



The Supreme Court
Historical Society

Street Law, Inc. and the Supreme Court Historical Society present the

2023 Supreme Court Summer Institute for Teachers

June 8–13 @ Gibson Dunn

1050 Connecticut Avenue, NW

Institute Agenda

Outcomes

As a result of this Institute, you will be able to teach about

- The procedures for a case to be heard before the Supreme Court (the *certiorari* process) as well as the process the Court follows to decide a case
- Approaches to constitutional and statutory interpretation taken by the justices to decide cases
- The importance of precedent and the principle of *stare decisis*
- The process by which Supreme Court justices and other federal judges are nominated and confirmed
- Selected cases from the 2022–2023 Term: *Students for Fair Admission v. University of North Carolina*, *Students for Fair Admission v. Harvard*, *303 Creative v. Elenis*, *Counterman v. Colorado*, *Groff v. DeJoy*, and the student loan cases.

As a result of this Institute, you will also be able to

- Use a variety of interactive strategies to teach students lessons about the Supreme Court and its cases including Street Law case study methods, deliberations, and moot courts
- Use print, online, and video media to research and teach about the Supreme Court
- Incorporate resource persons into your lessons on the Court
- Prepare and present professional development activities on the Court for other teachers

Thursday, June 8 Gibson Dunn/Chesapeake Conference Room**3:00–3:30 PM Registration and refreshments**

Get to know the other participants by playing participant BINGO!

3:30–4:15 PM Welcome to the Institute

Lee Arbetman will open the Institute with an overview and introductions. **Jennifer Lowe** will provide a welcome from the Supreme Court Historical Society, and we will watch a brief video greeting from Chief Justice John Roberts. **Cathy Ruffing** will review the Institute’s agenda, outcomes, and community norms, and **Jamica McGill** will provide logistical details.

4:15–5:00 PM How Well Do You Know Your Supreme Court? [Binder Tab 2](#)

Lee will conduct an activity so you can get to know the Supreme Court while getting to know each other better.

5:00–5:15 PM Break**5:15–6:45 PM Introduction to Supreme Court Practice [Binder Tab 3](#)**

This session will provide an overview of the operation of the Court from deciding to hear cases and the “shadow docket”, through briefing and oral argument, to the process of writing and issuing opinions. There will be ample time for questions. Supreme Court Advocate **Cate Stetson** (Hogan Lovells) will lead this session.

7:00–8:30 PM Dinner reception Potomac Conference Room

We will dine together and informally get to know each other. After dinner, we will walk back to the Hamilton Hotel (.5 miles/5 blocks). For those not staying at the hotel, the Farragut North Metro station is right outside of the Gibson Dunn building.

Please complete today’s evaluation



Friday, June 9**Gibson Dunn/Supreme Court/Capitol**

8:30–9:00 AM **Join us for breakfast**

9:00–9:15 AM **Reflect on yesterday's sessions**

9:15–10:45 AM **Deciding to Decide: Granting *Cert*** **Binder Tab 4**

The Court grants *certiorari* in very few of the cases for which review is sought. Why does the Court take some cases and not others? What factors are important to the justices in setting the Court's agenda? We will review some research that has been done on these questions and then work as groups of clerks to Supreme Court justices to determine whether to recommend *cert* for several cases. **Cathy** will facilitate this session.

10:45–11:45 AM **Introduction to Constitutional Interpretation** **Binder Tab 5**

In this session we will learn about some of the basic approaches that the justices use to interpret the Constitution. We will define several constitutional interpretation vocabulary terms commonly found in state social studies content standards. We will also screen a video discussion of competing philosophies featuring Justice Breyer and the late Justice Scalia. **Lee** will facilitate this session.

11:45 AM–12:15 PM **Lunch**

12:15–1:00 PM **Travel to Supreme Court building and go through security***

The Supreme Court of the United States is located at **1 First Street, NE**. We will use a rideshare service to travel to the Court.

- A list of prohibited items may be found on the Court's website: <https://www.supremecourt.gov/visiting/prohibited-items.aspx>. Please note in particular the prohibition regarding food and beverages.
- Members of the party must remain with their guide at all times.
- Photography is prohibited inside the courtroom; however, it is permitted in the public parts of the building. Photos taken by guests in public space are approved for personal memento use only and not for publication, and they may not be used in any manner that would convey endorsement by the Supreme Court.

- Do not attend a lecture if you are ill or have tested positive for COVID-19 within 10 days of the lecture date.
- If you are experiencing any COVID-19 symptoms, please test with a self-administered rapid antigen test prior to the event.
- If you have been exposed to a COVID-19 positive individual in the last 5 days, please wear a mask when not actively eating or drinking.

