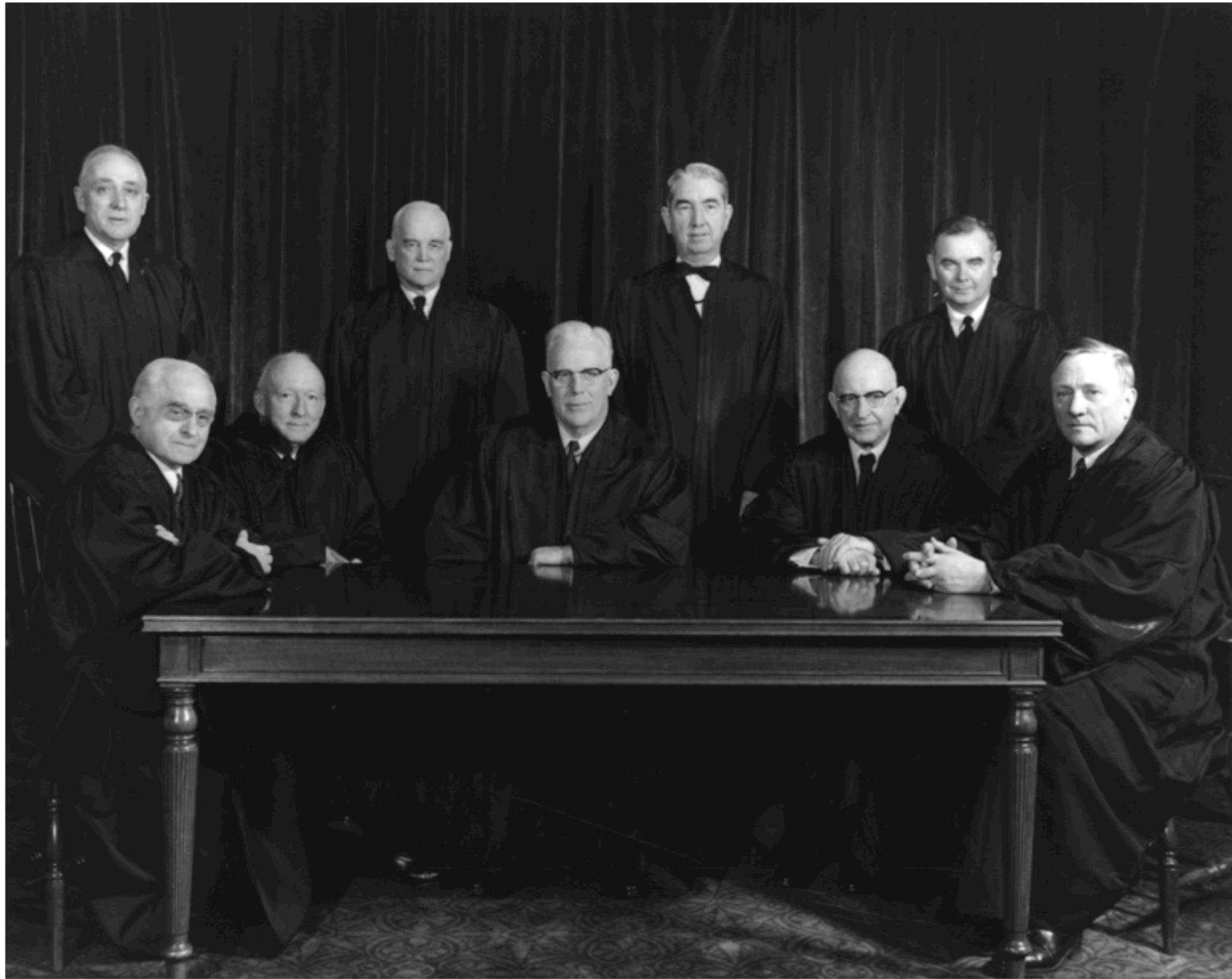




# Beyond SCOTUS: Mountains Beyond Mountains

Jerry Goldman, Director  
The Oyez Project at Chicago-Kent College of Law

# The Oyez Project: where we stand now



# Class of 1957



# Traffic & Growth



last 12 months

# last 12 months

★ 17 million page views

# last 12 months

★ 17 million page views

★ 3.2 million unique visitors



# last 12 months

- ★ 17 million page views
- ★ 3.2 million unique visitors
- ★ 7.2 million visits

# last 12 months

- ★ 17 million page views
- ★ 3.2 million unique visitors
- ★ 7.2 million visits
- ★ visits +8 percent year-over-year

# Affordable Care Act a “Deep Dive” approach





### Parsing the Healthcare Decision


Submitted by mgruhn on Thu 12 Jul, 2012

Case: **The Affordable Care Act Cases**

Professors Carolyn Shapiro and Sheldon Nahmod weigh in on the meaning and impact of the Court's complicated ruling in the Affordable Care Act cases.



