



The **Voices of American Law Video Project** is an initiative of the **Duke University School of Law** to provide unique, high-quality educational materials to assist in studying the Supreme Court and its role in American society. Under the direction of **Professor Thomas B. Metzloff**, we have selected important topics in American constitu-



tional and federal law and identified a number of critical cases. In those cases, we have prepared detailed case documentaries focusing on interviews with the parties themselves, their lawyers, and the judges who shaped the case, as well as others involved with the case from its origins. These videos tell the stories of the real people behind the Court's opinions, and they present an exceptional opportunity to bring the cases alive to students in the classroom.

We have also developed a companion website to be used in conjunction with the video documentaries at [www.voicesofamericanlaw.org](http://www.voicesofamericanlaw.org). On the website you can view a trailer for each of the available videos as well as Supreme Court opinions, photographs, court documents, and other teaching resources for each of the cases. The website may be customized for particular courses, with as many or as few cases displayed as required. For more information on how to use the website, please contact Sarah Wood at [voices@law.duke.edu](mailto:voices@law.duke.edu) or 919-613-7068.

#### Case videos currently available:

**BMW of North America v. Gore**, 517 U.S. 559 (1996)

*Issue: Due Process - Punitive damages*

The video follows the story of Dr. Ira Gore, whose repainted car led to a lawsuit against BMW that became a landmark case in the law of punitive damages.

**Board of Education v. Earls**, 536 U.S. 822 (2002)

*Issue: Fourth Amendment*

High school student Lindsay Earls challenged her school district's policy of testing all students involved in extracurricular activities for illegal drug use. The parties involved explain how a small Oklahoma town was divided by important constitutional issues.

**Citizens United v. FEC**, 558 U.S. \_\_\_\_ (2010)

*Issue: Corporate speech in election campaigns*

Conservative group Citizens United challenged campaign finance laws that limited their ability to show and advertise a film about candidate Hillary Clinton. The Supreme Court ultimately issued a groundbreaking opinion on the free speech rights of corporations.

**Gentile v. State Bar of Nevada**, 501 U.S. 1030 (1991)

*Issue: First Amendment - Speech*

The State Bar of Nevada filed a disciplinary action against criminal defense attorney Donimic Gentile for his comments at a press conference. The case ultimately reached the Supreme Court and became a landmark First Amendment case on lawyer speech.

**Kelo v. New London**, 545 U.S. 469 (2005)

*Issue: Eminent domain*

When New London, Connecticut, developed a plan to rebuild the Fort Trumbull area, Susette Kelo and some of her neighbors fought the City's efforts to take their homes. Their lawsuit and the resulting Supreme Court decision created a firestorm of publicity on the issue of the proper role for eminent domain.

**Lee v. Weisman**, 505 U.S. 577 (1992)

*Issue: First Amendment - Establishment Clause*

When Daniel and Vivian Weisman learned that a rabbi had been asked to give the prayers at their younger daughter Debbie's graduation, they asked the principal to change the policy. Their case eventually went to the Supreme Court, posing important questions about the role of religion in public life.

**Locke v. Davey**, 540 U.S. 712 (2004)

*Issue: First Amendment - Free Exercise Clause*

Washington Governor Gary Locke created the Promise Scholarship program to enable low- and middle-income students to attend college. Josh Davey was awarded a Promise Scholarship, but could not receive the money because he wanted to study theology. He sued the state, claiming that its actions violated his First Amendment right to practice his own religious beliefs.

**Lucas v. South Carolina Coastal Council**, 505 U.S. 1003 (1992)

*Issue: Takings*

When David Lucas discovered that he could not build on his beachfront lots, he challenged South Carolina's limits on development along the beach. The legal case that followed pitted the state's interest in preserving the shoreline against Lucas's rights as a property owner and became a milestone in the law of takings.

**Lynch v. Donnelly**, 465 U.S. 668 (1984)

*Issue: First Amendment - Establishment Clause*

For many years, the city of Pawtucket, Rhode Island sponsored a Christmas display; it included a nativity scene that was seen by some as an inappropriate religious symbol on public property. The ACLU sued to have the nativity scene removed, and the case eventually reached the Supreme Court.

**Marsh v. Chambers**, 463 U.S. 783 (1983)

*Issue: First Amendment - Establishment Clause*

When Dr. Robert Palmer, a Presbyterian minister, was named Chaplain of the Nebraska Legislature, he continued a long tradition of opening legislative sessions with a prayer. State Senator Ernie Chambers objected to the prayers, and he filed a lawsuit against the state, claiming that the prayers violated the First Amendment's Establishment Clause.

**Republican Party of Minnesota v. White**, 536 U.S. 765 (2002)

*Issue: First Amendment - Speech*

Like many states, Minnesota limited what judicial candidates could say in their campaigns in order to preserve the impartiality of the judiciary. Supreme Court candidate Greg Wersal, with the backing of the state Republican Party, challenged the rules as unconstitutional limits on his right of free speech.

**Romer v. Evans**, 517 U.S. 620 (1996)

*Issue: Equal Protection*

When Colorado voted to forbid state and local governments from passing laws banning discrimination against gays, gay rights groups sued to overturn the law. Governor Roy Romer, who opposed the law, nevertheless had to defend it all the way to the Supreme Court.

**Stenberg v. Carhart**, 530 U.S. 914 (2000)

*Issue: Abortion*

LeRoy Carhart challenged Nebraska's partial-birth abortion ban, arguing that the ban placed an unconstitutional burden on a woman's right to an abortion. The case eventually went to the Supreme Court and became the focus of the ongoing political and cultural battle over abortion rights.

**Swedenburg v. Kelly**, 544 U.S. 460 (2005)

*Issue: Commerce Clause*

When Juanita Swedenburg discovered that she could not ship wine from her Virginia winery to customers in other states, she filed suit against the state of New York. The legal case that followed raised important issues of free trade; interstate commerce in the internet age; and states' ability since the end of Prohibition to regulate alcohol, collect taxes, and prevent underage drinking.

**Van Orden v. Perry**, 125 S. Ct. 2854 (2005)

*Issue: First Amendment - Establishment Clause*

Every day, Thomas Van Orden passed a granite monument carved with the Ten Commandments on the grounds of the Texas State Capitol. Believing that a religious text on government property violated the First Amendment, he sued to have it removed.

**Virginia v. Black**, 538 U.S. 343 (2003)

*Issue: First Amendment - Speech*

When KKK leader Barry Black was convicted of cross burning in Carroll County, Virginia, he called the ACLU and challenged the constitutionality of the statute. This important case tested the ability of government to regulate a form of symbolic expression traditionally associated with hatred and violence.

#### Case videos currently in production:

**United States v. Virginia**, 518 U.S. 515 (1996)

*Issue: Equal Protection - Gender discrimination*

**Gonzales v. Raich**, 545 U.S. 1 (2005)

*Issue: Commerce Clause*

**Grutter v. Bollinger**, 539 U.S. 982 (2003)

*Issue: Equal Protection - Affirmative action*

**Leegin Creative Leather Prods. v. PSKS**, 551 U.S. \_\_\_\_ (2007)

*Issue: Antitrust law*

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