

William & Mary Supreme Court Preview 2026
September 25 – 26, 2026

(Sessions will be held in Room 119 with overflow in Room 120 unless otherwise specified).

FRIDAY September 25, 2026

2:30 PM – 3:30 PM: Networking with Students

Brief Description: Available panelists will meet with registered W&M students to talk about their lives in the law and to give advice they wish they had been given when in law school.

4:00 PM: Welcome (Professor Allison Orr Larsen and Dean A. Ben Spencer)

4:05 PM – 5:30 PM: **Moot Court - *Kian v. Florida***

- Advocates: Jo-Ann Sagar and Christopher Michel
- To be held in the McGlothlin Courtroom, overflow in 120

Brief Description: *Kian v. Florida* asks whether the Sixth and Fourteenth Amendments guarantee a defendant charged with a serious felony the right to be tried by a twelve-person jury, rather than a six-person jury. The case requires the Court to consider the continuing validity of *Williams v. Florida* (1970), which held that the federal Constitution does not require twelve-member juries in state criminal trials.

**As in the past, the audience is reminded that the moot court is an academic exercise only and no questions or positions taken by either the moot court justices or advocates should be attributed to them personally.*

5:30 PM – 6:30 PM: **The Roberts Court and Executive Power**

Brief Description: A panel of Supreme Court experts will examine the Roberts Court's approach to executive power, exploring both recent decisions that have expanded presidential authority and those in which the Court has intervened to review or limit executive action. The discussion will include the Court's decision last term in *Trump v. Slaughter*, which embraced the unitary executive theory and expanded Presidential power across administrative agencies, as well as decisions involving birthright citizenship, presidential tariffs, and the major questions doctrine that seem to cut in the opposite direction. Finally, the panel will speculate on what is next for the Court in this area and offer commentary on what the Roberts' Court approach to executive power will mean for the rest of the Trump presidency and beyond.

6:30 PM: Conference adjourns for the evening

SATURDAY September 26, 2026

9:00 AM – 10:00 AM: Immigration Law

Brief Description: This panel will examine the Supreme Court's immigration docket, including *Wassily v. Blanche*, *Genalo v. Black*, *Montoya Palacios v. Liggins*, and other pending and recent cases raising questions about immigration enforcement, asylum, and detention. The experts will ask what these cases reveal about the future of immigration law and the respective roles of Congress, the Executive, and the courts.

10:00 AM – 11:00 AM: The Judges Panel: Do lawyers matter?

Brief Description: This panel begins with a tongue-in-cheek question: How much of a difference do lawyers really make? There is a growing skepticism among the general public (and law students) that judges approach cases with their minds already made up. Several sitting judges on the U.S. Courts of Appeals will offer an inside look into their decision-making process, discuss where advocates have the greatest opportunity to influence outcomes, and explain how the structures / processes of the lower courts may differ in this respect from the more familiar ones of the U.S. Supreme Court.

Break

11:15 AM – 12:15 PM: Election Law and the Midterms

Brief Description: This panel will discuss the impact of the Court's recent election law decisions while previewing the cases currently on the Court's docket and those likely to reach the Court in the near future. Specifically, the discussion will cover *Mi Familia Vota v. Fontes*, a closely watched pending case concerning federal voting rights protections and state election administration. The panel will also examine the Court's role in resolving election-related emergency applications, with particular attention to the issues that may arise during the upcoming midterm election cycle.

12:15 PM – 1:00 PM: Lunch Break

1:00PM – 2:00 PM: Docket Deep Dives (3 choices in 3 different rooms):

- (A) Employment Law (Room 124)
- (B) Civil Rights Litigation (Room 119)
- (C) Criminal Law (Room 127)

2:00 – 2:15 PM: *Break and return to 119.*

2:15PM – 3:15 PM: Federal-State Conflicts

Brief Description: This panel will examine the Supreme Court's role in resolving conflicts between federal and state authority across a range of emerging legal issues. The discussion will center on the highly watched pending case, *Suncor Energy v. Board of County Commissioners of Boulder County*, which raises questions about federal preemption and the relationship between federal environmental law and state common-law claims concerning climate change. The panel will also speculate about the Court's role in the ongoing litigation involving state regulation of mifepristone, in addition to the pending cert petition involving the preemptive effect of the National Bank Act, and changes to the evolving doctrine of state standing.

3:15 PM – 4:15 PM: **First and Second Amendments**

Brief Description: This panel will examine the Supreme Court's recent and pending First and Second Amendment case law, focusing on how the Court defines the scope of constitutional protections for firearms, speech, and religious exercise. The discussion will include *Viramontes v. Cook County*, which asks whether the Second Amendment protects the right to own AR-15s; *First Choice Women's Resource Center v. Platkin*, involving First Amendment questions concerning freedom of association and donor privacy; and *St. Mary Catholic Parish v. Roy*, which raises questions about the continuing validity and scope of *Employment Division v. Smith* for claims raised under the Free Exercise Clause against generally-applicable laws.

4:15 PM: CONCLUDE