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### The Healthcare Judgment


Submitted by mgruhn on Thu 28 Jun, 2012

Case: **The Affordable Care Act Cases**

Below, Prof. Sheldon Nahmod summarizes today's complicated decision. Prof. Nahmod has also posted some additional **thoughts on the opinion** on his blog, NahmodLaw. Additionally, Oyez has posted **its plain-English summary of the Court's ruling**.



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# Videos



# FLORIDA, ET AL. v U.S. DEPT. OF HEALTH AND HUMAN SERVICES, ET AL.



U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA



U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT



EN BANC REVIEW (SKIPPED)

SUPREME COURT OF THE UNITED STATES

No. 11-400, FLORIDA, ET AL.  
v. U.S. DEPT. OF HEALTH  
AND HUMAN SERVICES, ET  
AL.



No. 11-398, U.S. DEPT. OF  
HEALTH AND HUMAN  
SERVICES, ET AL. v. FLORIDA,  
ET AL.



No. 11-393, NATIONAL  
FEDERATION OF  
INDEPENDENT BUSINESSES,  
ET AL. v. KATHLEEN  
SEBELIUS, ET AL. & THE  
CONSOLIDATED CASE



# lower court audio

## ARGUMENTS

Submitted by mgruhn on Thu, 03/15/2012 - 15:16

Case: **The Affordable Care Act Cases**

The Supreme Court's review of the Affordable Care Act cases arose out of the United States Court of Appeals for the Eleventh Circuit. There, a divided three judge panel struck down the most contentious portions of the law.

As a preview of the upcoming arguments before the Supreme Court, Oyez has collected and transcribed the arguments in the Eleventh Circuit, which you can listen to below.

### Part I

FLORIDA V. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES - ELEVENTH CIRCUIT A...  
ARGUMENT OF NEAL KUMAR KATYAL



Chief Judge Dubina

We are here this morning in the case of State of Florida, et al., versus United States Department of Health and Human Services.

Before we put you lawyers, on the clock, I want to make just a couple of remarks about this case and kind of direct you where I think you need to go with your arguments.

Clearly, we believe the most difficult issue in the case is the individual mandate, but equally difficult is the



00:00 / 91:21



EXPAND PLAYER

**Download Part I**

### Part II

FLORIDA V. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES - ELEVENTH CIRCUIT A...  
ARGUMENT OF MICHAEL ANTHONY CARVIN



Chief Judge Dubina

Mr. Carvin, we'll now hear from you.

Chief Judge Dubina and may it please the Court.



00:00 / 54:31



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# improved functionality--front end

Arizona appealed the district court's decision to the U.S. Court of Appeals for the Ninth Circuit. The appellate court affirmed the district court's decision, holding that the United States had shown that federal law likely preempted: (a) the creation of a state-crime for violation of federal registration laws, (b) the creation of a state-crime for work by unauthorized aliens, (c) the requirement to verify citizenship of all detained persons, and (d) the authority to deport aliens on the basis of their criminal record.

**Question**  
Do the federal laws preempt Arizona's laws?

**Argument**  
**Arizona**

ARIZONA  
ORAL ARGUMENT

Chief Justice

**Full Transcript**

**Conclusion**  
**Decision:**  
**Legal provisions:**  
Yes for preemption  
for a 5-3 majority  
provision 1  
provisions  
interferes with the careful balance Congress struck with federal laws on unauthorized employment of aliens. Provision 4 is preempted because it usurps the federal government's authority to use discretion in the removal process. This creates an obstacle to carrying out the purposes and objectives of federal immigration laws.

**Opinion**  
**567 U.S. (2012)**  
**Granted**  
**Friday, December 9, 2011**

AN214  
and SAVE \$150

DMA2012 October 18-19 | Las Vegas  
The Global Event Time Markers

**Arizona v. United States**

**ORAL ARGUMENT OF PAUL D. CLEMENT ON BEHALF OF THE PETITIONERS**

Mr. Chief Justice, and may it please the Court:  
The State of Arizona bears a disproportionate share of the costs of illegal immigration. In addressing those costs, Arizona borrowed the Federal standards as its own, and attempted to enlist State resources in the enforcement of the uniform Federal immigration laws. Notwithstanding that, the United States took the extraordinary step of seeking a preliminary injunction to enjoin the statute as impliedly preempted on its face before it took effect. The Ninth Circuit agreed with respect to four provisions of the statute, but not on the principles of federalism. The Ninth Circuit essentially demanded that Arizona point to specific authorization in Federal statute for its approach. But that gets matters backwards. A State does not need to point to Federal authorization for its enforcement efforts. Rather, the burden is on the parties seeking to preempt a duly enacted State law to point to some provision in statutory law that does the preempting. Now, the United States can't really do that here, and the reason is obvious. There are multiple provisions of the Federal immigration law that go out of their way to try to facilitate

**Mr. Clement**

**Play** **Clip & Share**

**SEARCH:**  
find in transcript...

**SPEAKER LIST:**  
Paul D. Clement

00:31 / 80:27

# improved functionality--back end

district court did not enjoin the entire act, but it did enjoin four provisions. The court enjoined provisions that (1) created a state-law crime for being unlawfully present in the United States, (2) created a state-law crime for working or seeking work while not authorized to do so, (3) required state and local officers to verify the citizenship or alien status of anyone who was lawfully arrested or detained, and (4) authorized warrantless arrests of aliens believed to be removable from the United States.

