Friedrichs v. California Teachers Association, No. 14-915

Leaving a hotly contested issue for another day, the Supreme Court announced today that the Justices had divided evenly as to whether the First Amendment permits the mandatory assessment of “agency shop” fees on public-sector employees, to support collective bargaining. In *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977), the Supreme Court held that such fees were allowed under the First Amendment. After expressing doubt about *Abood*’s continuing validity in *Harris v. Quinn*, 134 S. Ct. 2618 (2014), and *Knox v. Serv. Employees Int’l Union*, 132 S. Ct. 2277 (2012), the Supreme Court had agreed to decide whether *Abood* should be overruled.

Today’s action has the effect of leaving *Abood* in place, even though a 4-4 judgment does not set new precedent. As is customary, no opinions were filed explaining the rationales of the Justices on either side of the divide.

) in our Washington office.

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