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D.C. Circuit Nominee Caitlin Halligan: Racial Preferences

By Ed Whelan

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I've barely found time to glance at them, but given tomorrow's hearing, I'll also call to the attention of readers that D.C. Circuit nominee Caitlin Halligan was the lead counsel on multi-state amicus briefs in the companion cases of *Grutter v. Bollinger* and *Gratz v. Bollinger* (both decided in 2003) and in the Seattle and Louisville schools cases (both decided in 2007).

Halligan's joint [brief](#) in *Grutter* and *Gratz* argued that the racial preferences in the University of Michigan's admissions programs for the college and for the law school did not violate the Equal Protection Clause. (By different 5-4 votes, with only Justice O'Connor in the majority in both cases, the Court struck down the college program but upheld the law school's.)

Halligan's joint [brief](#) in the Seattle and Louisville schools cases argued that the racial-assignment plans at issue did not violate the Equal Protection Clause. (By a 5-4 vote, the Court ruled that they did.)

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