



June 18, 2012

## **SUPREME COURT UPDATE**

The Supreme Court decided four cases this morning.

- *Match-E-Be v. Patchak* – The Court held that the Quiet Title Act does not preclude lawsuits against the United States government. The Court also held that an owner of land located near a parcel acquired by the Secretary of the Interior for the use of a Native American tribe has a right to challenge the land acquisition.
- *Salazar v. Rama Navajo Chapter* – The Court held that the federal government must reimburse Native American tribes in full – despite Congressional limits on reimbursement – for costs the tribes incur when administering certain federal programs.
- *Williams v. Illinois* – The Court held that the Confrontation Clause allows an expert witness to testify about the results of DNA testing conducted by another analyst who has not appeared as a witness at the trial.
- *Christopher v. SmithKline Beecham Corp.* – The Court held that pharmaceutical sales representatives qualify under the outside salesmen exemption of the Fair Labor Standards Act.

More decisions are expected to be announced on Thursday.

## **Supreme Court Decisions Remaining This Term**

With today's decision, there are 9 cases yet to be decided this term. The court has yet to determine the constitutionality of:

- The Affordable Care Act;
- The federal law criminalizing lies about military service and honors;
- The Federal Communications Commission's indecency standards;
- Arizona's efforts at cooperative law enforcement;
- The First Amendment rights of union employees.

Case Name		Date of Argument	Question for the Court
1.	First American Financial Corp. v. Edwards	November 28, 2011	Federal law allows homebuyers to sue banks and title companies when they pay kickbacks for the closing of a mortgage loan. This case will decide if such payments are constitutional where price or quality of the services provided is not affected.
2.	FCC v. Fox	January 10, 2012	Whether the Federal Communications Commission's television indecency standards are unconstitutionally vague.
3.	Knox v. SEIU	January 10, 2012	Whether employees have the First Amendment right to decline payment of union dues used for political advocacy by the union.
4.	United States v. Alvarez	February 22, 2012	Whether a federal law criminalizing lies about receiving military medals or honors violates the First Amendment.
5.	Southern Union Company v. United States	March 19, 2012	Whether the Fifth and Sixth Amendment principles established in <i>Apprendi</i> apply to the imposition of criminal fines.
6.	Miller v. Alabama/ Jackson v. Hobbs	March 20, 2012	Whether a sentence of life without parole for someone who was convicted of murder when he was fourteen violates the Constitution's prohibition on cruel and unusual punishment.
7.	U.S. Department of Health and Human Services v. Florida  National Federation of Independent Business v. Sebelius  Florida v. Department of Health and Human Services	March 21, 2012	(1) Whether Congress has the power under the Constitution to require virtually all Americans to obtain health insurance or pay a penalty; and (2) whether the Anti-Injunction Act, which prohibits taxpayers from filing a lawsuit to challenge a tax until the tax goes into effect and they are required to pay it, prohibits a challenge to the Act's provision requiring virtually all Americans to obtain health insurance or pay a penalty until after the provision goes into effect in 2014.
8.	Dorsey v. United States Hill v. United States	April 17, 2012	Whether the Fair Sentencing Act of 2010 applies to all defendants sentenced after its enactment.
9.	Arizona v. United States	April 25, 2012	Whether federal immigration laws preclude Arizona's efforts at cooperative law enforcement.