Arizona ap  
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Arizona

ARIZONA  
ORAL ARG

Chief Justic

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Conclusion  
Decision: 5 votes for United States, 3 vote(s) against  
Legal provision: Supremacy Clause

Arizona et al.  
Respondent  
United States  
Decided By

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212  
EXTRA

13-18 | Las Vegas  
Real Time Markers

Arizona v. United States

ORAL ARGUMENT OF PAUL D. CLEMENT ON BEHALF OF THE PETITIONERS

Chief Justice John G. Roberts

Mr. Chief Justice, and may it please the Court:  
The State of Arizona bears a disproportionate share of the costs of illegal immigration.  
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Mr. Clement

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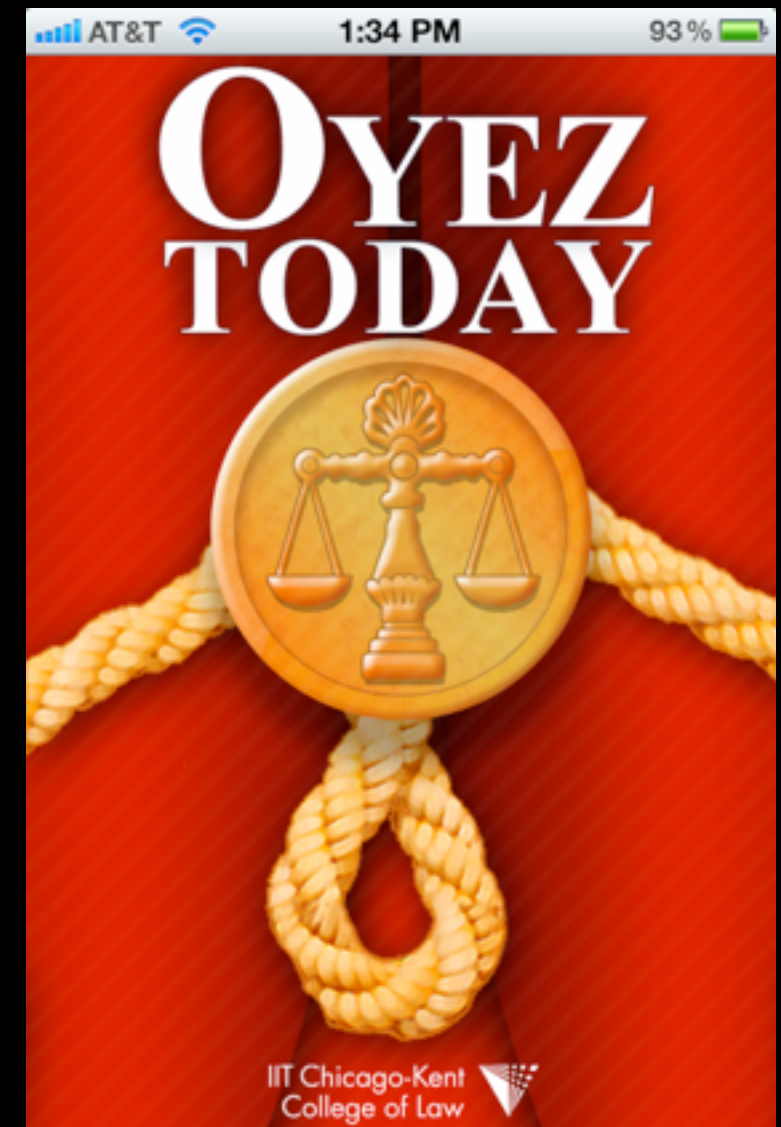
SEARCH: find in transcript...  
SPEAKER LIST: Paul D. Clement

00:14 / 80:27







# Apps



AT&T 1:47 PM 82%

Case detail Oral Argument

 Chief Justice Rehnquist

 Mr. Newdow

Mr. Chief Justice, and may it please the Court:  
**Creating clip**

Every school morning in the Elk Grove Unified School District's public schools, government agents, teachers, funded with tax dollars, have their students stand up, including my daughter, face the flag of the United States of America, place their hands over their hearts, and affirm that ours is a nation under some particular religious entity, the appreciation of which is not accepted by numerous people, such as myself.

