

Today's Supreme Court
Tuesday, September 22 – November 17, 2020
1:45 to 3:15

Syllabus

Class texts: Jeffery Toobin, *The Oath: the Obama White House and the Supreme Court*
Linda Greenhouse, *The US Supreme Court: A Very Short Introduction*

Reading Assignments

Class Topics

Class # 1 **Class Overview and Court History**
September 22 Toobin: Introduction and Chapters 1 & 2
Greenhouse: Chapter 1 - Origins

Class Purpose & Process
History of the Supreme Court
Roberts & Obama

Class # 2 **Facing the Executive & Legislature**
September 29 Toobin: Chapter 3
Greenhouse: Chapter 3 – The Justices
Greenhouse: Chapter 6 - The Court & Other Branches

Separation of Powers
Guantanamo Cases (*Hamdan*),
Noel Canning (2014), *US v Texas* (2016),
Trump cases (2019 & 20)
Kennedy

Class # 3 **Supreme Court in Operation**
October 6 Toobin: Chapters 4 & 5
Greenhouse: Chapter 2 – The Court at Work (1)
Greenhouse: Chapter 5 - The Court at Work (2)

Supreme Court Procedures/Categories
Competing Legal Philosophies
Ledbetter, McDonnell (2016)
Ginsburg

Class # 4 **Race and Stare Decisis**
October 13 Toobin: Chapter 6
Greenhouse: Chapter 4 - The Chief Justices

Stare decisis (Precedent)
Parents Involved, Schuette (2014),
Fisher (2016); *Shelby County* (2013)
Breyer

Class # 5 **Climate Change & Guns**
October 20 Toobin: Chapters 7, 8, & 9

Massachusetts v EPA & UARG (2014)
Heller, McDonald & ongoing cases
Scalia

Class # 6 **Money and Elections**
October 27 Toobin: Chapters 11, 12, 13, & 14

Election Law
Citizens United, McCutchen (2013)
Rucho (2019)

Class # 7 **The Supreme Court Changes**
November 3 Toobin: Chapter 10, 15, 16, 17 & 20

O'Connor, Souter, Stevens,
Alito, Sotomayor, Kagan,
Gorsuch and Kavanaugh

Class # 8 **Health Care & the Commerce Clause**
November 10 Toobin: Chapters 18, 19, 21, 22, & 23

Commerce Clause
Affordable Care Act, Hobby Lobby &
Wheaton College (2014), *King v Burwell*
(2015), *Texas v US* (2019), *CA v TX* (2020)

Class # 9 **Judicial Activism and the Public Good**
November 17 Toobin: Epilogue
Greenhouse: Chapter 7 - The Court and the Public
Chapter 8 - The Court and the World

Public Opinion & Concerns
Two Judicial Philosophies
Thomas
Present & Future Battlegrounds

Study Group Leader: Penny Hansen
pennyhansn@aol.com
202-362-3150