

# SCOTUS Sweet Sixteen

## Landmark Court Case Tournament

### Welcome

You are about to compete in a tournament to determine, once and for all, the most important **Landmark Supreme Court Case ever!** (*Pro Tip: It's not [New Jersey v. T.L.O.](#), although that's a pretty cool case!*)

### Materials

- Printout of a tournament of **SCOTUS Sweet 16** - Court Cases - filled
- Printout of a tournament of **SCOTUS Sweet 16** - Court Cases - blank
- Printout of a tournament of **SCOTUS Sweet 16** - Court Cases - key (*entirely subjective & correct*)
- [Landmark Supreme Court Cases](#) link to help you research cases & reach conclusions
- 1 pack of 20 index cards per person (optional)

### Goal

Play the tournament and determine the most important landmark SCOTUS case ever!

### Rules

First, seed the SCOTUS Sweet 16 tournament bracket. That is, if you think that *Miranda v Arizona* is the most important case EVER in American history, write a 1 next to *Miranda v Arizona* on the tournament handout. (*Pro tip: it's not #1*). If you think it's the 12th most important, write a 12 next to it. If you think it's #37, too bad. There is no #37 in this game. You could, however, make your own game with over 37 seeds and then make it the 37th seed. Good luck with that.

Begin the competition.

Compete head to head, between any two adjacent cases. For example, *Texas v Johnson* and *Miranda v Arizona* are adjacent cases. *Baker v Carr* and *Marbury v Madison*, are not adjacent cases. If you disagree, look up *adjacent* in the dictionary.

In each competition, your job is to determine why each of the two adjacent cases is important, and which of the two cases is MORE important. Every time there is a competition between two cases, write down on a piece of paper (or index card) the reason each case is a landmark case (important). To give you an idea of how it works, let's say we are competing head to head on two cases. In our hypothetical example, *New York Times v Sullivan* is going head to head with *Schenck v United States* (by the way, neither of these two cases are in our tournament print out), and you might write something like:

*In New York Times v Sullivan The Court held that the First Amendment protects the publication of all statements, even false ones, about the conduct of public officials except when statements are made with actual malice (with knowledge that they are false or in reckless disregard of their truth or falsity).*

*In Schenck v United States Oliver Wendell Holmes, speaking for a unanimous Court, concluded that not all speech (actions, words) is protected. In this case, Schenck's speech (mailing circulars telling draftees not to submit to the government) is not protected in this situation. The character of every act depends on the circumstances. "The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a **clear and present danger** that they will bring about the substantive evils that Congress has a right to prevent."*

Now that you have written about the importance of each case, it's time to decide which of the two cases is **more important**. You might write down, for example:

*After tremendous deliberation, I've decided that New York Times v Sullivan is more important than Schenck v United States because if the press were always fighting against libel suits and censorship it would not be free, and since Schenck put limits on freedom of speech that are rarely enforced by the government, the Sullivan case is more relevant and thus more important.*

The more important case is the winner and moves on to the next round of competition. In this instance, New York Times v Sullivan would move on to the next round (the elite eight) to compete against another case (the winner from its own first round competition). After you have picked a winner for each of the competitions in the first round, move on to the second round where you will again go head to head, competing one first round winner against the adjacent first round winner. Repeat, move on to the final four, and then move to the final competition to crown a SCOTUS Landmark Case Champion! By the end of this exercise, students should have a very good idea of the importance of all 16 of these Supreme Court Cases, especially the very most important of them.

### **Variations of Play**

Assign this tournament as a project or extended assignment. Have students (individuals or teams) turn in their rankings, arguments, and completed brackets for the entire tournament. Grade them based on the accuracy of their descriptions and the merit of their arguments.

Assign students (individuals or teams) individual cases. Have them stand before the class and argue as to why their case is more important than their competition (for example, why Marbury v Madison is important, and why it is more important than Tinker v Des Moines). Take a poll of the class to determine the winner of each competition. Copy the winners in the brackets on the classroom board as the game is played. Whichever team is the winner of the tournament is the winner of the best grade (or of extra credit). You might allow students to sign up for the case of their choice, giving incentive to kids to choose the more important and more likely to win cases.

