



Scharps Memorial Legal Essay Competition

About the Essay Competition

The **Benjamin and David Scharps Memorial Award** was established in the will of Hannah S. Hirschhorn in honor of her brothers, Benjamin and David Scharps who were attorneys. The gift for the award was accepted by the SUNY Board of Trustees in 1974. The funds have been used to award juniors or seniors who are prelaw or have an interest in legal studies. As per the bequest, the prize is awarded to a student who writes the best legal essay on the subject determined by the Chancellor or designee. First Prize is \$1500, Second Prize is \$1000.

Eligibility

Competition for the prize is open to SUNY students in their Junior or Senior year.

Campus Instructions for Essay Submissions

Award applicants will submit a 2,000-word essay that is responsive to the chosen topic. Submission is to be sent in standard essay format. End notes and footnotes are acceptable. No pictures or illustrations are to be included. Preferred essay format is described below.

Essays written by students are submitted to a campus point of contact, who may submit a maximum of three essays for their campus. The Campus president appoints a single faculty or staff coordinator who will endorse each essay submitted indicating the he or she has read the essay and considers it of high quality and representative of the best of that campus. This is done by letter sent to SUNY University Life.

The essay will be submitted to SUNY Office of University Life by the campus faculty or staff coordinator. Please send all to the attention of Sara Saplin at Sara.Saplin@suny.edu

The SUNY Office of University Life in consultation with the Selection Committee will make final recommendation to the Provost for approval. The winner of the competition will be announced in early spring.

Timeline

Announcement to all SUNY Campuses	February 16, 2023
Deadline for entries	March 31, 2023
Winner(s) selected	Late April 2023



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APPLICATION COVER SHEET FOR 2023

Submit this form for each nomination. Note that there may only be three submissions per campus.

1. Campus _____

2. Student's Name _____

Address (for correspondence) _____

E-mail _____

3. Name and Title of Campus Coordinator _____

Address _____

E-mail _____

Phone _____

4. Campus coordinator's signature, indicating support of the submission and judgment that it is of high quality and representative of the campus.

5. Date submitted to System Administration _____

Note: A copy of the application (this cover sheet & essay) should be sent to via email to: Sara.Saplin@suny.edu or by mail to Sara Saplin, State University of New York, H. Carl McCall Building, 353 Broadway, Albany, New York 12246, and must be received on or before March 31, 2023.



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SPECIFIC INSTRUCTIONS FOR ESSAY PARTICIPANTS

Essay Parameters

This is a closed-universe essay question, meaning that only the facts as they are written, and the authorities provided, should be considered when you prepare a response to the essay question posed.

The facts presented should be considered as undisputed. In your analysis, you must accept the facts as-is, meaning you must take them exactly as they are written. You are not permitted to make up any facts that are not provided in the record, or make any assumptions based on the facts as they are presented.

While completing this essay task, you should refrain from looking to any other sources for information. Additional outside research may interfere with completing the task as instructed, which is to analyze and evaluate the issues presented and to draw a legal conclusion using only the sources cited in the authority. Additionally, you are not permitted to cite from any authority other than the law and cases provided in the 'Authorities' sections. This means you cannot use or rely on newspaper articles, law review articles, or any other sources which you believe are relevant to the question presented. The purpose of prohibiting other sources in your analysis is to see how effectively you are able to craft a legal argument using only the sources of information provided to you.

Additionally, outside sources may lead you believe there is a right or wrong answer. However, for purposes of this essay, there is no right or wrong conclusion to each of the questions posed, and your essay will not be evaluated based on the conclusion you reach. Instead, your essay will be evaluated based upon your analysis that leads to your conclusion in each of the three issues. Therefore, you should attempt to compare the facts of the cases provided in the authority to the facts of the instant case as a persuasive tool to reason why the court should decide one way or another.

Your essay should be 2,000 words or less.

Evaluation Methodology

Your essay will be judged based upon how effectively you've articulated the law and court cases and applied them to the fact pattern provided to reach a conclusion. You will be evaluated based upon how well you articulate the law, and the reasoning you offer to support your conclusions for each issue. Please be sure to include any proper citations when citing a law or a case, as you will be evaluated on your ability to attribute a particular law or reasoning to a source.