*** See detailed itinerary under SCOTUS Lecture and Capitol Tour tab.**

1:00–2:30 PM

The Supreme Court Building [Binder Tab 6](#)

We will begin with a docent lecture in the courtroom. You will then have time to explore the gift shop and exhibits. We will meet at the John Marshall statue at 2:30 PM to depart.

2:30–3:00 PM

Walk to Capitol building

We will walk across First Street to the Capitol Visitor Center and go through security.

3:00–4:30 PM

Tour of Old Supreme Court Chamber and U.S. Capitol [Binder Tab 6](#)

We will have a guided tour of the Old Supreme Court Chamber in the basement of the Capitol where the Court met from 1819 to 1860. We will also learn about other spaces within the Capitol where the Court sat before it moved to the current building in 1935.

After the tour, explore the gift shop and exhibits until the building closes at 4:30 PM.

You are welcome to remain on Capitol Hill to explore, but please let Jamica or Cathy know that is your plan. You will be responsible for your own transportation back to the hotel if you do not leave with the group.

Please complete today's evaluation



Saturday, June 10**Gibson Dunn/Sidley Austin**

8:30–9:00 AM **Join us for breakfast**

9:00–9:15 AM **Reflect on yesterday's sessions**

9:15–9:30 AM **Street Law's Case Study Methods** **Binder Tab 7**

Street Law has developed seven strategies for teaching about U.S. Supreme Court cases. The strategies vary from basic to complex, and authentic student work increases as you move along the spectrum. In this session we will overview the seven strategies and discuss how to choose which is right for your classroom. **Lee** will facilitate this session.

9:30–10:30 AM **Case Study: *303 Creative v. Elenis*** **Binder Tab 8**

We will explore this Term's case that asks: Does the Colorado Anti-Discrimination Act (CADA) violate the Free Speech Clause of the First Amendment when it requires an artist to speak or stay silent? **Cathy** will facilitate this session.

CASE STUDY METHOD – CLASSIFYING ARGUMENTS

10:30–10:45 AM **Break**

10:45 AM–12:00 PM **Case Study: *Groff v. DeJoy*** **Binder Tab 9**

We will examine one of this Term's most important cases, *Groff v. DeJoy*, that asks to what extent employers must accommodate an employee's religious observance of the Sabbath. **Lee** will facilitate this session, joined by **Richard Katskee** (appellate advocate).

CASE STUDY METHOD – STUDENT LAW FIRMS

12:00–12:30 PM **Lunch**

12:30–1:00 PM **Walk to Sidley Austin**

Sidley Austin is located at 1501 K Street, NW (.4 miles/4 blocks).

1:00–4:30 PM**Moot Court: *Counterman v. Colorado* (@ Sidley) Binder Tab 10**

We will prepare for and present a simulated Supreme Court case—*Counterman v. Colorado*. It asks: To establish that a statement is a “true threat” unprotected by the First Amendment, must the government show that the speaker subjectively knew or intended the threatening nature of the statement, or whether it is enough to show that an objective “reasonable person” would regard the statement as a threat of violence?

Guest experts will join us to train teams of judges, petitioner’s advocates, and respondent’s advocates. **Bob Corn-Revere** (FIRE) will train the justices, **Beth Brinkmann** (Covington & Burling) will train the petitioners, and **Colleen Sinzdak** (Solicitor General of the United States’ Office) will train the respondents.

CASE STUDY METHOD – MOOT COURT

Please complete today’s evaluation



Sunday, June 11**Gibson Dunn**

Sleep in, enjoy a late breakfast, or engage in a little museum hopping.

1:00–1:15 PM **Reflect on yesterday’s sessions and watch Mini-Moot Courts video**

1:15–3:15 PM **Precedent, *Stare Decisis*, *Students for Fair Admissions v. UNC* and *Students for Fair Admissions v. Harvard* [Binder Tab 11](#)**

In this session we will develop a deeper understanding of the role that precedent plays in the U.S. legal system. We will also look at instances in which precedents have been overturned, generate reasons why the Court sometimes overturns precedent, and read a recent opinion that outlines the Court’s considerations when deciding to do so. Finally, we will apply the criteria to this Term’s cases *Students for Fair Admissions v. University of North Carolina* and *Students for Fair Admissions v. Harvard*, which consider the following question: Should the Supreme Court overrule *Grutter v. Bollinger* and hold that institutions of higher education cannot use race as a factor in admissions?

Cathy will facilitate this session, joined by **Daniel Randolph** (Covington & Burling).

