

Drafting a Legal Opinion

Imagine that you are a justice on the U.S. Supreme Court. Pick one of the First Amendment cases that we have just studied, *other than one in which you participated as either an attorney or a judge*, and write a legal opinion which presents your views on the proper outcome of the case.

Your legal opinion should use the following format:

1. Begin with an introductory paragraph which clearly and briefly states the issue to be decided **and** your opinion about the proper outcome of the case. For example:

This case presents the question of whether public high school administrators can conduct random searches of students' backpacks and personal belongings without specific cause to believe that any particular student has violated the law or school rules. For the reasons stated more fully below, this court finds that such random searches violate the Fourth Amendment's prohibition against unreasonable searches and seizures because they interfere with students' reasonable expectations of privacy.

2. Next, compose 1 or 2 paragraph summarizing the key facts of the case. This section may simply *paraphrase*, but not copy verbatim, the information contained in the "Case Backgrounds" handout for your case.

3. Next, include several paragraphs discussing the major arguments you've considered in reaching your decision. Be sure to analyze the arguments on **both sides** of the case before reaching your conclusion. Provide evidence and examples to support your analysis.

4. Conclude with a final short paragraph summarizing your opinion and offering a final generalization about the case.

Your legal opinion must be word-processed and approximately 2 pages in length. **Four Case Analysis** worksheets should also be attached to the final draft of your opinion.

Due Date: Wednesday, December 6th.