

Preliminary materials for

Supreme Court: The Term in Review (2017–2018)

The Federal Judicial Center has provided the attached materials to assist courts in program planning and in applying for continuing legal education (CLE) credit for the webcast/video *Supreme Court: The Term in Review (2017–2018)*. The materials include a program agenda, table of contents, faculty biographies, a continuing legal education application form, and a certificate of attendance for the webcast/video.

*The Center is unable to process individual applications for CLE credit therefore there is no pre-approval, but these materials will help you facilitate the process in your court. **Each individual attorney is responsible for submitting an application for CLE and for any payments that are required.** The Center does not have course numbers for the jurisdictions; you will have to acquire that information once you apply for CLE credit in the jurisdiction for which you desire credit. With regards to the Court Training Specialist signature that is required on the Certificate of Attendance you can have your court's Training Coordinator/Training Specialist or Human Resources Specialist/Human Resources Manager sign the certificate. After it is signed please submit the form to the CLE Commission or State Bar for which you seek credit. We strongly recommend that you contact your state's CLE board for information about CLE requirements, which vary from state to state.*

You should also be aware that to get credit for educational programs delivered online, many state CLE boards require that a discussion leader attend the program. If your state requires this, your court may wish to designate a discussion leader to fulfill this requirement following viewings of *Supreme Court: The Term in Review (2017–2018)*. Specific requirements vary, but typically the discussion leader must be available and able to answer questions about the program, and in some cases must lead a follow-up discussion. Check your state rules for its requirements. In the past, judges and staff attorneys have served as discussion leaders following webcast/video viewings.

The program evaluation is now available on the Center's website on the DCN at this link: [Supreme Court: The Term in Review \(2017–2018\) program webpage](#). A full set of program materials, including case summaries, will be available at the same link on **July 11, 2018**. If you have any questions about the CLE application process or the program in general, please contact Raiyda Pigman at 202-502-4126 or RPigman@fjc.gov.

Agenda

First Amendment; Fourth Amendment; Fifth and Sixth Amendments; Immigration Law; Bankruptcy Law; Redistricting and Voters' Rights; Federal Courts; Federal Statutes; Federalism and Separation of Powers; Criminal Trials; Pleas and Sentencing.

Introduction	(2:00 minutes)
1. First Amendment	(15:00 minutes)
2. Fourth Amendment	(10:00 minutes)
3. Fifth and Sixth Amendments	(04:00 minutes)
4. Immigration Law	(11:00 minutes)
5. Bankruptcy Law	(09:09 minutes)
Break	(05:00 minutes)
6. Redistricting and Voters' Rights	(13:00 minutes)
7. Federal Courts	(15:00 minutes)
8. Federal Statutes	(13:00 minutes)
9. Federalism and Separation of Powers	(13:00 minutes)
10. Criminal Trials, Pleas and Sentencing	(13:00 minutes)
Closing	(01:00 minute)

Total program time: 125 approx. minutes

Instructional time: 117 approx. minutes

Table of Contents

1. First Amendment
 - *Janus v. AFSCME*
 - *Masterpiece Cake Shop v. Colorado Civil Rights Comm.*
 - *National Institute of Family Life Advocates v. Bacerra*
2. Fourth Amendment
 - *Carpenter v. U.S.*
 - *Collins v. Virginia*
 - *Byrd v. U.S.*
3. Fifth and Sixth Amendments
 - *Currier v. Virginia*
 - *McCoy v. Louisiana*
4. Immigration Law
 - *Trump v. Hawaii*
 - *Jennings v. Rodriguez*
 - *Sessions v. Dimaya*
5. Bankruptcy Law
 - *Merit Management Group v. FTI Consulting*
 - *Lamarr, Archer and Cofrin v. Appling*
 - *U.S. Capital Bank, NA v. Village of Lakeridge, LLC*
6. Redistricting and Voters' Rights
 - *Gill v. Whitfeld*
 - *Abbott v. Perez*
 - *Husted v. A. Phillip Randolph Institute*
7. Federal Courts
 - *China Agritech v. Resh*
 - *Artis v. D.C.*
 - *Wilson v. Sellars*
 - *Animal Science Products v. Hebei Welcome Pharmaceutical Co.*

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8. Federal Statutes

- *Epic Systems v. Lewis (consolidated with Ernst & Young, LLP V. Morris and NLRB v. Murphy Oil, USA)*
- *Murphy v. Smith*
- *Dahda v. U.S.*
- *Jesner v. Arab Bank*

9. Federalism and Separation of Powers

- *Murphy v. NCAA*
- *South Dakota v. Wayfair*
- *Lucia v. SEC*

10. Criminal Trials, Pleas and Sentencing

- *Hughes v. U.S.*
- *Koons v. U.S.*
- *Rosales-Mereles v. U.S.*
- *Chavez-Mesa v. U.S.*
- *Class v. United States*

Faculty Biographical Information

JIM CHANCE: Senior Judicial Education Attorney, Federal Judicial Center (FJC), Washington, D.C.

