

KEY COURT CASES

Marbury v. Madison (1803)	Established judicial review; "midnight judges;" John Marshall; power of the Supreme Court.
McCulloch v. Maryland (1819)	Established national supremacy; established implied powers; use of elastic clause; state unable to tax fed. Institution; John Marshall; "the power to tax involves the power to destroy."
Plessy v. Ferguson (1896)	Established separate but equal.
Schenck v. U.S. (1919)	Oliver Wendell Holmes; clear and present danger test; shouting "fire" in a crowded theater; limits on speech, esp. in wartime.
Gitlow v. New York (1925)	Established precedent of federalizing Bill of Rights (applying them to the states); states cannot deny freedom of speech --protected through due process clause of Amendment 14
Palko v. Connecticut (1937)	Provided test for determining which parts of Bill of Rights should be federalized – those which are implicitly or explicitly necessary for liberty to exist.
Brown v. Board, 1 st (1954)	School segregation unconstitutional; segregation psychologically damaging to blacks; overturned separate but equal; use of 14 th Amendment; judicial activism of Warren Court; unanimous decision.
Brown v. Board, 2 nd (1955)	Ordered schools to desegregate "with all due and deliberate speed."
Mapp v. Ohio (1961)	Established exclusionary rule; illegally obtained evidence cannot be used in court; Warren Court's judicial activism
Engel v. Vitale (1962)	Prohibited state-sponsored recitation of prayer in public schools by virtue of Amendment One's establishment clause and the 14 th Amendment's due process clause; Warren Court's judicial activism.
Baker v. Carr (1962)	"One man, one vote." Ordered state legislative districts to be as near equal as possible in population; Warren Court's political judicial activism.
Abington v. Schempp (1963)	Prohibited devotional Bible reading in public schools by virtue of establishment clause and due process clause. Warren Court's judicial activism.
Gideon v. Wainright (1963)	Ordered states to provide lawyers for those unable to afford them in criminal proceedings. Warren Court's judicial activism in criminal rights.
Wesberry v. Sanders (1963)	Ordered House districts to be as near equal in population as possible.
Griswald v. Connecticut (1965)	Established right of privacy through 4 th and 9 th Amendments. Set a precedent for Roe v. Wade.
Miranda v. Arizona (1966)	Established Miranda warnings of counsel and silence. Must be given before questioning. Warren Court's judicial activism in criminal rights.
Lemon v. Kurtzman (1971)	Allowed states to provide textbooks and busing to students attending private religious schools. Established 3-part test to determine if establishment clause is violated: nonsecular purpose, advances/inhibits religion, excessive entanglement with government.
Roe v. Wade (1973)	Established national abortion guidelines; trimester guidelines: no state interference in 1 st , state may regulate to protect health of mother in 2 nd , state may regulate to protect health of unborn child in 3 rd . Inferred from right of privacy estab. in Griswald v. Conn.
U.S. v. Nixon (1974)	Allowed for executive privilege, but not in criminal cases; "Even the President is not above the law;" Watergate.

Buckley v. Valeo (1976)	1 st Amendment protects campaign <i>spending</i> ; legislatures can limit <i>contributions</i> , but not how much one spends of his own money on campaigns.
U.C. Regents v. Bakke (1978)	Alan Bakke and UC Davis Medical School; strict quotas unconst., but states may allow race to be taken into account as ONE factor in admissions decisions. Bakke admitted.
Webster v. Reproductive Health Services (1987)	More leeway for states in regulating abortion, though no overturning of Roe v. Wade.
Texas v. Johnson (1989)	Struck down Texas law that banned flag burning, which is a protected form of symbolic speech.
Employment Division of Oregon v. Smith (1990)	States could deny unemployment benefits to a person fired for violating a state prohibition on the use of peyote even though the use of the drug was part of a religious ritual.
Planned Parenthood v. Casey (1992)	States can regulate abortion, but not with regulations that impose "undue burden" upon women; did not overturn Roe v. Wade, but gave states more leeway in regulating abortion (e.g., 24-hour waiting period, parental consent for minors)
Shaw v. Reno (1993)	No racial gerrymandering; race cannot be the <i>sole</i> or <i>predominant</i> factor in redrawing legislative boundaries; majority-minority districts.
U.S. v. Lopez (1995)	Gun Free School Zones Act exceeded Congress' authority to regulate interstate commerce.
Clinton v. NY (1998)	Banned presidential use of line item veto
Bush v. Gore (2000)	Use of 14 th Amendment's equal protection clause to stop the Florida recount in the election of 2000.
Zelman v. Simmons-Harris (02)	Public money can be used to send disadvantaged children to religious schools in tuition voucher programs.
Ashcroft v. ACLU (2002)	Struck down a federal ban on "virtual" child pornography
Lawrence v. Texas (2003)	Using right of privacy, struck down Texas law banning sodomy.
Gratz v. Bollinger (2003)	Struck down use of "bonus points" for race in undergrad admissions at University of Michigan.
Grutter v. Bollinger (2003)	Allowed the use of race as a general factor in law school admissions at University of Michigan.
Kelo v. City of New London ('05)	Eminent domain case: Local governments may force the sale of private property and make way for <u>private</u> economic development when officials decide it would benefit the public.
Gonzales v. Carhart (2007)	Upheld Partial Birth Abortion Ban Act of 2003.
DC v. Heller (2008)	Struck down a Washington DC ordinance that banned handguns