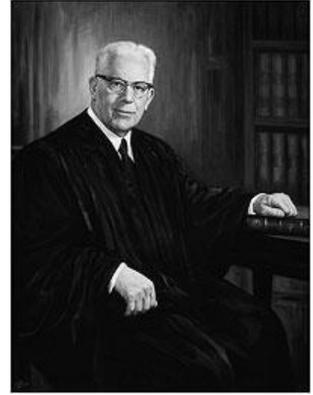


The Warren Court



The Supreme Court shifted away from its focus on property rights to personal rights when **Chief Justice Earl Warren took over the court in 1953, nominated by President Dwight Eisenhower.** Prior to the Warren Court a majority of the cases centered on building a foundation for property law. That all changed with the Warren court's first landmark case—***Brown v. Board of Education in 1954***, which opened the battle for school desegregation. After working hard to get a unanimous ruling in that case, Warren continued to work to lead the court in a series of cases that guaranteed numerous personal rights, which **primarily focused on the Bill of Rights.**

Brown v. Board of Education (1954, Warren). Unanimous decision declaring "separate but equal" unconstitutional.

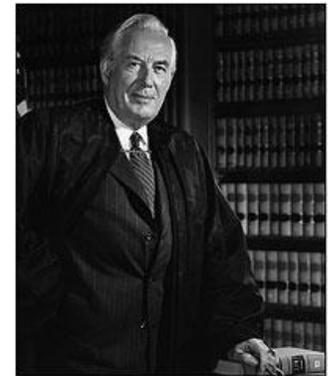
Baker v. Carr (1962) Reapportionment/Equal Protection/Voters' Rights

Gideon v. Wainwright (1963) Extends to the defendant the right of counsel in all state and federal criminal trials regardless of their ability to pay.

Escobedo v. Illinois (1964) Ruled that a defendant must be allowed access to a lawyer before questioning by police.

Miranda v. Arizona (1966) the court ruled that those subjected to in-custody interrogation be advised of their constitutional right to an attorney and their right to remain silent.

The Burger Court



President Richard Nixon got to appoint Chief Justice Earl Warren's successor. He wanted to find someone who would reshape the court in his image and he chose **Warren Burger.** Burger was not a forceful leader and was never able to overturn any of the Warren Court's rulings. Instead his court was led by the moderate justices who tried to find middle ground. While it might not have been his intention when he took over the court, his court's ruling on abortion, ***Roe vs Wade***, set off a social struggle that continues to split the nation today. **By the end of the Burger court the idea of judicial restraint died and the appointment of activist justices seemed to be the norm for the foreseeable future.**

Swann v. Charlotte-Mecklenburg Board of Education (1971) public school systems could use busing as a means of achieving the desegregation of public schools. Desegregation plans cannot be limited to the walk-in school."

Roe v. Wade (1973) The court legalized abortion by ruling that state laws could not restrict it during the first three months of pregnancy. Based on 4th Amendment rights of a person to be secure in their persons.

U. S. v. Richard Nixon (1974) The court rejected Richard Nixon's claim to an absolutely unqualified privilege against any judicial process.

Milliken v. Bradley (1974) planned desegregation/busing of public school students across district lines are okay as remedies only where there was actual evidence that multiple districts had deliberately engaged in a policy of segregation.

Pasadena Board of Education v. Spangler (1976) no constitutional requirement to make annual adjustments for busing and forced integration of schools "once the affirmative duty to desegregate had been accomplished and racial discrimination through official action [has been] eliminated from the system"

Bakke v. Regents of the University of California (1978) Ambiguous ruling by a badly divided court that dealt with affirmative action programs that used race as a basis of selecting participants. The court general upheld affirmative action, but with a 4/4/1 split, it was a very weak decision.

Additional Court Case Review... The State of Texas wants you to understand the following rulings for the EOC. Identify the ruling, the era, and significance of ruling for each of the following cases.

<i>Case</i>	<i>Era</i>	<i>Ruling</i>	<i>Significance</i>
<i>Plessy v Ferguson</i>			
<i>Brown v Board of Education</i>			
<i>Hernandez v Texas</i>			
<i>Tinker v Des Moines</i>			
<i>Wisconsin v Yoder</i>			
<i>White v Register</i>			
<i>Mendez v Westminster</i>			
<i>Delgado v Bastrop ISD</i>			
<i>Edgewood ISD v Kirby</i>			
<i>Sweatt v Painter</i>			