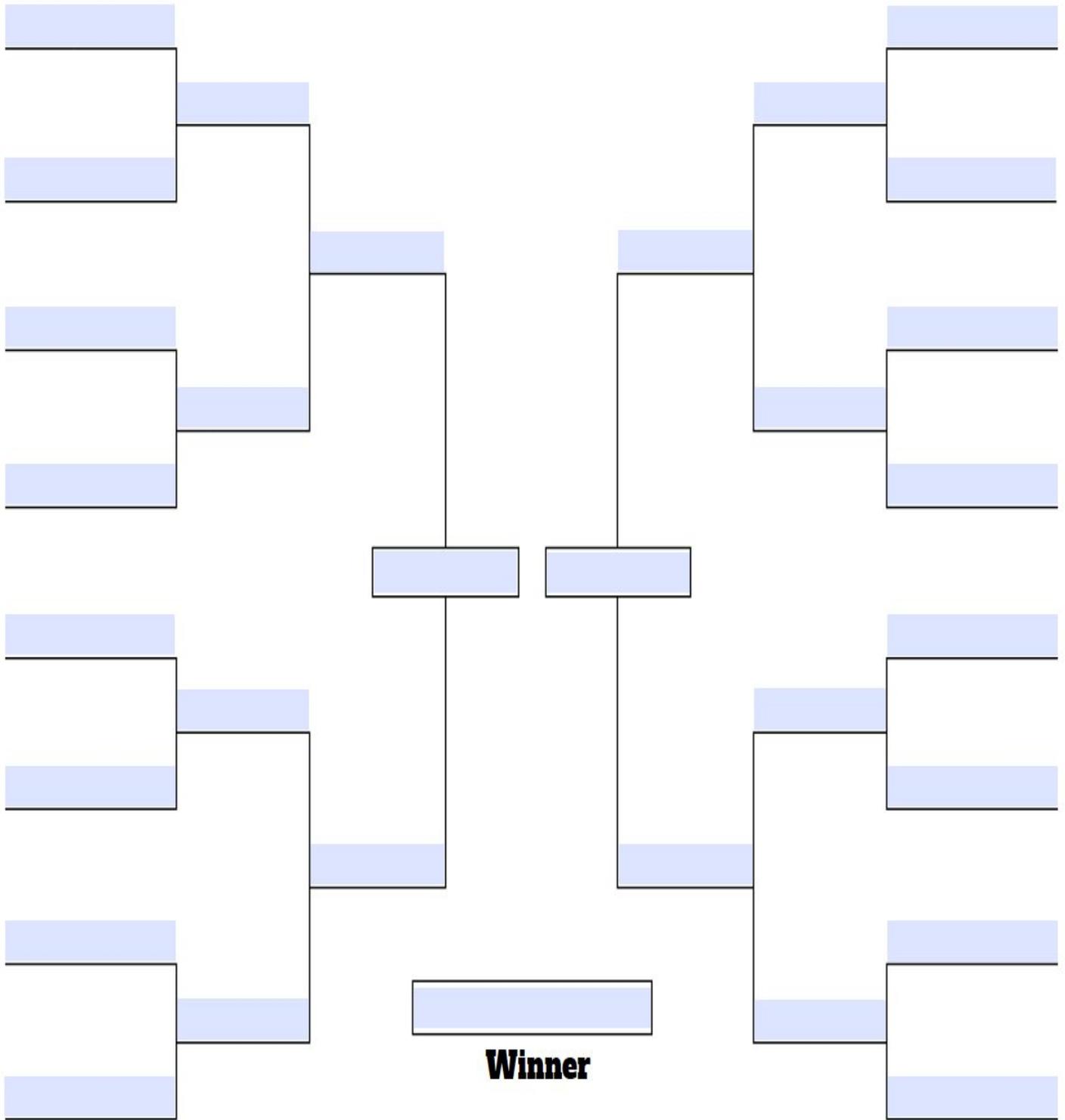
Pro Round: [Create your own brackets](#) with your favorite top 16 cases seeded and ready to go. You may include Supreme Court cases I didn't even put on my list like, [Animal Science Products, Inc. v. Hebei Welcome Pharmaceutical Co. Ltd.](#) (I don't recommend it!)

**Have Fun Stormin' The Castle!**

# SCOTUS Sweet 16



# SCOTUS Sweet 16



# SCOTUS Sweet 16 - Key