Elk Grove Unified School District v. Newdow

creating


AT&T

1:47 PM

82 %

Clips


Clip details

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Clip source: Elk Grove Unified School District v. N


Created in: Sep 2, 2012 1:47:12 PM


Clip time: From 1603.9s to 1630.5s





Mr. Newdow

Every school morning in the Elk Grove Unified School District's public schools, government agents, teachers, funded with tax dollars, have their students stand up, including my daughter, face the flag of the United States of America, place their hands over their hearts, and affirm that ours is a nation under some particular religious entity, the appreciation of which is not accepted by numerous people, such as

 Play Original

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Clips


Clip details

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 Play Original

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# re-purposing

Jerry Goldman <jgoldman@oyez.org> 

September 2, 2012 2:03 PM

To: Jerry Goldman

[Hide Details](#)

Elk Grove Unified School District v. Newdow

2

1 Attachment, 222 KB

Save ▾

Quick Look

The following is an excerpt from the oral argument and transcript in Elk Grove Unified School District v. Newdow on PocketJustice.

In clip.mp3

Mr. Newdow said:

*Every school morning in the Elk Grove Unified School District's public schools, government agents, teachers, funded with tax dollars, have their students stand up, including my daughter, face the flag of the United States of America, place their hands over their hearts, and affirm that ours is a nation under some particular religious entity, the appreciation of which is not accepted by numerous people, such as myself.*

Sent using PocketJustice 3.0 for iOS



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# Speaker Identification



# speaker identification

11Khz WAV

Aligned CHA

Method developed by LDC  
at UPenn

<http://www ldc upenn edu>

WAV Segments

HCopv/HVite Scripts

Using the Hidden Markov Model Toolkit,  
these scripts produce “scores” for each  
of 8 speaker models for each WAV  
segment

<http://htk eng cam ac uk>

Segment BREY00001

BREY00001	SP1	16.9513
BREY00001	SP2	13.6705
BREY00001	SP3	12.4376
BREY00001	SP4	15.3603
BREY00001	SP5	15.0159
BREY00001	SP6	15.4502
BREY00001	SP7	16.0099
BREY00001	SP8	15.4755

Segment CONN00001

CONN00001	SP1	27.0589
CONN00001	SP2	28.9710
CONN00001	SP3	25.9066
CONN00001	SP4	27.1675
CONN00001	SP5	25.6847
CONN00001	SP6	27.2849
CONN00001	SP7	26.7330
CONN00001	SP8	26.0317

Highest Score “Wins”

Model for BREY00001: SP1  
Model for CONN00001: SP2

...



# identify (created by Jeff Parsons)

```
Jerrys-MacBook-Air:tools jgoldman$ php identify.php
identify.php
version 2.2
    --case [id]      process case [id] only (eg, 2003_02_682)
    --ignore [id]    ignore case [id]
    --justices       processes all justices
    --practice       practice identification without update
    --redo           redo identified transcript(s)
    --remote         force use of remote server
    --rsync          synchronize files with remote server
    --speaker [s]    process specific speaker [s]
    --term [yyyy]    process term [yyyy] (use yyyy-yyyy for range)
    --turn [n]       play/identify turn # [n]
    --type [t]       restrict audio to type [t] (eg, argument, opinion)
    --user [id]      user [id] of identify operator (saved in transcripts)
    --debug          display debug messages
    --verbose        display verbose messages
    --version        display version number

Jerrys-MacBook-Air:tools jgoldman$ php identify.php --case 2003_02_682 --practice
abort: missing username, specify --user
Jerrys-MacBook-Air:tools jgoldman$ php identify.php --case 2003_02_682 --practice --user jgoldman
processing term 2003
processing folder /cases/2003/2003_02_682
processing XML file: 02-682_20031014-argument.xml
downloading http://oyezlabs.org/cases/2003/2003_02_682/02-682_20031014-argument.xml...
downloading http://oyezlabs.org/cases/2003/2003_02_682/02-682_20031014-argument.mp3...
turn #171: And so it is a concern when you address it in this context, isn't it?
verify unknown_speaker (? for help):
chosen speaker: sandra_day_oconnor
```

