



**FFLIC**

# COURTS



Many people do not realize that a lot of what we have achieved or not achieved in the United States in terms of civil rights is because of the courts deciding whether laws are “constitutional,” or following the U.S. Constitution. Laws themselves follow a chain of command, which is important in deciding how to challenge those laws. State laws must not conflict with federal (U.S.) laws and the U.S. Constitution. The Constitution of the United States is the highest law and all laws created must follow this. It is the job of the courts to decide whether local and state laws conflict with federal laws.

## **A famous case**

Take for instance *Brown v. Board of Education*, which many of us know is the U.S. Supreme Court decision that ended segregation in schools. Though it took years and a number of local court cases to enforce the decision, essentially, it was the courts that forced the change by declaring that state segregation laws were unconstitutional. On the state and local level, the Louisiana Supreme Court and local courts do the same in terms of making sure that we are following our state laws and constitution.

## ***What you might need:***

Support of legal organizations  
A lawyer



**Call or Email. 504.708.8376 or [fflic@fflic.org](mailto:fflic@fflic.org)**

## **Using the courts**

Sometimes advocacy can take the form of a legal court case. In some cases, the students themselves are the ones demanding their rights. For instance, in Compton, California, the ACLU represented students in the district in a lawsuit against the school systems, arguing that students who have experienced trauma are entitled to the same services and protections that schools provide to traditionally disabled students. The district court ruled in their favor. Locally, in New Orleans, lawsuits have been brought on by organizations such as the Southern Poverty Law Center to make sure that students with disabilities are receiving services in schools and that discipline laws are not excessive.

## **Defend your rights**

Other times, the students or their parents are the ones who have court cases, which is scary because courts have a lot of power, and it can be expensive and time consuming. You can work with advocacy groups that have staff lawyers, or with other groups that already have a legal presence. In cases where the court cases are extremely unjust, organizations and individuals can organize and rally in support to try to impact the ruling. One famous example of this was in 2006 in Louisiana's Jena Six case, where six teenagers were charged in an excessive and racially discriminatory way for beating a fellow student. The case sparked protests and national attention.