Gratz v. Bollinger: A Supreme Court Case

This information will help you prepare for the Supreme Court hearing.

Arguments Made in Lower Courts
Take a look at the arguments each side made in the lower courts. This could help you think about arguments and questions you might use.

Attorneys for the Students (Gratz):
- The admissions policy is a violation of the 14th Amendment because it does not treat all students equally.
- The students were not as competitive as others based on race or ethnicity. Minority students were more competitive because they got extra points.
- The students were denied the opportunity to compete for admission on an equal basis.

Attorneys for University of Michigan (Bollinger):
- The system makes it more fair for all students, even those who did not have the same opportunities earlier in life and in high school as others, to have a chance to attend this school.
- The university has the right to ensure that its student body is diverse. This is important for to the quality of education for all our students.
- Though the system gives points to certain racial and ethnic groups, it also gives the same amount of points to athletes or disadvantaged students.

The question before the court:

Does the University of Michigan's use of racial and ethnic preferences violate the 14th Amendment?
To Prepare for the Case:
Attorneys for the students (Gratz): Create arguments to convince the justices that the university’s admissions policy is not fair to all students and violates the 14th Amendment.

Attorneys for the University (Bollinger): Create arguments to convince the justices that the admissions policy is fair to all students and does not violate the 14th Amendment.

Justices of the U.S. Supreme Court: Create at least three questions to ask each side to help you determine the case.

Rules of Oral Argument
1. Attorneys for the students will present first.
2. Attorneys for the university will present second.
3. Justices will ask questions of both sides during the arguments.

The Justices’ Decision
1. After oral arguments, the justices meet and discuss the case.
2. Then they vote.
3. The justices will explain the reasons for the decision.