# The Jiahong Yuan challenge

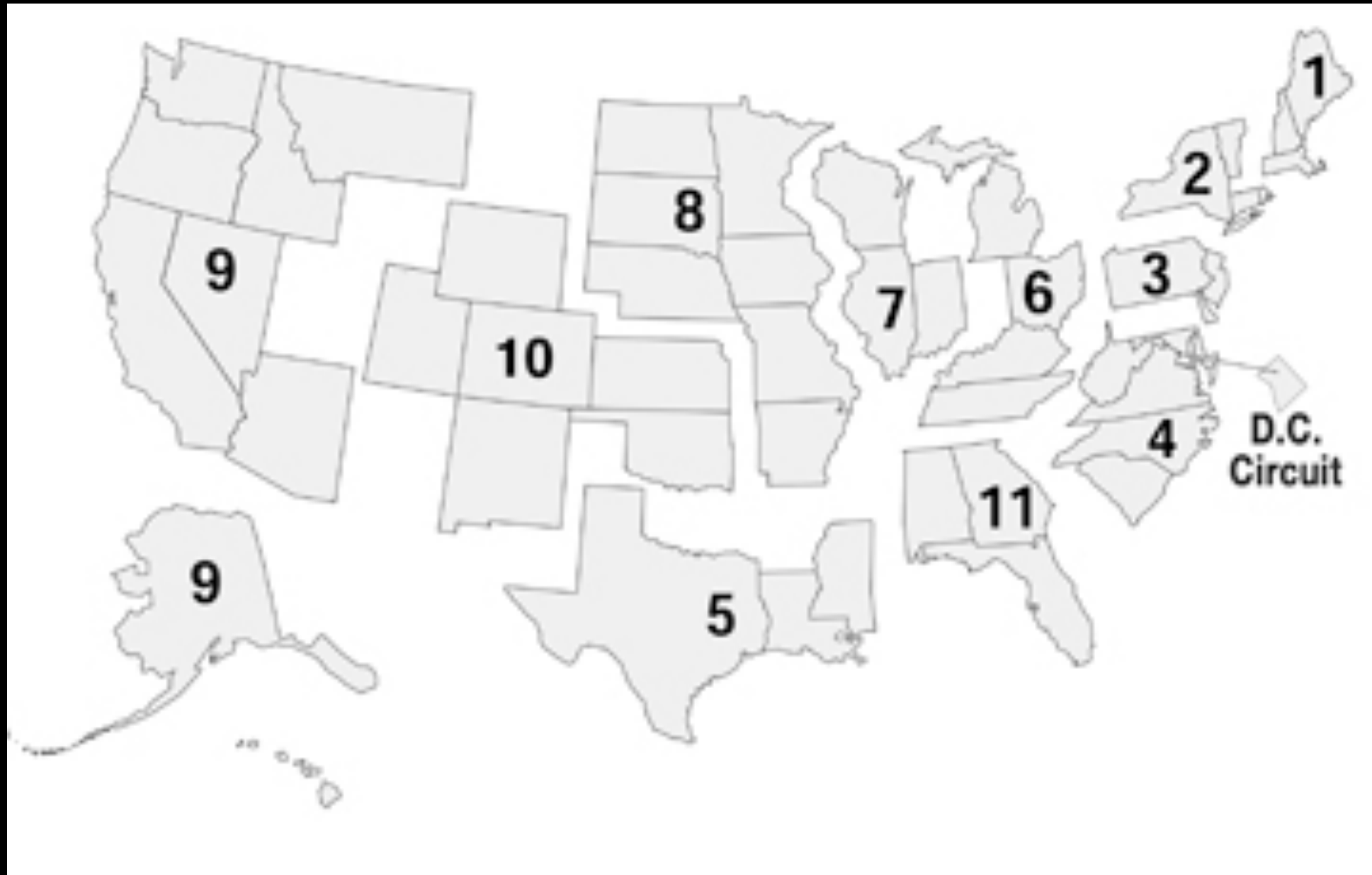
what's next?