EDUCATION: Postdoctoral study in Constitutional Laws (with Sir David C.M. Yardley), The Queen's College, Oxford University (1982); J.D., University of Baltimore School of Law (1982); M.F.A., Acting, The Catholic University of America (1990); B.A., Government and Politics, University of Maryland (1975); Emerging Leaders Program, George Washington University Center for Excellence in Public Leadership (2011); Certificate, Mediation, The Center for Understanding in Conflict (2014).

PROFESSIONAL: FJC, Judicial and Legal Education (2014-present); FJC, Probation and Pretrial Services Education (2010-2014); Host, FJC's "Supreme Court Term in Review" (2011-present); Designer and Faculty, "Pretrial Release / Detention Decision Making for Magistrate Judges" (2013-2018); Certified Mediator and Designer, "Mediation Skills for Federal Judges" (2016-present); Author (with Dr. Jason Cantone), Alternative Dispute Resolution in the United States: An International Perspective for the Republic of Uzbekistan (2018); Faculty, Academia de Intercambio y Estudios Judiciales (AIEJ), Argentina (2017-present); Litigator and Counsel to State and Local Governments (1983-2010); Admissions: State and Federal Bar of Maryland; Fourth Circuit U.S. Court of Appeals; U.S. Supreme Court; Omicron Delta Kappa, National Leadership Honor Society.

ERWIN CHEMERINSKY: Dean, University of California, Berkeley Law, Berkeley, California

EDUCATION: B.S., Northwestern, 1975; J.D., Harvard Law School, 1978.

PROFESSIONAL: Attorney, U.S. Department of Justice, Civil Division, Fraud Section, 1978–79; Attorney Associate, Dobrovir, Oates & Gebhardt, 1979–80; Assistant Professor, De Paul University College of Law, 1980–83; Associate Professor, 1983–84. Visiting Associate Professor, Southern California Law Center, 1983–84; Associate Professor, 1984–87; Sydney M. Irmis Professor of Public Interest Law, Legal Ethics, and Political Science, University of Southern California Law Center, 1987–2004; Alston & Bird Professor of Law and Political Science, Duke Law School, 2004–08; Dean and Distinguished Professor of Law, Raymond Pryke Professor of First Amendment Law, University of California–Irvine, School of Law, 2008-2017.

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JOHN S. COOKE: Deputy Director, Federal Judicial Center, Washington, D.C.

EDUCATION: B.A., Carleton College, 1968; J.D., University of Southern California, 1971; L.L.M., University of Virginia, 1977.

PROFESSIONAL: Deputy Director, Federal Judicial Center since 2006; Director, Judicial Education Division, Federal Judicial Center 1998-2006. In April 1998, retired with the rank of Brigadier General after twenty-six years in the Army Judge Advocate General's Corps. Last position in the Army was Chief Judge, U.S. Army Court of Criminal Appeals, and Commander, U.S. Army Legal Services Agency. During 2001–02, served as the Chair, Standing Committee on Armed Forces Law, American Bar Association.

LAURIE L. LEVENSON: Professor of Law & David W. Burcham Chair in Ethical Advocacy, Loyola Law School, Los Angeles, California.

EDUCATION: A.B., Stanford University, 1977; J.D., UCLA School of Law, 1980.

PROFESSIONAL: Law Clerk to the Honorable James Hunter III, U.S. Court of Appeals for the Third Circuit, 1980–81; Assistant U.S. Attorney (Trial Attorney, Chief of Criminal Appellate Section), Los Angeles, 1981–89; Associate Professor, Loyola Law School, 1989–94; Professor since 1994; Dean of Academic Affairs, 1996–99; Professor of Law & William M. Rains Fellow, Loyola Law School; Director, Loyola Law School's Project for the Innocent, 2011-present.

SUZANNA SHERRY: Herman O. Loewenstein Chair in Law, Vanderbilt University Law School, Nashville, Tenn.

EDUCATION: A.B., Middlebury College, 1976; J.D., University of Chicago Law School, 1979.

PROFESSIONAL: Clerk to the Honorable John C. Godbold, U.S. Court of Appeals for the Fifth Circuit, 1979–80; Associate, Miller, Cassidy, Larroca & Lewin, Washington, D.C., 1980–82; Associate Professor, University of Minnesota Law School, 1982–88; Professor, University of Minnesota Law School, 1988–2000; Earl R. Larson Professor of Civil Rights and Civil Liberties Law, University of Minnesota Law School, 1992–2000; Cal Turner Professor of Law and Leadership, Vanderbilt University Law School, 2000–06; Harvie Branscomb Distinguished University Professor, Vanderbilt University, 2012–13.

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ELIZABETH C. WIGGINS: Senior Research Associate, Research Division, Federal Judicial Center, Washington, D.C.

EDUCATION: B.A., University of North Carolina at Chapel Hill, 1980; J.D., University of Maryland School of Law, 1987; Ph.D., Johns Hopkins University (psychology), 1987.

PROFESSIONAL: Ms. Wiggins has been on the research staff of the Federal Judicial Center since 1989. Prior to joining the Center, she was an Assistant Professor of Psychology at Barnard College of Columbia University, 1987–88; a post-doctoral fellow in the Department of Psychology at Ohio State University, 1987–88; and on the research staff at the Institute of Government at the University of North Carolina, 1980–82.

