

HackMUN VII

**SPECIALIZED COMMITTEE: Supreme Court of
the United States**



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Note from the Chairs

Hello Delegates!

Our names are Gabriel Fossner and Shreyas Kuniyil, and it is our pleasure to welcome you to HackMUN VII's Specialized Committee on the Supreme Court of the United States! We are excited for this committee because it includes both the aspects you love about Model UN, like debate, research, and collaboration, while also including aspects of the US Constitution that govern all of our lives and are the cornerstone of our nation and democracy. **We encourage you to read through the entirety of the background guide, as there are some important technicalities on the parliamentary procedure that will differ from the norm.** We encourage you to do research beyond this and to research the Constitution in-depth, as it will not only help you in committee but also it will give you a better understanding of the mechanisms of how our country functions. We hope your differing perspectives will lead to more creative solutions, and we look forward to a day of debate, policy-making, compromise, problem-solving in response to various issues, and most importantly, fun! Feel free to contact us with any questions regarding the substance of the committee, your personal powers, or anything else.

If you are new, do not be shy. Model UN is home to one of the most encouraging communities in high school. The various experiences and perspectives that people bring to these conferences are what make Model UN what it is. Try your best and be engaged!

We wish you all a great conference and look forward to the diplomatic resolve, passion, and joy you will bring to the conference! Please remember to reach out if you have any questions.

Feel free to contact us with any questions. See you at HackMUN VII!

Sincerely,

Gabriel Fossner, Undersecretary General, HackMUN VII
Shreyas Kuniyil, Undersecretary General, HackMUN VII
Chairs of the Supreme Court of the United States Specialized Committee
hackmunscoetus@gmail.com

Committee Preface:

Content of Committee:

This committee is particularly unique, since, technically speaking, within the real life counterpart to this committee, only nine positions have actual voting power, being the justices. However, this committee, in the interest of equity, will be modeled on the United Nations Security Council. During the first portion of the conference, all delegates' votes will be counted equally. In similar fashion to the permanent members of the Security Council, during the period where resolutions are being finally accepted, justices will be able to exercise their vote as a veto, vetoing clause(s) of a resolution that has been accepted by the committee. This veto will not have any impact on the validity of the resolution when it comes to awards, aside from justices accurately utilizing said veto.

This committee will focus on two topics. The first topic, Reevaluating Chevron, will be based on a recent case, Loper Bright v. Raimondo, and an examination of the previous "Chevron Doctrine". Delegates will weigh the costs and benefits of deferring to federal agencies, along with the legal grounding for doing so, with a focus on precedent. The second topic will be a hypothetical case. Discussion should center around the rights and privacies of individuals, even after their data has been utilized by AI companies, and whether or not a request by the government to access that data constitutes an unreasonable search under the Fourth Amendment. This is a forward thinking question, with the court's actions having far-reaching consequences.

Structure of Resolutions:

In this committee, resolutions will be representative of holdings of the court. They are not to suggest laws to be passed by Congress. Instead, they are to provide frameworks for lesser courts to decide similar cases. Pre-writing resolutions is strictly forbidden. The general structure of a resolution in this committee would:

1. Answer the core question
2. Have preambulatory clauses referencing past decisions and principles
3. A holding clearly defining the constraints and applicability of the resolution
4. Operative Clauses that determine how courts are to implement the holding
5. Limiting Clauses (in the same structure as Operative Clauses) which define the bounds of courts, if any

Sponsor/Signatory count will be determined according to attendance. The recommended count for sponsors would be 2-3, with a maximum of 4. The minimum number of signatories would be 4-6, with no maximum. Only one sponsor will read over the resolution, with other sponsors defending during debate. These first resolutions should be relatively short, longer than crisis directives, but shorter than resolutions, for ease of further steps.

Should multiple non-contradictory resolutions pass, they will be assembled into a majority opinion. This process will function similarly to mergers. Once all non-contradictory resolutions have been merged, we will enter the majority-dissent phase. Merged resolutions will be presented, with no increase to the sponsor count. After the presentation, there will be a questions and answer period. Amendments will be made during this period, with unanimous sponsor consent. Once all amendments have been passed, any delegates who find themselves objecting to the resolution will write a brief 1-2 sentence explanation for their opposition, which will then be compiled into a dissenting opinion. Sitting justices will then be given the opportunity to exercise their veto. A veto requires 5 of the 9 sitting justices to exercise their veto on a specific clause of the resolution. Should the veto go through, the sponsors will be given the opportunity to place their clause in the dissent portion. These resolutions will then be voted on by the committee, with passage being decided by a simple majority. Should the resolution be passed, it will be considered the holding of the court, with the dissents compiled underneath.

