SCALL Institute Further Readings 2017
A selected list of further readings on the topics of 2017 SCALL Institute
David McFadden & Lisa Junghahn

SCALL Institute Further Readings 2017

An Amazing Time in the Supreme Court

First Amendment Protection to Civil Rights Protest and How Labor Protest Lost

Affirmative Action Jurisprudence: Reversing Equal Protection

From Petition to Briefs; Taking a Case to the Supreme Court

LGBT Rights & Constitutional Law

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An Amazing Time in the Supreme Court
Erwin Chemerinsky, Dean of the School of Law, University of California, Irvine School of Law, Distinguished Professor of Law, Raymond Pryke Professor of First Amendment Law

Books
Erwin Chemerinsky, Closing the Courthouse Door: How your Constitutional Rights Became Unenforceable (2017)

Erwin Chemerinsky, The Case Against the Supreme Court (2014)

Eric J. Segall, Supreme Myths: Why the Supreme Court Is not a Court and Its Justices Are Not Judges (2012)

Articles
Erwin Chemerinsky, Thinking About the Supreme Court’s Successes and Failures, 69 VAND. L. REV. 919 (2016)

Jacobus tenBroek, Use by the United States Supreme Court of Extrinsic Aids in Constitutional Construction, 27 CAL. L. REV. 399 (1939).

Op-ed
Erwin Chemerinsky, So long Roe vs. Wade? President Trump's Most Lasting Legacy Could be Radical Change at the Supreme Court, L.A. TIMES, Nov. 9, 2016 (Op-Ed)

Videos
Supreme Court in Review, Panel held at University of California, Irvine, July 20, 2016

First Amendment Protection to Civil Rights Protest and How Labor Protest Lost
Catherine Fisk, Chancellor’s Professor of Law, University of California, Irvine School of Law

Books
Laura Weinrib, The Taming of Free Speech (2016)

Articles


James Gray Pope, How American Workers Lost the Right to Strike, and Other Tales, 103 MICH. L. REV. 518 (2004)
Affirmative Action Jurisprudence: Reversing Equal Protection
Kimberly West-Faulcon, Professor of Law, James P. Bradley Chair in Constitutional Law, Loyola Law School

**Book**

**Articles**


**Op-Eds**


Kimberly West-Faulcon, *Why Abigail Fisher’s Case is a Modern Day Trojan Horse*, GRIO, Dec. 9, 2015.

**Podcast**
Radiolab Presents: *More Perfect - The Imperfect Plaintiffs*, June 28, 2016 (Edward Blum, architect of several recent Supreme Court cases, seeking to change the Supreme Court’s interpretation of Equal Protection)

**Decision & Briefs**
*Fisher v. Univ. of Texas at Austin*, 136 S. Ct. 2198 (2016)

*Brief Amicus Curiae of Kimberly West-Faulcon in Support of Respondents*, Fisher v. Univ. of Texas at Austin, 136 S. Ct. 2198 (2016) (No. 14-981),

*Brief Amicus Curiae of Kimberly West-Faulcon in Support of Respondents*, Fisher v. Univ. of Texas at Austin, 133 S. Ct. 2411 (2013) (No. 11-345)
From Petition to Briefs; Taking a Case to the Supreme Court
Brian Hoffstadt, Associate Justice, California, 2nd District Court of Appeal

Books
David C. Frederick, Supreme Court and Appellate Advocacy: Mastering Oral Argument (2d ed. 2010).

Stephen M. Shapiro, et al., Supreme Court Practice: for Practice in the Supreme Court of the United States (10th ed. 2013)

Articles

David C. Frederick, Essentials of Supreme Court Practice: Demystifying Practice Before the Legal Profession’s Most Hallowed and Intimidating Chamber, Del. Law., Fall 2013 at 7.


Websites

Books
Carlos A. Ball, From the Closet to the Courtroom: Five LGBT Rights Lawsuits That Have Changed Our Nation (2010).

Controversies in Equal Protection Cases in America: Race, Gender and Sexual Orientation (Anne Richardson Oakes, ed. 2015).


Peter Nicolas, Sexual Orientation, Gender Identity, and the Constitution (2013).

Articles

David B. Cruz, Acknowledging the Gender in Anti-Transgender Discrimination, 32 Law & Inequality 257 (2014).

David B. Cruz, Transgender Rights After Obergefell, 84 UMKC L. Rev. 693 (2016).


Jillian T. Weiss, Protecting Transgender Students: Application of Title IX to Gender Identity or Expression and the Constitutional Right to Gender Autonomy, 28 Wis. J.L. Gender & Soc’y 331, 332 (2013).

Websites