

A Look at Top Cases for the Supreme Court's New Term

Montana parents are challenging a Montana Supreme Court religious school funding ruling

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The biggest cases before the Supreme Court are often the last ones to be decided, and the focus on the court will be especially intense in June, just a few months before the 2020 election.

A look at some of the high-profile cases the court will hear [in its term that begins Monday](#) and runs through early summer 2020, and when the cases are being argued, if a date has been set:

LGBT rights (Tuesday)

Title 7 of the landmark Civil Rights Act of 1964 prohibits discrimination in employment on the basis of sex, among other categories. The question for the justices in two cases is whether that provision protects people from discrimination in the workplace because they are gay or transgender. The sexual orientation case involves a fired skydiver in New York, who has since died, and a fired county government worker in Georgia. Aimee Stephens, a fired funeral home director in suburban Detroit, is at the center of the case about gender identity. The Trump administration has reversed the Obama administration's support for the workers.

Protections for young immigrants (Nov. 12)

President Donald Trump first announced his intention in 2017 to end the Obama-era program that protected from deportation and gave work permits to roughly 700,000 people who, as children, entered the country illegally or overstayed their visas. The Deferred Action for Childhood Arrivals program was never authorized by Congress. At issue before the court is whether the way the administration has tried to wind down the program is lawful. There seems to be little debate that Trump has the discretion to do so, as long as his administration complies with a federal law that generally requires orderly changes to policies.

Abortion (no date set)

Louisiana's law requiring doctors who perform abortions to have admitting privileges at local hospitals is virtually identical to a Texas measure the court struck down in 2016. What's different is that Justice Anthony Kennedy, part of the majority in 2016, has retired and been replaced by Justice Brett Kavanaugh. Both appointees of President Donald Trump, Justice Neil Gorsuch and Kavanaugh dissented in February from a decision to keep the Louisiana law on hold. Now they will hear their first major abortion case. The outcome could reveal whether the justices are willing to uphold more state abortion restrictions.

Religious school funding (no date set)

The Montana Supreme Court struck down a state program that provided tax credits for contributions to a private school scholarship fund because religious schools were included in the program. The state court said the program violated a state constitutional ban on sending public funds to religious institutions, even indirectly through the scholarship program. Montana parents are challenging the ruling as a violation of their religious freedom under the U.S. Constitution.

Juvenile sentencing (Oct. 16)

The issue of life with parole sentences for juveniles is back before the court in the person of Lee Boyd Malvo, who as a teenager terrorized the Washington, D.C., region in 2002 as one-half of a sniper team. At issue for the justices is whether Malvo should be resentenced in Virginia in light of Supreme Court rulings restricting life-without-parole sentences for crimes committed by juveniles. The case gives the more conservative court the chance to put the brakes on what has been a gradual move toward more leniency for juvenile offenders.

“Bridgegate” (no date set)

Bridget Anne Kelly is the aide to then-New Jersey Gov. Chris Christie whose email — “Time for some traffic problems in Ft. Lee” — led to the Bridgegate scandal: lane closures on the New Jersey side of the George Washington Bridge to punish a local officeholder. Kelly was convicted of fraud. The justices have agreed to hear her argument that her actions must be viewed in the rough and tumble of politics and did not constitute a crime.

Insanity defense (Monday)

Kansas is among five states that have abolished the insanity defense in criminal cases. Lawyers for a Kansas man who has been sentenced to death for killing four members of his family argue states must allow an insanity defense under the Constitution.

Non-unanimous juries (Monday)

Oregon is the only state in the country that still allows for criminal convictions in some cases even if the jury is not unanimous. Louisiana voters did away with the practice starting this year, but the court will hear from a Louisiana defendant who is serving a life term for killing a prostitute after being convicted by a 10-2 jury vote while the old rules were still in place. The Supreme Court previously decided that while federal trials require a unanimous verdict, states could set their own rules. The justices appear likely to set a uniform rule on unanimity, just as they did in a case last term when they held that the Constitution’s ban on excessive fines applies to the states as well.

Guns (Dec. 2)

A case from New York City could be the court's most significant word on gun rights in a decade, or it could go away altogether because of changes in local and state law since the justices agreed to weigh in. At issue is a New York City ordinance that prohibited licensed gun owners from carrying their unloaded weapons to shooting ranges or second homes outside the city. New York has amended the ordinance and the state also has passed a law requiring local governments to allow licensed gun owners to transport their weapons. That could make the case go away, even if the justices often frown on an effort by one party to end a case after it has been accepted for review.