

SCOTUS Asks DOJ to Weigh Florida, Texas Laws Aimed at Curbing Social Media ‘Censorship’

Media Mentions

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The US Supreme Court asked the Department of Justice to weigh in on two cases, *NetChoice v. Moody* and *NetChoice v. Paxton*, which aim to rein in perceived censorship of conservative voices by social media companies.

Bracewell’s **Jonathon Hance** told *The National Law Journal* that the invitation may not amount to much considering the likelihood of the high court taking up the case.

“Given [the cases] involve an issue of first decision relating to the First Amendment, I think it makes sense that the United States has been invited to weigh in,” Hance said, noting he imagines the government will side with NetChoice in the issue.

What it means in the short term, he added, is another delay for SCOTUS in deciding to take up the disputes.

“The implications of this are some delay in the court hearing the case, but I think it increases the odds that it does hear the case (or at least it appears that way),” Hance said.

The two cases, which stem from laws passed in Florida and Texas, involve efforts by a coalition of social media companies, NetChoice, to challenge Republican governors who have argued social media giants like Facebook and Twitter have favored voices on the left. Specifically, that their use of content moderation, and their failure to disclose the nature of how that moderation and other systems work, is unconstitutionally harming their residents.

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