

Total possible points: 100; 15% of final grade

### **A3 Opinion Editorial for an In-Need Audience**

#### **Overview:**

As writers, and scholars, you all have interacted with many genres of legal scholarship and produced a wide variety of legal writing already in our semester together. We have discussed and studied the value of service in legal scholarship, now it is time to apply that important work. Recently, we have also discussed how, particularly when it comes to heated and controversial topics and figures, the language of the law can be presented to lay/general/public audiences in ways that may misrepresent the fundamental justice and underlying principles that matter most. For instance, in the case of Charlie Kirk we discussed how political violence, gun control, free speech and political partisanship can impact an audience's understanding of underlying principles rooted in the First and Second Amendments. We have studied how a focus on "hate speech" which has never been legally defined, nor regulated, can take away from opportunities to actually exercise our free speech rights in support of worthy causes. Other examples are listed below.

#### **REQUIREMENTS OF THE ASSIGNMENT (and rubric):**

**General Expectations:** For this assignment, you will write a brief opinion editorial directed to a lay/general audience (we will use a standard college newspaper as a guide for submission). **You will be limited to no more than 650 words and should aim for closer to 500, if possible. You should be clear about your direction and use facts, statistics and case law to support your position and argument.**

**Audience selection (2x):** For this assignment, you will write a brief opinion editorial directed to a lay/general audience (we will use a standard college newspaper as a guide for submission). A key part of your work is the audience you choose to serve and the audience you are advocating to on behalf of your underserved group. You must clearly articulate: what audience you are trying to serve and why and who you will advocate to on behalf of that audience. You may attempt to help whoever you like but you should be able to articulate why they need and deserve advocacy. You may advocate to any audience you like but you should be able to articulate why they can impact change on behalf of your in-need audience.

**Fundamental Legal Issue:** No matter what argument you must make sure you concentrate on a key fundamental legal issue and that you accurately and clearly represent the state of the law to your audience. You must incorporate case law, citations, and quotes to support your work.

**Use of Your Voice:** As we discussed recently in class, you will do your best work when you embrace your background and genuine opinions and concerns to support your work. You may use additional outside sources to support your work here, but you should sign through. Although your language should be understandable to your intended audience you do not need to overly focus on style and mechanics unless they are expected by your audience.

**Examples** (there is a case to be made on many sides of these current debates).

- (1) You could bring awareness to the cost of living on behalf of college students with low financial means and make an argue to students of higher financial means that they should give back in any way they can (perhaps you would offer some suggestions). You would then incorporate access to education case law while you acknowledge that the Court does not afford special protected status to those of limited financial means under the 14<sup>th</sup> Amendment (*San Antonio Independent School District v. Rodriguez*).
- (2) You could make an argument on behalf of students with undocumented family members (in-need audience) to teachers of those students about how they could best prepare for the emotional impacts that such uncertainty could create within those students over the course of the semester. (*Plyler v. Doe* would be key case law here).
- (3) You could make an argument on behalf of students who would like to become cops one day, or who have family members in law enforcement-type roles, about the heightened scrutiny they often face in times of turbulence (I.C.E. protests, etc.). Relatedly, you could make an argument for (or against) the concept of "qualified immunity" where police officers cannot be held personally liable while acting in the line of duty (*Pierson v. Ray* among others would be key case law here)
- (4) You could make an argument related to on-going issues in the Middle East on behalf of Israeli or Palestinian students; Christian or Muslim students (you could use a variety of Supreme Court case law ranging from international law to the entire 1<sup>st</sup> Amendment here).

**Conference Attendance, Consultation, and Reflection:** We will have a one-on-one conference next week during class time. To prepare for that meeting you should have outlined your initial plan for your editorial. Please bring notes describing:

- (1) Who you would like to serve/advocate for and why,
- (2) Who you would like to inform/advocate to
- (3) What legal concern/issue you would like to address
- (4) Any questions you have for me.

We can discuss how you can maintain your voice in your work, concerns you have about finding applicable case law, and any other concerns you have about your work in the course so far. Please pay attention to examples and other genre expectations we cover together in class. After your conference, refine your rough draft and prepare for peer review.