



## Cases to watch this upcoming Supreme Court term

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Elizabeth Slattery

The first Monday in October marked the opening of a new Supreme Court term. The Justices returned this week to conduct oral arguments by phone, as they had last spring. And aside from the phone line going dead for about a minute during argument on Tuesday, the Court and court watchers alike are settling into this new normal. Of course, many discussions about the Court these days revolve around the vacancy left by **Justice Ruth Bader Ginsburg's death** in September and President Trump's nomination of **Judge Amy Coney Barrett**.

But putting aside the politics associated with the vacancy, the Supreme Court will hear a number of important cases this term. Pacific Legal Foundation teamed up with National Review Institute to host a preview of the upcoming term. You can **click here to watch our event**, which included savvy analysis and remarks from John Elwood, Jeffrey Rosen, and Kannon Shanmugam. Here are a few of the cases coming up this term, many of which the panel discussed.

*Tanzin v. Tanvir*: A suit brought by Muslim men who were placed on the No Fly List after refusing to be FBI informants following 9/11 partly for religious reasons; they're seeking money damages against FBI officials in their individual capacity for infringing on the free exercise of religion.

*Google v. Oracle*: A copyright showdown stemming from Google's use of Oracle's copyright-protected Java SE code for its Android operating system.

*Fulton v. City of Philadelphia*: A First Amendment challenge to the city's effort to block Catholic Social Services from the foster care placement system; this case seeks reconsideration of a decision by Justice Antonin Scalia, *Employment Division v. Smith* (1990), that has disappointed many religious liberty advocates ever since it was issued.

*California v. Texas*: Obamacare returns to the High Court for the seventh time; this one is a new challenge to the law's individual mandate provision that requires uninsured individuals to purchase minimum coverage. Is it now unconstitutional since Congress reduced the penalty-turned-tax for noncompliance to \$0?

*Collins v. Mnuchin*: A separation-of-powers challenge to an unconstitutionally constituted federal agency asking the Court to vacate actions taken by the director, who has been insulated from presidential control. **Read PLF's brief** supporting the challengers.

*Uzuegbunam v. Preczewski*: A student at a state school sued after campus police would not let him engage in free speech even after reserving space in the “free speech” zone. While the school backed down and changed its speech policy, Uzuegbunam is still seeking nominal damages to hold the officials accountable. **Read PLF's brief** supporting the student.

*Brnovich v. Democratic National Committee* and *Arizona Republican Party v. Democratic National Committee*: Challenges brought under Section 2 of the Voting Rights Act to Arizona's policy of not counting out-of-precinct ballots and law limiting who may transmit another person's early ballot.

You can read more about the term in my colleague Anastasia Boden's **article for the Cato Institute's Supreme Court Review**. And be sure to tune in to **Dissed**, Anastasia's and my **brand-new podcast** all about dissenting opinions at the Supreme Court.