

The [ABA Journal](#) ^[1] has a new article on sentences of life without parole for juvenile defendants, an issue raised by two cases – [Graham v. Florida](#) ^[2] and [Sullivan v. Florida](#) ^[3] – coming before the Court on November 9. Graham and Sullivan argue that the imposition of a life sentence on a minor violates the Eighth Amendment, in light of the Court’s ruling in *Roper v. Simmons* in 2005 that the execution of juveniles is cruel and unusual.

The [Los Angeles Times](#) ^[4] reports on the Ninth Circuit’s ruling yesterday that petition signers do not have the right to conceal their identities. On Tuesday the Supreme Court ^[5] preemptively blocked Washington state officials from releasing the names of those who signed the petition in question, which opposed Washington’s new law enhancing benefits for same-sex couples. The [Seattle Times](#) ^[6] reports that groups opposed to the law are filing other federal lawsuits to raise campaign contribution limits.

Tony Mauro at the [National Law Journal](#) ^[7] speculates about Chief Justice Roberts’ dissent from the denial of cert. in *Virginia v. Harris*, a drunk-driving case. Mauro suggests that this “unusual step” was inspired in part by a brief written by Duke University School of Law’s appellate litigation clinic on behalf of MADD.

[Fortune Magazine](#) ^[8] previews [Jones v. Harris Associates](#) ^[9], in which the Court will hear arguments on November 2 about the fees paid to mutual fund advisers. Notably, five judges on the Seventh Circuit, including Judge Richard Posner, dissented from that court’s denial of rehearing en banc; Posner described the panel’s reasoning “ripe for reexamination.” The article posits that the Court’s ruling in *Jones* could provide insight into the justices’ broader thinking about the role of market forces and caps on corporate compensation.

Guantanamo Bay detainees were informed that the Supreme Court had agreed to hear their lawsuit via a BBC news article that wardens posted in the prison. The [Miami Herald](#) ^[10] quotes one of the detainees’ pro bono attorneys saying that “[b]asically they don’t have stars in their eyes about any cases.”

[Slate](#) ^[11] has this opinion piece ^[11] on the new lawsuit by a New Haven firefighter against the same promotion test challenged in [Ricci v. DeStefano](#) ^[12] last Term. The suit adds the complaint that the exam, by giving greater weight to written than oral performance, does not test the skills needed for the job. The Slate writer deems this newest lawsuit evidence that Title VII, in light of the *Ricci* ruling, “makes contradictory demands and threatens to trap the scrupulous as readily as the scofflaw.”

On Monday, October 26, the University of Arizona is hosting a rare discussion about the Constitution between Justices Breyer and Scalia. More details about the event, “A Conversation on the Constitution: Principles of Constitutional and Statutory Interpretation,” are available [here](#) ^[13].

At [ACS Blog](#) ^[14], NYU law professor Barry Friedman promotes his new book, [The Will of the People: How Public Opinion Has Influenced the Supreme Court and Shaped the Meaning of the Constitution](#) ^[15], which contends that “over time, on the issues most salient, the Court’s decisions come into line with the ‘considered judgment’ of the American people.”

In the [Los Angeles Times](#) ^[16], Jena Baker McNeill of the Heritage Foundation and Julian Sanchez of the Cato Institute debate the merits of the Patriot Act and the broad powers it grants law enforcement officers. Defending the Act, McNeill notes that with the possible exception of the provision criminalizing “material support” for terrorism, the Act has survived constitutional challenge thus far.

Former Justice Sandra Day O’Connor’s family home in Arizona was moved to a historic park near a new museum chronicling her life, as reported by [USA Today](#) ^[17].

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URLs in this post:

- [1] ABA Journal: http://www.abajournal.com/magazine/adult_time_for_adult_crimes/
- [2] *Graham v. Florida*: http://www.scotuswiki.com/index.php?title=Graham_v._Florida
- [3] *Sullivan v. Florida*: http://www.scotuswiki.com/index.php?title=Sullivan_v._Florida
- [4] Los Angeles Times: <http://www.latimes.com/news/nationworld/nation/la-na-court-confidential23-2009oct23,0,7762080.story>
- [5] : [#_msocom_3](#)
- [6] Seattle Times: http://seattletimes.nwsouce.com/html/politics/2010120841_newref71suit23m.html
- [7] National Law Journal: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202434882611&rss=nlj&slreturn=1&hbxlogin=1>
- [8] Fortune Magazine: http://money.cnn.com/2009/10/22/news/economy/pay_jones_harris_associates.fortune/?postversion=2009102212
- [9] *Jones v. Harris Associates*: http://www.scotuswiki.com/index.php?title=Jones_v._Harris_Associates
- [10] Miami Herald: <http://www.miamiherald.com/news/americas/guantanamo/story/1294146.html>
- [11] Slate: <http://www.slate.com/id/2233155/pagenum/all/#p2>
- [12] *Ricci v. DeStefano*: http://www.scotuswiki.com/index.php?title=Ricci%2C_et_al._v._DeStefano%2C_et_al.
- [13] here: <http://uanews.org/node/28140>
- [14] ACS Blog: <http://www.acslaw.org/node/14471>
- [15] The Will of the People: How Public Opinion Has Influenced the Supreme Court and Shaped the Meaning of the Constitution: <http://www.thewillofthepeople.org/>
- [16] Los Angeles Times: <http://www.latimes.com/news/opinion/opinionla/la-oew-mcneill-sanchez22-2009oct23,0,6830785.story>
- [17] USA Today: http://www.usatoday.com/news/nation/2009-10-22-oconnor-house_N.htm

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