

Newsletter

PREPARING YOU FOR A FUTURE IN LAW



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FEBRUARY 13, 2023

IMPORTANT CASES THIS WEEK



Schenck v. United States



Gideon v. Wainwright



Grutter v. Bollinger

Schenck v. United States

The limitations of free speech in America.



Photo from SBS Print

While at war with Germany, Schenck, and another defendant distributed materials that discouraged individuals from participating in the draft and encouraged

direct insubordination in the US military and naval forces. They claimed the First Amendment protected their actions, but the Court held that "speech could be restricted if it presented a clear and present danger." In a later case (*Brandenburg v. Ohio*), this language was modified to say that speech could be restricted if it "provoked an imminent lawless action." Read the full decision [here](#).

Gideon v. Wainwright

The right to representation.

After being charged with a felony offense under Florida state law with no counsel or funds to afford representation, an inmate asked that the state court provide him with a lawyer. The court refused, and the inmate was subsequently convicted. He then challenged this conviction and argued that the court's refusal to provide him with representation violated the Bill of Rights. The Supreme Court ultimately ruled in favor of the inmate and said that the Sixth Amendment establishes the right to assistance of counsel for both criminal state and federal trials. Read the full decision [here](#).



Photo from Interrogating Justice

Grutter v. Bollinger

DEI pursuits and the Equal Protection Clause.

Barbara Grutter believed that she was denied admission to the University of Michigan's Law School because of their commitment to establishing a diverse community within the school. She argued that the school violated her rights under the Equal Protection clause. The Court ultimately ruled against Grutter and held that institutions of higher education do, in fact, have a "legitimate interest in promoting diversity." Read the full decision [here](#).



Photo from KXAN