

THE DAILY RECORD

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Research & RESOURCES

Internet resources for Supreme Court analysis and more

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From employee retaliation claims to qualified domestic relation orders, the current term of the U.S. Supreme Court features of number of cases of interest to business owners and lawyers alike.

So far this month the court has heard arguments involving pre-emption and environmental issues. Still to come are cases relating to the First Amendment, water rights, antitrust and arbitration.

A sampling of cases for the remainder of the year include *Wyeth v. Levine* (Vt.), which will be the court's second pre-emption case of the term and *Fitzgerald v. Barnstable* (First Cir.), which asks the court to decide if Title IX bars §1983 sex discrimination claims in schools. Another, *14 Penn Plaza v. Pyett* (Second Cir.) will decide whether employees covered by a collective bargaining agreement and subject to mandatory arbitration are prohibited from seeking judicial relief for discrimination claims.

And while the nation is focused on who will become the next president, the court on Election Day will hear arguments in *FCC v. Fox Television Stations*, which involves the 2006 decision by the FCC to ban the use of "fleeting expletives." The FCC altered its long standing policy after Cher, Bono and other celebrities peppered on-air comments with profanity. At issue is whether the FCC acted "arbitrarily and capriciously" when it decided to reverse course.

A number of Web sites offer in-depth discussion, commentary and analysis of those and other cases before the Supreme Court from the traditional (U.S. Supreme Court) to the interactive (Oyez) to the participatory and collaborative (SCOTUS Blog, SCOTUSWiki):

- US Supreme Court — www.supremecourtus.gov

The official site of the court includes information on procedure, dockets, biographies of the justices, links to select speeches and more. Although the court does not directly provide access to briefs, information on where to locate them is included. Oral argument transcripts from 2006 to present are available, along with information on where to find older transcripts.

- Project Oyez — www.oyez.org

Project Oyez traces its beginning to Wrigley Field, home of the beleaguered Chicago Cubs, where during the late 1980s the original

creators first imagined a "multi-media-based Supreme Court." The site provides links to the text of almost every case dating back to 1793, and its developers are actively working on supplying media files for all cases dating back to 1955, when the court first installed recording devices. Other features include information on justices, past and present, RSS feeds to track cases and podcasts of select cases.

- On the Docket — www.onthe-docket.org



Affiliated with Project Oyez, On the Docket is an "online clearinghouse of news" regarding cases now before the court as well as those decided since the 1998 term. Many profiled cases include links to other sites offering analysis and commentary as well as links to trade and industry publications.

- SCOTUSblog — www.scotus-blog.com

SCOTUSblog is an interactive forum, which provides up-to-the-minute commentary and analysis of cases as well as a behind the scenes look at the workings of the court. It is a fact-filled and informative site. Recent postings include the breaking news regarding Justice Breyer's decision to further divest his stock holdings so he might recuse himself less often. A schedule is posted each day the court is in session, detailing not only what cases will be argued but also any other business the court will review or decide. An RSS feed, multi-media files and a term tracker also are available.

- SCOTUS Wiki — www.scotuswiki.com

SCOTUS blog's "sister" site provides an encyclopedic like treatment of cases before the court, beginning with the 2007 term. Unlike Wikipedia, to which almost anyone can contribute, site authors are selected from a pool of students, blog contributors and other experts. Only select cases are reviewed and analyzed in depth, but all cases are profiled. All cases also provide links to briefs and other pertinent information, i.e., news accounts.

Other sites worth viewing include The Curiae Project from Yale University (curiae.law.yale.edu), Cornell's Legal Information Institute (www.law.cornell.edu/supct), Justia (supreme.justia.com) and AppellateNet (www.appellate.net).

For a more eccentric look at the Supreme Court consider the blog

Continued ...

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Continued ...

Supreme Dicta (www.supremedicta.com), which touts itself as “an eccentric look at law, politics, and the Supreme Court.”

The blogging team recently shared the New York Time’s Adam Liptak’s story regarding Chief Justice John Robert’s flair for citing pop culture and odes to Dashiell Hammett and The Daily Show’s irreverent look at John McCain’s and Barack Obama’s potential court nominees. The site doesn’t exclusively report on

the Supreme Court — one recently posted item told of a Wisconsin man who, when given the choice between holding an “I was Stupid” sign or serving time, chose to hold the sign.

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