

# Client Alert: Affirmative Action up for Judgment? US Supreme Court Grants Cases Seeking to Prohibit Consideration of Race in College Admissions

## Publications

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Yesterday, the Supreme Court today agreed to hear a pair of cases asking the Court to overrule its precedents governing the consideration of race in college admissions. One case concerns admissions at Harvard College, and the other concerns admissions at the University of North Carolina. In both cases, the petitioner, Students for Fair Admissions (SFFA), alleged that the university engaged in racial discrimination against Asian-American applicants. And in each case, the lower courts rejected those claims after a full trial. SFFA petitioned for certiorari and asked the Court to reconsider and overrule its key precedent, *Grutter v. Bollinger*, 539 U.S. 306 (2003), which permits universities to consider race as one factor among many in a holistic admissions evaluation. The grant suggests that the Court is willing to reconsider its precedents in this area, and it may result in additional limitations or an outright prohibition on the consideration of race in college admissions. The cases will likely be argued in the fall, and a decision is expected by the end of June 2023.

[Read the full alert here.](#)

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