

Connecticut Supreme Court Faces Historic Question this Tuesday

Frequently Asked Questions about Oral Arguments on April 22, 2008

1. **WHAT IS HAPPENING?** This Tuesday, the Connecticut Supreme Court will decide a historic question: whether a Connecticut schoolchild has a right to an adequate education. This case raises the most fundamental, important question about the right to education in 30 years (since the Court's equality decision in *Horton v. Meskill*).
2. **WHAT DO YOU THINK WILL HAPPEN?** We are confident the Court will agree with us. We are asking the Court to agree with a basic and fundamental principle — that every child at least has the right to an adequate education. No state's highest court has ever ruled otherwise.
3. **WHY IS THE STATE TAKING ITS LEGAL POSITION?** It's unfortunate that the state is opposing this. The Governor and the State Board of Education should agree with us that every child deserves a high-quality education. Instead, they have taken the unfortunate legal position that our schoolchildren do not deserve even an adequate education.
4. **WHY DOES THIS CASE MATTER?** This marks a critical moment for the state and its economic future. The State's education system is broken, and we simply cannot afford not to fix it if Connecticut is to maintain its competitive edge in the global economy. On many levels, not to ensure our youth an adequate education is myopic and a failed public policy.
5. **WHAT HAPPENS AFTER THE DECISION?** Win or lose, this Court's consideration of our case should be a wake-up call to the Legislature. The State has tried for too long to keep this case from going to trial. After the Supreme Court's decision, we will finally begin discovery and proceed to trial, either on the full adequacy and equity complaint, or on equity grounds alone.
6. **WHY ARE LAW STUDENTS ARGUING THIS APPEAL?** Students arguing as lead lawyers is a historic first. Never before have law students challenged a state's entire education system on behalf of schoolchildren who are being denied their constitutional rights. Yale Law students, with supervision by Yale faculty, are the lead counsel in this suit. We are immensely proud of their contribution.
7. **WHO IS YOUR SPECIAL GUEST?** It is heartening that we have the drafter of the Connecticut constitution's education clause supporting us. It is rare and wonderful that Simon Bernstein, who is 95 years old, filed an amicus brief on our behalf and is joining us today. At the 1965 Constitutional Convention, he proposed, drafted, argued for, and succeeded in getting ratified the education clause in our state constitution — a clause that will be critical to the Court's decision.