# The circuit circus



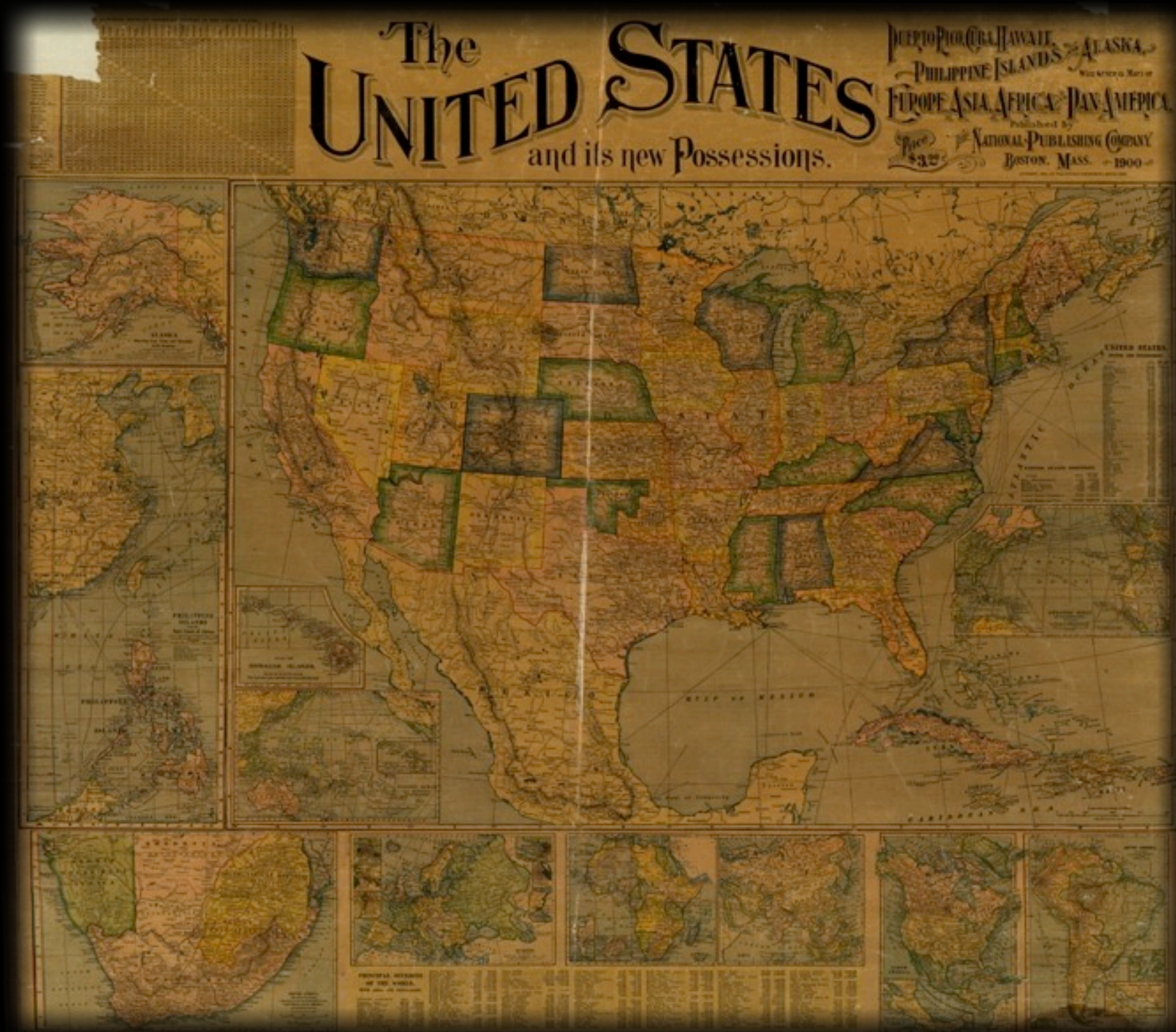


# Federal courts of appeals



2011 ➡ 7600 oral hearings x 30 min/hearing

- ★ 3800 hours v. 75 hours
- ★ 3 judges/case v. 9 justices/case
- ★ 167+ judge voices v. 9 justice voices
- ★ more regional & foreign accents



state high courts



2009 ➡ 82,000 cases  
(assume 50 percent argued)  
(assume 30 min per case)

