencies such as the FTC and SEC.

**Trump v. Mazars USA**

*Issue:* Does the House Committee on Oversight and Reform have the constitutional authority to issue subpoenas demanding President Trump’s non-privileged financial records?

Trump v. Mazars and Trump v. Vance (which has been consolidated with Trump v. Deutsche Bank) seek to answer the question of whether Congress and state judges may have power to access the president’s tax and financial records.

In Mazars, a lower court argued that the House subpoena was appropriate given legislation being considered by House members that would inflict stronger financial disclosure requirements for the president.

The Court’s ruling will not only determine whether the House subpoena must be enforced, but it will impact a president’s immunity from congressional oversight. If the Court were to rule in favor of the president, it would force a rebalancing of the power between Congress and the executive office.

**Trump v. Vance**

*Issue:* Is a grand-jury subpoena demanding 10 years of President Trump’s financial records and tax returns a violation of Article II and the Supremacy Clause of the U.S. Constitution?

Sources: SCOTUS Blog, Oyez, CNBC, Vox.
2019-2020 Supreme Court landmark cases (4/4)

**Chiafalo v. Washington**
Scheduled for: 04/28/2020

**Issue:** Is a state law requiring presidential electors to vote the way state law directs or else be subject to a fine unconstitutional and a violation of the electors’ First Amendment rights?

**Colorado Department of State v. Baca**
Scheduled for: 04/28/2020

**Issue:** (1) Does a presidential elector have a constitutionally protected right to exercise a ballot that violates state law? (2) Does the 12th Amendment prohibit a state from requiring presidential electors to adhere to the state’s popular vote when casting their ballots?

**Little Sisters of the Poor Saints Peter and Paul Home v. Pennsylvania**
Scheduled for: 04/29/2020

**Issue:** (1) Does the litigant have judicial standing to appeal a decision invalidating a rule that offers protection? (2) Did the federal government lawfully exempt religious objectors from the regulatory requirement to provide health plans that include contraceptive coverage?

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*Chiafalo v. Washington* and *Colorado State v. Baca* deal with the question of whether Electoral College (EC) members can be penalized or removed from their role if they do not support the presidential candidate chosen by their state’s voters. More importantly, it will question what restrictions a state may force on someone seeking to join the state’s EC or someone already serving their state’s EC.

In *Ray v. Blair* (1952) the Court ruled that political parties may require potential electors to pledge their vote to the party’s nominee. However, it did not clarify what happens if electors violate the pledge. The Court’s pending ruling on both of these cases could transform the EC by allowing all 538 electors to have full discretion to choose who they want to be president, regardless of who the majority of voters in their state choose.

In May 2017, President Trump signed an executive order allowing employers to ignore the requirement to provide birth control coverage to employees due to religious or moral objections. The Court’s ruling could temporarily strike down the rule but give the administration the possibility of reinstating it. The Court could also determine if religious objectors should be exempt from the requirement to provide birth control coverage based on their beliefs.
The Supreme Court postponed March arguments, issued rulings online, and extended filing deadlines due to COVID-19

Building closure
On March 12, the Supreme Court building closed to the public and it was announced it will remain closed until further notice, with the exception of official business for which the building remains open.

March arguments postponed
On March 13, the Court announced its argument session slated to begin on March 23 would be postponed. New dates for the arguments were not announced, but the Court announced it “will examine options for rescheduling those cases in due course in light of the developing circumstances.”

Extended filing deadlines
On March 19, the Court issued an order to extend filing deadlines for petitions seeking SCOTUS review. Petitions are now due 150 days, rather than 90 days, after the lower-court ruling.

Earlier in March, the Court announced it would postpone oral arguments for 11 cases scheduled for the end of the month. While no formal announcement regarding April arguments has been made, it is expected that the nine cases scheduled for arguments later this month will have to be postponed.

On March 23, the Court broke long-standing tradition by posting four case rulings online.

- In Comcast v. National Association of African American-Owned Media the majority ruled that in discrimination cases, plaintiffs should prove “racial animus was an essential reason for treating a company or individual differently in a business transaction.”
- In Kahler v. Kansas the majority ruled that states may use a “narrow definition of insanity when assessing whether a defendant should be held responsible for his or her crimes.”
- In Guerrero-Lasprilla v. Barr, the majority granted federal appeals courts “greater authority to review rulings by immigration courts and a Justice Department appeals panel that oversees those courts.”
- In Allen v. Cooper, the majority ruled that “states are not subject to suits for copyright infringement under current law.”
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