

WILL THE COURT HEAR THIS CASE?

Read each item below. Discuss and decide whether the Supreme Court would likely hear such a case. If the answer is "No," decide which of the limits regarding access to Supreme Court review applies and write that rule or reason in the space provided.

- I. A man says he was denied his Sixth Amendment right to have a lawyer when he was arrested and convicted of burglary. He was released from prison after the completion of his sentence last year.
No, moot - no longer in prison - no issue to resolve
- II. A disgruntled woman is tired of hearing about welfare cheaters. She wants the Court to hear her case, arguing that her tax money should not go to people whom she believes ought to be forced to take a job.
No, lacks standing to sue - has not been harmed
- III. An employee of the Internal Revenue Service was fired. Not believing that he could receive a fair hearing within the agency, he wants to appeal his firing directly to the Supreme Court.
No, not ripe for decision - must be heard in lower court first.
- IV. A state has banned the killing of an animal found only in that state. A group of hunters object to the law. They want the Supreme Court to declare the law unconstitutional.
No, no important Constitutional question - just local concern
- V. Several members of Congress request the Supreme Court's opinion on the wisdom of a proposed treaty with a foreign country.
No, Court does not issue advisory opinions
- VI. A publisher wants to appeal the case he lost in all lower, as well as the highest court in his state. He says the law under which he is being punished makes it a crime to criticize the state's governor. The publisher believes the law is an unconstitutional violation of the First and Fourteenth Amendment rights to free speech and press.
Yes - Important Constitutional question, it is Ripe

VII. A case involving the Fourth Amendment's guarantees against unreasonable search and seizure has captured the interest of two Supreme Court justices. The other seven, however, say that the Court decided the issue raised in this current case several years ago.

No, rule of Four

VIII. The Supreme Court has been requested to decide whether a newly independent country ought to be recognized by the United States.

No, political question - Duty of the Executive Branch

Don't
Do →

~~IX.~~ A middle-class couple would like to continue their appeal but no interest groups or other organizations want to support their appeal. Three of the couple's children are in college and must be supported financially.

X. A woman believes she should not have been fined for double-parking on a downtown street of a major city. She wants to take her case all the way to the Supreme Court.

No, no constitutional question, also not ripe

Don't
Do →

~~XI.~~ The Congress has passed a law forbidding the Supreme Court to hear appeals concerning school integration. A group of parents has lost its suit challenging segregation in a local school district. They want the Supreme Court to decide the case.

XII. A new law has been passed that will require banks to routinely send all records of their customers' checking accounts to the Internal Revenue Service. Even though he has no checking account and the law will not go into effect for three months, a young man sues in hopes that the Court will declare the law to be an unconstitutional violation of his rights to privacy and protection against self-incrimination.

No, lacks standing to sue. Also, not a real case of controversy

XIII. Texas has sued Oklahoma over water rights. The states believe that the Supreme Court should decide the issue.

Yes, Original jurisdiction - State vs. State