ANNE FLEMING: Associate Professor of Law, Georgetown University

EDUCATION: B.A., Yale; J.D., Harvard; Ph.D., University of Pennsylvania

PROFESSIONAL: Professor Fleming’s research interests include contract law, commercial law, and American legal history, with a focus on the relationship between law and poverty. The American Society for Legal History has recognized her work with the Kathryn T. Preyer Scholars Award and a William Nelson Cromwell Foundation Fellowship. She has also received the K. Austin Kerr prize and the Herman E. Krooss dissertation prize from the Business History Conference. Fleming received her J.D., magna cum laude, from Harvard Law School, where she served as a board member of the Legal Aid Bureau. After law school, she served as a law clerk to the Honorable Miriam Goldman Cedarbaum of the U.S. District Court for the Southern District of New York and the Honorable Marjorie O. Rendell of the U.S. Court of Appeals for the Third Circuit. She also practiced as a staff attorney for South Brooklyn Legal Services, representing low-income homeowners facing foreclosure. Before joining the Georgetown faculty, Fleming taught at Harvard Law School as a Climenko Fellow and Lecturer on Law. Her first book, *City of Debtors: A Century of Fringe Finance*, explores the history of “fringe lending” and its regulation in the twentieth-century United States. It will be published by Harvard University Press in January 2018.

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A webcast/video presentation from the Federal Judicial Center

ATTENDANCE CERTIFICATE

This certificate should be filed with the appropriate MCLE Board or Commission within 30 days of this activity.

(keep a copy for your records)

Date you watched the program: _____

Registrant signature

Registrant name

Address

City, State, Zip Code

_____ for _____
Attorney No. (if applicable) State

I attended a total of ____ hours at the viewing site in _____
(Please note that different jurisdictions approve varying numbers of credits. The total hours above is the actual number of 60-minute hours attended)

Affirmation/Verification/Attendance Code: _____

Please enter the Affirmation Code that was displayed on the screen during the webcast

COURT TRAINING SPECIALIST CERTIFICATION

This will certify that the above-named person attended *Supreme Court: The Term in Review (2017–2018)* on the date indicated above.

Court Training Specialist signature

Federal Judicial Center, Education Division
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E., Washington, DC 20002-8003
Tel: 202-502-4126; fax: 202-502-4288

UNIFORM APPLICATION FOR ACCREDITATION OF CONTINUING LEGAL EDUCATION

To the state of:

1. Sponsoring organization:
 Name: **Federal Judicial Center**
 Address: **Education Division (ED)**
One Columbus Circle, NE
Washington, DC 20002-8003
 Telephone: **202-502-4059 x4059** Fax: **202-502-4299**
 Email: **rstarks@fjc.gov**

2. Title of educational activity: **Supreme Court: The Term in Review (2017-2018)**
3. Date(s) and location(s): **July 17, 2018 (being recorded for future viewing)**

4. Registration fee: **- 0 -**

5. Writing surface available? **Yes** **No**

6. Delivery Method(s): **faculty in room with participants;**
 telephone to broadcast site; **interactive video;** **webinar;** **audiotape presentation;** **streaming video;**
 interactive computer/Internet; **discussion leader present**

7. Type of Law code(s): 1. ; 2. (Optional) ; 3. (Optional)
 Difficulty Level: **Beginner;** **Intermediate;** **Advanced**

8. Advertised to: **Lawyers;** **Clients;** **Others (specify): Federal Judges and Attorneys**

9. List any admission restrictions:

10. "In-house activity" requirement (see local rules to determine applicability):
 open/publicized to outside lawyers **outside lawyers are 0% of faculty** **clients are 100% of audience**

11. Method of evaluation: **participant critique;** **independent evaluator;** **none;**
 other:

12. Description of materials to be distributed: **total pages ;** **loose-leaf** **bound**
 Distributed: **before program;** **at program;** **other:** **Online**

13. REQUIRED ATTACHMENTS to this application:
 a. time schedule (brochure, course outline, course description)
 b. table of contents or equivalent
 c. faculty name(s) and credentials (if not in brochure or description)
 d. complete set of materials (only in states where required)
 e. fees (only in states where required)

14. Total minutes of instruction, not including breaks, meals or introductions:
 General (non-ethics): **120**
 Ethics (minutes): **0** Substance Abuse: **0**
 Total: **120**
 Other: **0**

15. Approval by other states: Granted by:
 Denied by:

16. Submitted by: **employee of sponsor/provider;** **individual lawyer**

STATE ACCREDITATION OFFICE
 NOTICE OF DECISION
 Course No. _____

(To be completed by the state accreditation office and returned to applicant)

The following action has been taken on this application:

RETURNED for more information.
 Please complete each item on the form indicated by the number(s) circled below:
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

APPROVED for ___ CLE credits,
 Including ___ Ethics credits

DENIED Reference _____

SEE ATTACHED MATERIALS.

 Name of person applying (type or print)

 Address (if different than above)

 Signature

 Date

 Phone and Fax (if different than above)

 E-mail address (if different than above):