

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

## 2022 Essay Contest

### The Role of the Courts in Promoting Justice for All: The Equal Protection Clause

In association with *Justice for All: Courts and the Community* and the New York State Bar Association, Commercial & Federal Litigation Section

#### In honor of Judge Robert A. Katzmann

The District of Connecticut is participating in the Second Circuit's 2022 Essay Contest, which is sponsored by the New York State Bar Association Commercial and Federal Litigation Section, in memory of Second Circuit Judge Robert A. Katzmann. When he was Chief Judge of the Second Circuit, Judge Katzmann founded Justice for All: Courts and the Community, the Second Circuit's civic education initiative, in 2014, and worked tirelessly to promote Justice for All's mission "to increase public understanding of the role and operations of the courts and bring courts closer to the community." Judge Katzmann was committed to the fair administration of justice and was passionate about educating students about the role of our courts, particularly the federal judiciary, in promoting justice for all.

One of the primary roles of the federal judiciary is to interpret the Constitution and to determine how the Constitution is applied to novel questions of law. One amendment that has been subject to much interpretation is the 14th Amendment, ratified in 1868 following the Civil War, which includes the Equal Protection Clause. The Equal Protection Clause of the 14th Amendment of the Constitution provides that the state shall not "deny to any person within its jurisdiction the equal protection of the laws." Although initially intended to address racial discrimination following the Civil War, the Equal Protection Clause has now been applied to prohibit discrimination based on many classifications including race, gender, and immigration status, among others. The broad phrasing of the Equal Protection Clause has been interpreted many times by the federal courts, including the Supreme Court, and has led to many landmark decisions shaping the meaning and impact of the Equal Protection Clause in modern American society.

One might be surprised to learn how recently some of these landmark decisions occurred. Landmark decisions involving the Equal Protection Clause include:

Brown v. Board of Education, 347 U.S. 483 (1954): In Brown, the Supreme Court ruled that "separate but equal" school facilities are inherently unequal (overruling an earlier decision in Plessy v. Ferguson, which held that if facilities were equal, separating by race did not violate the Equal Protection Clause). The Brown v. Board of Education decision held that public school segregation based on race violates the Equal Protection Clause.

Loving v. Virginia, 388 U.S. 1 (1967): In Loving, the Supreme Court held that a prohibition against interracial marriage violated the Equal Protection Clause.

Reed v. Reed, 404 U.S. 71 (1971): In Reed, the Supreme Court applied the Equal Protection Clause to gender discrimination for the first time, holding that a law that stated that "males must be preferred to females" with respect to appointing the administrator of an estate was unconstitutional.

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Article I

Plyler v. Doe, 457 U.S. 202 (1982): In Plyler, the Supreme Court held that a law denying enrollment in public schools to children who were not “legally admitted” to the country violated the Equal Protection Clause. The Court concluded that the Equal Protection Clause applies to all persons within the United States, regardless of whether they entered the country legally, although an individual’s right to equal treatment is not absolute.

Obergefell v. Hodges, 576 U.S. 644 (2015): In Obergefell, the Supreme Court held that the Equal Protection Clause guarantees the right of same-sex couples to marry because denial of that right would deny same-sex couples equal protection under the law.

The cases listed above are just a few of the many cases in which the Supreme Court has interpreted and applied the Equal Protection Clause and are intended to provide an illustration of the evolution of equal protection jurisprudence over the last century.

In honor of Judge Katzmann’s commitment to the administration of justice and to educating students about the role of the courts in promoting justice for all, the theme for this year’s essay contest is “The Role of the Courts in Promoting Justice for All: The Equal Protection Clause.” Consistent with that theme, students are asked to consider how the federal courts have interpreted the meaning of the Equal Protection Clause in many different situations, and to think critically about how the Equal Protection Clause impacts individuals, communities, and American society.

In discussing the role of the courts in promoting justice for all through the Equal Protection Clause, you may want to consider the following questions:

- Why is the Equal Protection Clause important in modern American society?
- Considering the Supreme Court decisions described in the prompt, how has the Supreme Court’s interpretation of the Equal Protection Clause helped to protect the rights of different groups of people?
- In your opinion, is the Equal Protection Clause functioning as intended?
- What is important for students like yourselves to know about the Equal Protection Clause and the decisions interpreting it?
- Within the scope of the constitutional role of the federal judiciary, how else can courts promote justice for all?

To enter, write an essay of 500 words or less that addresses this year’s theme. Essays should be typed or handwritten in ink. When you are ready to submit, attach a cover sheet that includes a number assigned to the student, the student’s school, grade, and teacher. **Do not include your name on the essay.** Entries will be judged on accuracy of information, clarity of expression, content, and originality. Essays with the attached cover sheet should be emailed to [Public\\_Outreach@ctd.uscourts.gov](mailto:Public_Outreach@ctd.uscourts.gov) by **May 2, 2022** (or a mutually agreeable date).