3:15–3:30 PM **Break**

3:30–5:00 PM **Resources from Street Law and the Supreme Court Historical Society**

We will use stations to explore educational resources to teach about law and the Court from the Supreme Court Historical Society and Street Law. Stations will include Street Law’s Legal Diversity Pipeline Program, LandmarkCases.org (a joint project of SCHS and Street Law), Street Law’s resources for AP U.S. Government and Politics, middle school resources, and law electives and the Street Law and U.S. Government textbooks. **Nicole Carlson Maffei** (Supreme Court Historical Society) will join us for this session.

5:00–5:30 PM **Pizza and salad**

Enjoy a casual dinner together.

5:30–6:30 PM**Professional Learning Groups** **Binder Tab 12**

We will meet in professional learning groups to discuss applications of the Institute's materials, resources, and methods to your classrooms. Use this time to prepare Google slides for the Professional Learning Group Showcase on Tuesday.

Please complete today's evaluation



Monday, June 12**Gibson Dunn**

8:30–9:00 AM **Join us for breakfast**

9:00–9:15 AM **Reflect on yesterday’s sessions**

9:15–11:00 AM **Deliberation: *Mahanoy Area School District v. B.L.* [Binder Tab 13](#)**

We will use the powerful Deliberation teaching strategy to discuss a hot topic in the United States today—students’ First Amendment’s free speech rights. We will ask: Does the precedent set in *Tinker v. Des Moines* apply to student speech that occurs off campus? **Jen Wheeler** (Street Law, Inc.) will facilitate this session.

11:00–11:15 AM **Break**

11:15–11:50 AM **Using Primary Sources and Inquiry to Teach about the Supreme Court [Binder Tab 14](#)**

Explore [Landmarkcases.org](https://landmarkcases.org) and [Legaltimelines.org](https://legaltimelines.org) to discover materials to integrate primary source analysis and inquiry-based instruction to engage your students in learning about Supreme Court cases. **Cathy** will facilitate this session.

11:50 AM–12:00 PM **Pick up boxed lunch and move to lunch location**

12:00–1:15 PM **Lunch with a Clerk**

Lawyers who have clerked recently for a Supreme Court justice will join us for lunch, speak informally about their experiences as clerks, and answer your questions. This relaxed session will give you a “behind the scenes” look at how the Court functions from the perspective of the lawyers who work directly for the justices.

1:15–1:30 PM **Break**

1:30–2:45 PM **Judicial Nomination and Confirmation [Binder Tab 15](#)**

A former staffer who has worked on Supreme Court nominations will help us understand the process and the politics of judicial nominations. While the primary emphasis of the session will be on nominating a justice to the Supreme Court, we will also discuss the issue of lower federal court

nominations. Teachers will participate in a classroom-ready activity to create an ideal SCOTUS nominee.

Lee will open the session by providing the constitutional and historical context for judicial nominations. He will then be joined by **Roscoe Jones Jr.** (Gibson Dunn).

2:45–3:00 PM

Break

3:00–4:00 PM

Statutory Interpretation—The Student Loan Cases **Binder Tab 16**

In this session we will focus on the student loan cases. Most of the cases we study in SCSI are constitutional cases, but a significant number of the Court's cases involve interpreting federal statutes and actions by the federal government. We will look at some of the relevant legislative language and learn about some tools that courts use to interpret statutes. **Lee** will facilitate this session.

4:00–5:15 PM

Break (return to hotel/change)

5:15–5:45 PM

Travel from hotel to reception @ the Supreme Court

The Supreme Court of the United States is located at **1 First Street, NE**. We will use a rideshare service to travel to the Court.

Please review and adhere to the Court visit protocols on Friday's agenda.

6:00–7:30 PM

Reception @ the Supreme Court

The reception will be held at the Supreme Court of the United States. You must have a government-issued ID to enter. Please wear your Institute name tags.

Please complete today's evaluation



Tuesday, June 13**Gibson Dunn**

Check out of the hotel and store your luggage with the concierge.

8:30–9:00 AM **Join us for breakfast**

9:00–9:15 AM **Reflect on yesterday's sessions**

9:15–10:30 AM **Professional Learning Group Showcase** [Binder Tab 12](#)

Prepare and present Google slides to share which resources and content your professional learning group plans to integrate into your courses in the coming school year and possible adaptations you will make to differentiate instruction for students. Each group will have five minutes to present their information to the group.

10:30–10:45 AM **Break**

10:45–11:15 AM **Art of Training Teachers** [Binder Tab 17](#)

We will explore a variety of options for conducting effective staff development. **Lee** will facilitate this session.

11:15–11:30 AM **Institute Debrief**

We will collect your “likes and wishes” and take suggestions for strengthening the program next year.

11:30 AM–12:00 PM **It's a Wrap!** [Binder Tab 17](#)

We will discuss some final paperwork, and **Jamica** will explain the process for obtaining your stipend.

Adjourn. Have a safe trip home!



Please complete the closing evaluation of the Supreme Court Summer Institute