

## Crowell & Moring Files Supreme Court Amicus Brief For Seven U.S. Senators in Critical School Desegregation Cases Argued Today

**Washington, D.C. – December 4, 2006:** The law firm of Crowell & Moring LLP filed an amicus brief at the U.S. Supreme Court in two cases being argued today concerning whether public school districts can voluntarily use race-conscious measures to achieve racial diversity in their K-12 schools. The two cases are *Parents Involved in Community Sch. v. Seattle Sch. Dist. No. 1* (05-908) and *Meredith v. Jefferson County Bd. of Educ.* (05-915). The brief was filed on behalf of United States Senators Edward M. Kennedy, Patty Murray, Maria Cantwell, Thomas Harkin, Richard J. Durbin, Barack Obama, and Ken Salazar. The Court's rulings in these cases will have far-reaching implications for various schools across the country that have employed or are considering similar measures.

"There is a compelling national interest in promoting racial integration in our schools, as has been recognized by the Supreme Court since at least 1954. Both the legislative and executive branches have also repeatedly and unambiguously recognized this national interest over the years, most recently with the passage of the No Child Left Behind Act" said Andy Liu, a partner in Crowell & Moring's Litigation Group.

At issue in the cases are voluntarily-adopted school programs that build on a system of student choice, in which students generally can choose to attend or transfer to schools other than their local schools. The Supreme Court has long-recognized since *Brown v. Board of Education* that segregation in the public schools runs afoul of the Equal Protection Clause and that a racially diverse student body provides benefits to children of all races. In a number of school districts across the country, locally-elected school boards have determined that, because of residential segregation and other factors, a strict policy of neighborhood school assignment would result in the re-segregation of the nation's schools. The plans undertaken by the Seattle school system and the Jefferson County Public School district in Louisville are an effort to respond to the problem of racially isolated schools, adopting measures to promote racially diverse student bodies without resort to quotas or other forms of racial preferences.

"To say that school officials, acting in good faith, cannot take steps to remedy the extraordinary problems of *de facto* segregation and promote multiracial learning is to go further than ever before to disappoint the promise of *Brown*," Liu said.

Crowell & Moring served as pro bono counsel to the senators for the brief. Crowell & Moring attorneys providing counsel on the brief also include Alyssa Gsell, Charlotte Gillingham, David L. Haga, Laurel Pyke Malson, and Beth Nolan.

The firm has been recognized by many legal service organizations for its *pro bono* contributions and has the distinction of receiving the District of Columbia Bar's *pro bono* "Law Firm of the Year Award" on two occasions. In April 2006, for the second consecutive year, Crowell & Moring was one of 14 Washington, D.C. law firms honored by the Chief Judges of the local Federal Courts for its commitment to *pro bono* work and meeting the benchmark of having 40 percent of its lawyers personally provide 50 or more hours of pro bono service.

Crowell & Moring LLP is a full-service law firm with nearly 350 lawyers practicing in litigation, antitrust, government contracts, corporate, intellectual property and more than 40 other practice areas. More than two-thirds of the firm's lawyers regularly litigate disputes on behalf of domestic and international corporations, start-up businesses, and individuals. Crowell & Moring's extensive client work ranges from advising on one of the world's largest telecommunications mergers to representing governments and corporations on international

arbitration matters. Based in Washington, D.C., the firm also has offices in California, New York, London, and Brussels.

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