20,500 hours

panel size varies from 5 to 9 judges

challenges



Outdated and inconsistent archiving



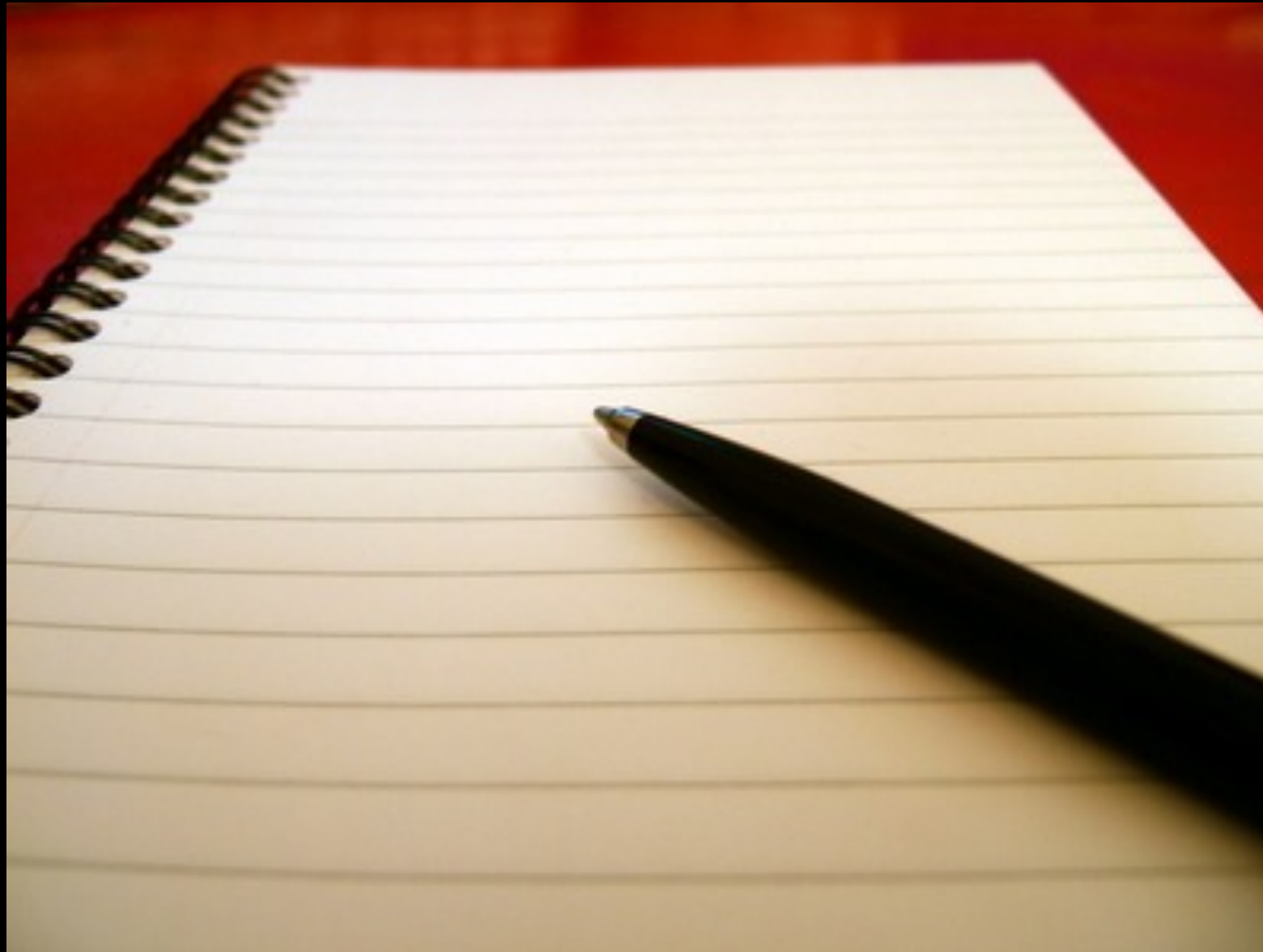


proprietary audio formats (Real, wma)

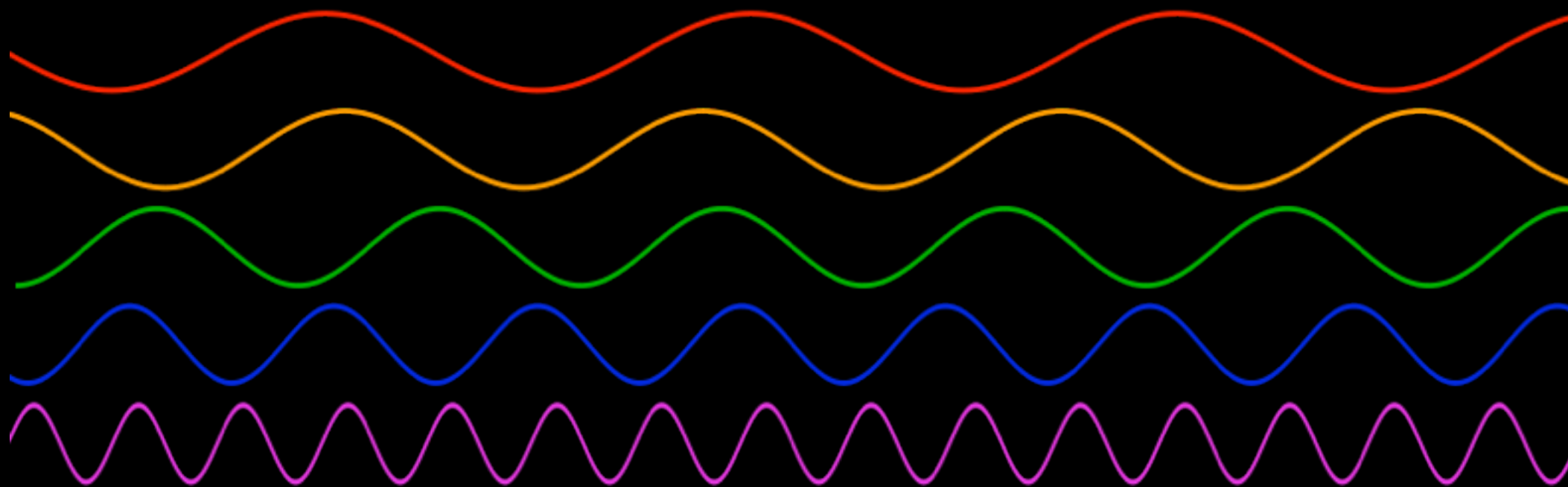
proprietary audio formats (Real, wma)

recording audio (low bitrate mp3)





