Presentation Outline

1. Remarks: Carolyn Shapiro, Esq., Solicitor General for the State of Illinois: What legal issues are of concern to the states which the Supreme Court regularly weighs in on?
   a. Redistricting and voting
   b. Preemption
   c. Federal executive authority
      i. Immigration
      ii. EPA
   d. Federal authority more generally
      i. Affordable Care Act/Spending clause
      ii. Environmental laws

2. Remarks: Lisa Soronen, Executive Director, State and Local Legal Center: What legal issues are of concern to the states which the Supreme Court regularly weighs in on?
   a. Criminal justice in general
      i. Capital punishment
      ii. Juvenile justice (Montgomery) Qualified immunity Guns Abortion

3. What do states want in a Supreme Court Justice? Carolyn Shapiro: What qualifications, temperament, experience, judicial philosophy is compatible with the interests of the states?

4. Death of Justice Scalia—how good/bad for state (and local) government Lisa Soronen: On what issues did Justice Scalia routinely vote for or against states?

5. Merrick Garland—how might he be as a Justice for state (and local) government Carolyn Shapiro: Judge Garland has been in the DC Circuit Court of Appeals for nearly two decades. What does his part decisions say about how he might rule in future cases on issues critical to the states?
   a. Guns, preemption, labor, environment, standing, juvenile justice, death penalty, race, redistricting

6. How did the vacancy affect this term? Lisa Soronen: The Court’s docket was set at the time Justice Scalia died. Which cases (likely) came out differently? In which cases did Justice Scalia’s vote not matter at all? Was oral argument affected?
7. How is the vacancy likely to affect next term? Carolyn Shapiro: The Court could be down a Justice all of next term. The Court has taken slightly very cases and almost no controversial cases.

8. Reflections the Kennedy Court and it likely winds up Lisa Soronen: Justice Kennedy has been the most powerful Justice on the Court since Justice O’Connor left. If a liberal Justice replaces Justice Scalia the Kennedy Court will be no longer.

9. What does a 7-2 liberal Supreme Court look like generally and for state government? Carolyn Shapiro: The possibility of a Court where the only remaining conservative Justices are Roberts and Alito is looming sooner rather than later. How might this case be good and bad for the states?