We look forward to reviewing your essay submissions. Thank you for being a part of a great award opportunity.

The Planet Protectors Protest

Centennial Park University, a publicly funded college, invited Senator Inez Reynolds to speak at its annual government and policy symposium. Senator Reynolds represents the Centennial Park area in Congress.

Upon hearing that Senator Reynolds would be visiting campus, a local environmentalist group, The Planet Protectors, decided to organize a protest of the symposium and Senator Reynolds's visit to campus. The Planet Protectors are vehement opposers of Senator Reynolds as she recently voted against environmental regulation bills and is a climate change denier. The Planet Protectors are a nationwide organization and are notorious for their protest actions such as gluing themselves to buildings, throwing paint at people, and their events often turn violent. The Centennial Park branch of the Planet Protectors, however, is a relatively small group made of up mostly students.

In the weeks prior to Senator Reynolds's scheduled appearance, student members of the Planet Protectors advertised the group's planned protest by posting on the campus message boards and hanging flyers across campus. These flyers indicated there would be a protest prior to the start of the event and indicated the group would be "taking over the symposium." After becoming aware of the planned protest, the University Administration and University Police decided to take preventive measures such as installing barriers to separate groups in front of auditorium. It was also decided there would be an increased police presence on the day of the event.

On the morning of the event, the Planet Protectors arrived on campus prior to the Senator's scheduled speaking time. They were allowed on campus and directed to assemble in an assigned space on the campus lawn in front of the auditorium by University Police. Supporters of Inez Reynolds were directed to the other side of the lawn. The groups were separated by barriers installed the night before by University Police. The Planet Protectors activists led calls for environmental reform and encouraged its members to "force Senator Reynolds to do the right thing no matter what it takes."

At 12pm the doors to the auditorium opened and both groups filled the seats in the audience. The Planet Protectors continued their shouting as the speakers were introduced. During the panel, several members of the Planet Protectors stood and interrupted the speakers to advocate for greater environmental regulations to stop climate change. After several interruptions, the audience grew angry at the protestors and began to yell back at the protestors to stay seated. At this point the speaker could not be heard over the protestors. The University President, Rebecca Harkness, asked the audience to calm down and for decorum her requests were ignored. The Planet Protectors continued shouting at the panel.

At this point President Harkness cited the Centennial Park University Student Code of Conduct and the right of college campuses to regulate the time, place, and manner of protests then ordered University Police Officers to remove the protestors. Betty, a senior at Centennial Park University was one of the students arrested and removed.

Betty is now suing Centennial Park University stating that the campus violated her First Amendment rights in arresting her at The Planet Protectors protest and for bringing Student Conduct charges against her.

You are a law clerk for Judge Joseph Swift. He asks you to prepare a memo summarizing the relevant constitutional arguments and apply them to Betty's case. You may consider the following sources:

Campus Student Code of Conduct Policy: No person shall engage in disorderly conduct which interferes with the rights of others, including deliberately disrupting or preventing the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his views, including invited speakers. Prohibited behavior may include participation in campus demonstrations which disrupt the normal operations of the University and infringes on the rights of other members of the University community by leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

United States Constitution, Amendment 1: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise of; or abridging the freedom of speech, or of the press; or the right of the people peacefully to assemble, and to petition the Government for a redress of grievances."

Case Law:

Hague v. Comm. for Indus. Org., 307 U.S. 496(1939)

Terminiello v. City of Chicago, 337 U.S. 1 (1949)

Feiner v. New York, 340 U.S. 315 (1951)

United States v. O'Brien, 391 U.S. 367 (1968)

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)

Frisby v. Schultz, 487 U.S. 474 (1988)

Brandenburg v. Ohio, 395 U.S. 444 (1969)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Ward v. Rock Against Racism, 491 U.S. 781 (1989)

Police Dept't of City of Chicago v. Mosley, 408 U.S. 92 (1972)