Position Papers/Awards

Position Papers

If you wish to be considered for an award this year at HackMUN VII, you must turn in a position paper. Position Papers help you prepare effectively for debate and engage meaningfully with the topic before the day of the conference. Furthermore, your chairs can better understand the unique issues and possible solutions, and your committee's position at large, prior to the actual beginning of the committee. For this committee, the ideal position paper demonstrates a solid grasp of each topic and your position's evaluation of legal precedent and Constitutional interpretation. It should be consistent with previous holdings and rulings, along with publicly stated opinions. Sources to include would be: previous court decisions, opinion pieces, amici briefs, and the position's personal statements on issues. Please send position papers less than 2 pages in length, 1.5-inch spacing in PDF format by the morning of **March 7th, 2026**, to hackmunscotus@gmail.com. When we receive your position paper, we will email you back.

There will be three awards to win in this committee.

Best Delegate

Outstanding Delegate

Honorable Mention

Topic 1: Reevaluating Chevron

The question of judicial deference to administrative agencies has long been a cornerstone of American administrative law. Established in **Chevron U.S.A., Inc. v. Natural Resources Defense Council (1984)**, Chevron deference directed courts to defer to a federal agency's reasonable interpretation of an ambiguous statute that the agency administers. The doctrine created a **two-step framework**: first, courts determine whether Congress has clearly addressed the statutory issue; if Congress's intent is ambiguous, courts then defer to the agency's reasonable interpretation. For decades, this framework provided predictability for agencies and courts, shaping regulations across environmental protection, labor law, and economic policy.

However, the **modern administrative state has evolved significantly**. Agencies now wield expansive authority over policy and regulation, often in areas of major political and economic significance. Critics argue that Chevron deference has allowed agencies to **expand executive power beyond constitutional limits**, reducing judicial oversight and undermining the separation of powers. Proponents counter that agencies have **technical expertise and specialized knowledge** that courts lack, and that deference ensures efficient governance in complex regulatory environments.

In **Loper Bright Enterprises v. Raimondo (2024)**, the Supreme Court signaled a significant shift in administrative law. The Court limited the application of Chevron deference, emphasizing that courts may only defer to agency interpretations **when Congress has clearly delegated such authority**. The decision reflects growing skepticism toward broad agency discretion, particularly in high-stakes economic or regulatory matters. It also raises critical questions for lower courts tasked with implementing these rulings, as well as for agencies seeking to interpret ambiguous statutes in a changing legal landscape.

Chevron deference has implications beyond abstract doctrine. It affects **how federal agencies issue rules, enforce regulations, and balance competing public interests**. For businesses, the doctrine influences **compliance costs, regulatory certainty, and litigation risk**. For citizens, it shapes **how laws governing health, safety, and the environment are applied**. The evolving understanding of Chevron deference also interacts with other principles, such as the **major questions doctrine**, which limits agency power in areas of major economic or political significance.

This committee will confront fundamental questions about the balance between **judicial review, legislative intent, and agency expertise**. How much discretion should agencies retain in interpreting ambiguous statutes? Should courts exercise independent judgment even when technical expertise exists within the executive branch? How should lower courts apply Chevron and related doctrines to ensure both constitutional fidelity and functional governance? The answers will set a precedent for the future of administrative law, determining whether Chevron remains a guiding principle or a relic of the past.

Key Questions for Delegates

- Under what circumstances should courts defer to an agency's interpretation of ambiguous statutes?
 - How should courts evaluate the reasonableness of an agency's interpretation?
 - Should the major questions doctrine limit Chevron deference in cases of significant political or economic importance?
 - How should lower courts apply Chevron in light of *Loper Bright Enterprises v. Raimondo* (2024)?
 - What principles best balance **judicial independence, legislative intent, and agency expertise**?
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Suggested References

- *Chevron U.S.A., Inc. v. NRDC*, 467 U.S. 837 (1984)
- *Loper Bright Enterprises v. Raimondo*, 598 U.S. ____ (2024)
- Scholarly articles on administrative law, the end of Chevron deference, and major questions doctrine

Topic 2: Digital Privacy

Hypothetical Case for Committee Simulation

Case Name: *United States v. OmniData, Inc.* (2026)

Facts:

The federal government obtained access to a large dataset of AI-generated behavioral profiles compiled by OmniData, a private analytics company that aggregates user activity across multiple social media platforms. The dataset included inferred predictions about users' habits, political affiliations, and social connections. The government did not obtain individual warrants, arguing that the raw data had been "voluntarily shared" with third-party platforms and that predictive profiles did not constitute personal information. Petitioners challenge this, asserting that algorithmic inferences create a **reasonable expectation of privacy** under the Fourth Amendment and that government access without a warrant constitutes an **unconstitutional search**.