No transcripts



Variable speaker characteristics

projects and solutions



speech to text



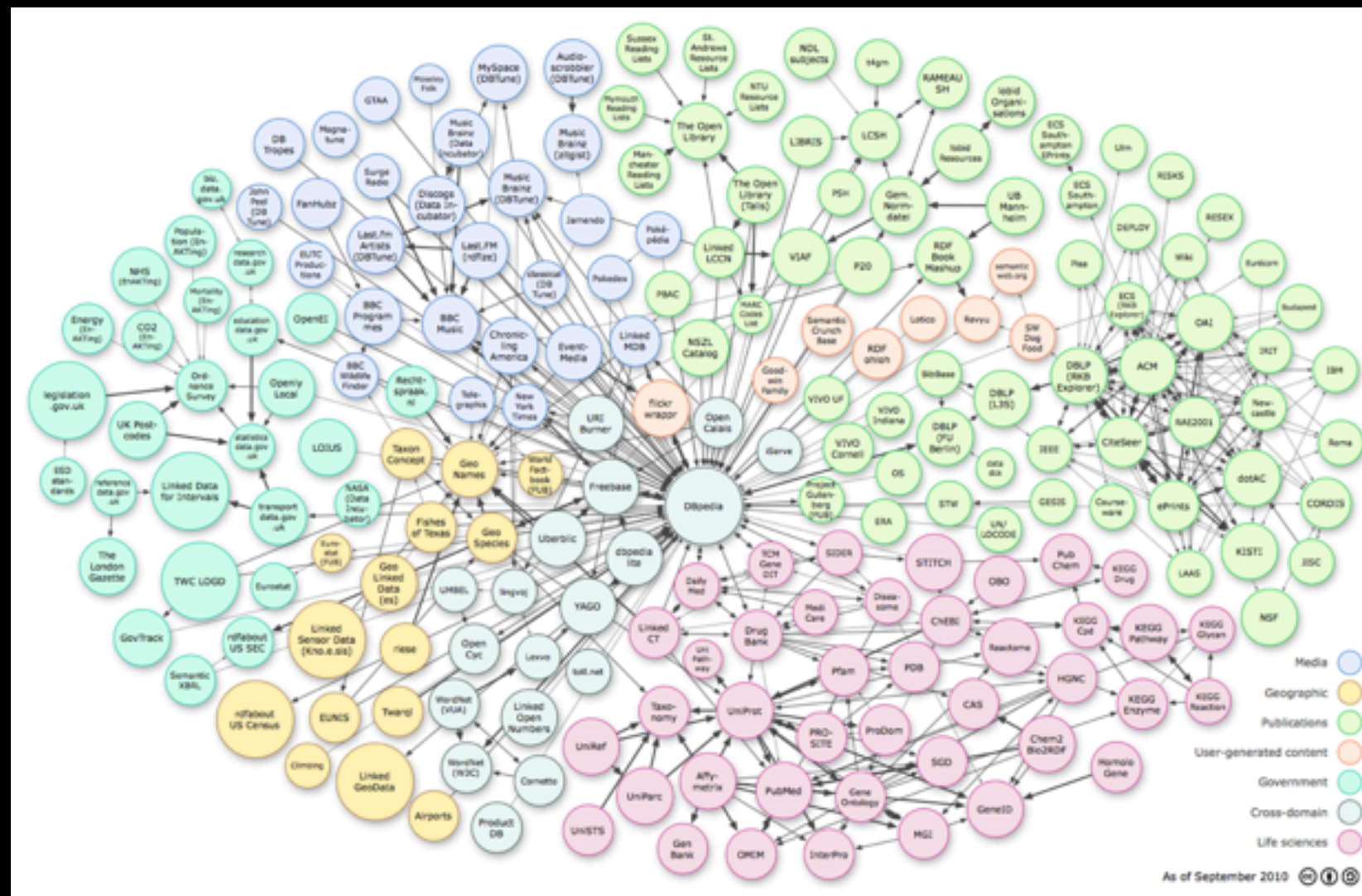


manual v. auto speaker identification

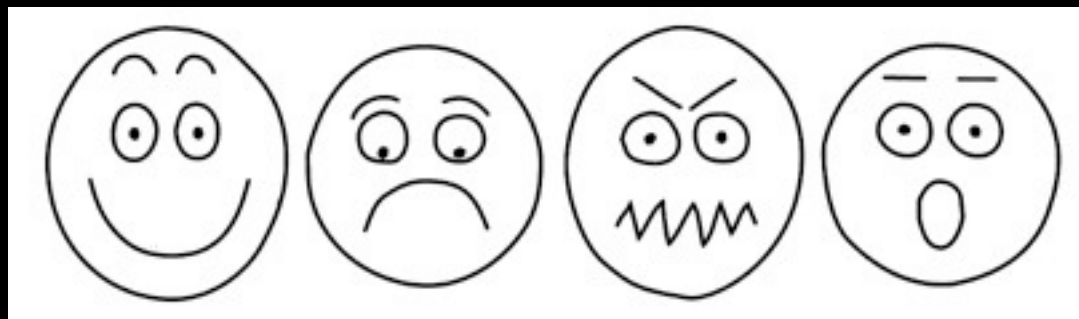
some grand ideas



# linked data



# sentiment





jgoldman@oyez.org



@oyez