



# Fisher v. University of Texas at Austin, 136 S. Ct. 2198 (2016)

758 F.3d 633 (5th Cir. 2014)

133 S.Ct. 2411 (2013)

Topics Covered: Civil Rights, Medical Education

**Outcome of second Supreme Court decision: Highly favorable**

**Outcome of first Supreme Court decision: Highly favorable**

## Issue

The principal issue in this case was the extent to which the University of Texas can consider the race of applicants in determining qualifications for admission.

## AMA Interest

In order to reduce racial disparities in health outcomes, the AMA supports improved diversity in medical education.

## Case Summary

Abigail Fisher, who was white, applied to but was rejected from the University of Texas undergraduate college. She then sued the university, asserting that the school preferred African-American students over whites and that she would have been accepted if the racial preferences had not been in place. In 2013, the Supreme Court held that the University of Texas could use racial preferences in its admission decisions, but only under limited circumstances. It remanded the case for determination of whether those limited circumstances applied in this case.

On remand, the lower federal courts found that the University of Texas had applied the specified limited circumstances which the Supreme Court had elucidated. Thus, the denial of Ms. Fischer's application was justified. The Supreme Court again granted certiorari, to review this finding. On June 23, 2016, the Supreme Court, by split decision, found that the University of Texas admission procedure had passed strict scrutiny. It affirmed the lower court holdings for the university.

## Case Summary

Prior to the first Fisher ruling, the AMA, along with the American Association of Medical Colleges and numerous other organizations, filed an *amicus* brief, which argued, in support of the University of Texas, that racial diversity is a vital component of a successful medical education and that medical school admission officers should be allowed to consider applicants' race in order to achieve the schools' educational goals. The same organizations filed a second *amicus* brief in the present appeal, along much the same lines as in the earlier *amicus* brief.

First United States Supreme Court brief

Second United States Supreme Court brief