Procedural History:

- Lower courts were divided: some ruled that AI-generated profiles are protected by the Fourth Amendment, while others applied the third-party doctrine to allow unrestricted government access.
- The case was appealed to the Supreme Court for a definitive ruling on the constitutional status of AI-generated behavioral data.

The explosion of digital technology and artificial intelligence has transformed the way personal information is collected, processed, and analyzed. Social media platforms, messaging apps, and AI-driven services now generate **massive amounts of behavioral data**, including not only what users explicitly share but also inferences about their interests, habits, political beliefs, and social connections. Governments and corporations alike are increasingly capable of using this data to **predict behavior, target users, and influence decisions**. This raises fundamental questions about the **scope of privacy rights, constitutional protections, and the limits of state surveillance** in the modern era.

A particularly contentious issue is the **intersection of government surveillance and AI-generated profiles**. AI algorithms can aggregate disparate datasets—public posts, purchase histories, geolocation information, and metadata—to create detailed profiles of individuals. Even when raw data is publicly available, algorithmic inferences may reveal sensitive information that users never intended to share. Courts have struggled to determine whether such activity constitutes a “search” under the **Fourth Amendment**, which protects citizens against unreasonable searches and seizures. The landmark case *Carpenter v. United States* (2018) addressed similar questions with cell-site location data, but AI-generated behavioral profiles push these questions further into uncharted territory.

Why AI & Social Media Data Matter

- **Scope of government access:** Agencies can obtain detailed behavioral insights without traditional warrants, often relying on the **third-party doctrine**, which holds that information voluntarily shared with third parties loses certain privacy protections.
- **Complexity of AI in law:** Courts are generally ill-equipped to evaluate algorithmic processes, raising concerns about judicial oversight.
- **Societal impact:** AI profiling can influence elections, law enforcement priorities, and social behavior, creating ethical, political, and legal dilemmas.

For private citizens, the issue is clear: aggregation and inference of data can **reveal intimate aspects of life**, from political leanings to health conditions, without consent. For governments, the stakes include national security, crime prevention, and law enforcement efficiency. Balancing these competing interests has become one of the most pressing questions of constitutional law in the 21st century.

Key Legal Questions:

1. Do AI-generated behavioral profiles constitute a “search” under the Fourth Amendment?
 2. Does the third-party doctrine extend to algorithmically inferred data?
 3. Should courts require individualized warrants for government access to predictive AI datasets?
 4. How should lower courts weigh privacy rights against government interests in national security, law enforcement, or public safety?
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Why This Case Matters

The *OmniData* case reflects a **broader global concern**: the rise of AI and big data has outpaced existing legal frameworks. Decisions here will shape:

- **Government surveillance authority:** defining the limits of state access to AI-processed data.
- **Privacy expectations:** clarifying whether algorithmic inferences, not just raw data, are protected.
- **Agency vs. judicial oversight:** establishing how courts evaluate government use of technical expertise and complex datasets.

The case mirrors ongoing debates around AI, data privacy, and the **role of courts in constraining executive power**, and will guide lower courts on how to handle similar disputes in the future.

Key Questions for Delegates

- Should predictive profiles derived from user data be treated as private under the Fourth Amendment?
 - How should courts assess the **reasonableness of AI-generated inferences** when determining a search?
 - Does voluntary sharing of data with platforms eliminate constitutional protections?
 - How can lower courts balance **privacy rights, technological complexity, and government interests?**
 - Should there be limits on government use of third-party AI data in law enforcement and national security contexts?
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Suggested References

- *Carpenter v. United States*, 585 U.S. ____ (2018) – Fourth Amendment implications of digital tracking
 - Articles on AI, predictive analytics, and data privacy law
 - Recent federal cases involving government access to third-party digital data
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Committee Positions

Sitting Justices:

- Chief Justice John G. Roberts Jr.
- Justice Clarence Thomas
- Justice Samuel A. Alito, Jr.
- Justice Sonia Sotomayor
- Justice Elena Kagan
- Justice Neil M. Gorsuch
- Justice Brett M. Kavanaugh
- Justice Amy Coney Barrett
- Justice Ketanji Brown Jackson

Friends Of The Court:

Constitutional Scholars:

- Akhil Amar
- Stephen Breyer
- Laurence H. Tribe
- Randy E. Barnett
- Jack M. Balkan
- Richard H. Fallon Jr.

Former Justices:

- Justice Stephen G. Breyer
- Justice Anthony M. Kennedy

Institutional Representatives:

- Office of the Solicitor General of the United States
- Electronic Frontier Foundation