

Honors American Government
Moot Supreme Court
Important Precedent Supreme Court Decisions

Marbury v. Madison (1803)

Establishes the right of the Supreme Court to review laws passed by Congress and determine the Constitutionality of such legislative action.

Fletcher v. Peck (1810)

Establishes the right of the Supreme Court to review laws passed by state legislatures and determine the Constitutionality of such legislative actions.

McCulloch v. Maryland (1819)

Affirms the Constitutional principle of national sovereignty over the States.

Gibbons v. Ogden (1824)

Affirms the Constitutional principle of Congress' power over interstate commerce.

Munn v. Illinois (1877)

Establishes the principle of using a State's police (regulatory) power to guarantee the public good, even if it means regulating private property.

Muller v. Oregon (1908)

"The Brandeis Brief" – Louis Brandeis argues before the Court using statistics and research instead of previous case law. The Court's opinion is justified using these statistics instead of previously determined case law.

Bunting v. Oregon (1917)

The Court turns to international standards as reason for upholding a maximum work hours law in Oregon.

Schenck v. United States (1919)

The Court limits the rights of citizens when the police power of the State or Federal Government is needed. The "clear and present danger" principle is established.

Gitlow v. New York (1925)

Establishes that the "privileges and immunities" clause of the Fourteenth Amendment does mean States have to guarantee a citizen's rights in the Bill of Rights if that right is deemed fundamental. The Court will "selectively incorporate" the rights on a case-by-case and right-by-right basis (see *Mapp*, *Engel*, *Miranda*, *Gideon*, *Furman*, etc).

Wickard v. Filburn (1942)

Broadens Congress' interstate commerce power to include almost any economic activity within the borders of the nation.

Brown v. Board of Education (1954)

Defines the Fourteenth's Amendment's "equal protection" clause as pertaining to the economic inequality due to segregation laws, which in this case concerns public education.

Griswold v. Connecticut (1965)

As it applies to medical records, in this case contraception, the Constitution implies a right to privacy in the Bill of Rights.

New York Times v. Nixon (1971)

Defines a limit to the police powers of the State in denying rights. The government must prove clear and present dangers will exist if it does not act to limit the rights of people or organizations.

United States v. Nixon (1972)

Defines the "separation of powers" doctrine to allow that executive privilege is not absolute and the "rule of law" must not be hindered.

Roe v. Wade (1973)

Because of the implied right to privacy, a woman's complete medical records, in this case concerning pregnancy, are private and not a matter of public record. Therefore, the public cannot restrict the aborting of a pregnancy.

Planned Parenthood v. Casey (1992)

If a State must regulate abortions in order to fulfill the police power needs of the state, the regulation must not present an "undue burden" on a woman seeking an abortion.

Bush v. Gore (2000)

Establishes the right of the Federal Government to oversee the administration of powers historically reserved (this case might only apply to election procedures) for the States.