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### **Mock Supreme Court Case**

USG-2.3: Compare fundamental values, principles, and rights that are in conflict with one another in the American political system and the ways in which such conflicts are typically resolved, including conflicts that arise from diversity, conflicts between individual rights and social stability, and conflicts between liberty and equality.

This particular lesson deals with the US Supreme Court and the First Amendment. To begin the lesson the students were given a case dealing with the freedom of religion. The class was divided into two groups that will role play lawyers and Supreme Court Justices. The students were only given the basic details of the case and the constitutional question posed. In these groups, the students were asked to develop a skeletal argument for both sides. They had to keep the Constitution in mind as they were making the arguments.

To demonstrate how the real court works, I used a six minute clip from C-SPAN. The clip is the audio for the oral arguments for the case *Parents Involved in Community Schools v. Seattle School District*.

Then I passed out the main arguments for the plaintiff and defendant of each case. I found the arguments in an abbreviated bullet point format on the website [www.firstamendmentschools.org](http://www.firstamendmentschools.org). The students were able to discuss the validity of these arguments.

The students later used the computer lab at school to research the case. They were asked to use past precedents to strengthen their arguments. I had the students use the US Supreme Court's website, [www.oyez.org](http://www.oyez.org), and [www.landmarkcases.org](http://www.landmarkcases.org). Once on the websites, they needed to search for the opinions of the court. The opinions would lead them to previous cases, which they were also expected to research. The justices needed to develop questions that would incorporate the past cases as well as the lawyers use the cases to make their points.

The justices were seated together, and the attorneys argued the case for 10 minutes. The plaintiff and the defendant were given equal time. During this time, they had to follow proper protocol, give the details of the case, and make a case using constitutional reasoning and past precedents to support their side. The justices were expected to ask at least two questions of the lawyers, and the lawyers had no idea what the justices would potentially ask.

## **Justices**

### **Questioning (10 points)**

- Logical questioning
- Stay in character (Be serious about the task)
- Use background of case
- Use the Constitution in your questioning

### **Conferencing (10 points)**

- Accurate minutes are kept of the conference before oral arguments
- Accurate minutes are kept of the conference during decision

### **Opinion (15 points)**

- Background of case is given with opinion.
- Use Constitution and at least one precedent to support opinion.
- Logical reasoning for decision.
- Emotion and personal opinion are absent from opinion.

Total Points: 35 possible points

### **Order of the Proceeding**

1. The plaintiff will have 5-10 minutes to present their arguments.
  2. The defendant will have 5-10 minutes to present their arguments.
  3. Decision conference by the justices.
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## Lawyers

### Opening Remarks (5 points)

- Properly introduced him/herself before the Court (“Ms/Mr. Chief Justice and may it please the court: I am here on behalf of the \_\_\_\_\_”).
- Described the facts of the case study and outlined the issue(s)/legal question(s).
- Tell the Court how they should decide and why
- Explained the connection between the issue and the U.S. Constitution.

### Body: Using Precedents (20 points)

- Explained a connection between the case study and other Court (Supreme Court, state/federal courts) rulings.
- Presented a minimum of one precedent case.
- Organized in a logical fashion (historically, strongest to weakest argument; weakest to strongest argument etc.)

### Closing Remarks (5 points)

- Outline issue (summarize legal issue/question(s); summarize legal precedents - laws, previous cases)
- restated position (the Court should decide this way and why)

### Time Frame (5 points)

- Presented oral arguments in the appropriate time frame (5-10 minutes)

Total Points: 35 possible

### Order of the Proceeding

1. The plaintiff will have 5-10 minutes to present their arguments.
  2. The defendant will have 5-10 minutes to present their arguments.
  3. Decision conference by the justices.
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# **Church of the Lukumi Babalu Aye v. Hialeah**

**508 U.S. 520 (1993)**

**Docket Number: 91-948**

**Abstract**

Argued: November 4, 1992

Decided: June 11, 1993

## **Facts of the Case**

The Church of Lukumi Babalu Aye practiced the Afro-Caribbean-based religion of Santeria. Santeria used animal sacrifice as a form of worship in which an animal's carotid arteries would be cut and, except during healing and death rights, the animal would be eaten. Shortly after the announcement of the establishment of a Santeria church in Hialeah, Florida, the city council adopted several ordinances addressing religious sacrifice. The ordinances prohibited possession of animals for sacrifice or slaughter, with specific exemptions for state-licensed activities.

## **Question Presented**

Did the city of Hialeah's ordinance, prohibiting ritual animal sacrifices, violate the First Amendment's Free Exercise Clause?

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**Case 5 Plaintiff Role Card**  
**Church of the Lukumi Babalu Aye v. Hialeah (1993)**

**Plaintiff: Church of Lukumi Babalu Aye**  
— Claiming free exercise of religion

**Main Points**

- The ordinances were passed against the Church of Lukumi Babalu Aye. City Resolution 87-66 notes "city residents' 'concern' over religious practices inconsistent with public morals, peace, or safety, and declares the city's 'commitment' to prohibiting such practices."
- The zoning law barring animal sacrifice unfairly singles out an unpopular minority faith in violation of the Constitution's guarantee of religious freedom.
- The government has shown no compelling interest in enforcing a statute that affects the followers of the Santeria religion
- The sacrifice of animals is central to the beliefs and practices of the Santeria religion. The orishas are powerful, but not immortal. Their survival depends on the sacrifice. Animals are cooked and eaten following all Santeria rituals excepting healing and death rituals.
- The zoning law is a direct attack on a religious practice rather than a neutral law that only incidentally affects a church
- The sacrifice of animals as part of religious rituals has ancient roots. The Old Testament mentions animal sacrifice. The annual Muslim Feast of Sacrifice continues a centuries-old tradition.

**Case 5 Defendant Role Card**  
**Church of the Lukumi Babalu Aye v. Hialeah (1993)**

**Defendant: City of Hialeah**  
— Claiming that certain religious practices can be limited when they pose a particular threat to public health

**Main Points**

- Followers of the Santeria religion mistreat animals that are sacrificed and fail to dispose of them in a sanitary manner.
- The city of Hialeah has found remains of decapitated animals, which caused the city very particular problems related to public health. There are compelling government interests in preventing public health risks.
- The secret nature of the Santeria religion made unenforceable a regulation of disposal of animal carcasses.
- Public outcry followed announcements of the church's intention to put up a building in a downtown lot as a place to conduct animal sacrifices.
- Spokespersons for the American Society for the Prevention of Cruelty to Animals claim that the Santeria religion is not legitimate in the context of modern America.