



Courts and the Constitution Come to Life for Florida Students

High school students from throughout Florida learned first-hand about the appellate process as part of the second annual High School Brief Writing and Moot Court Competition. Students wrote appellate briefs in the hypothetical case of *State of Florida v. Jamie Olsen*. The briefs were evaluated by attorney members of the Young Lawyers Division of The Florida Bar. Based on the brief writing scores, teams were issued invitations for oral argument in four of Florida's five district courts of appeal.

At the DCA level, students argued their cases before actual appellate judges. The oral arguments were evaluated and the top teams progressed to the state level. A total of eight teams advanced to the preliminary rounds in Tallahassee. Teams included students from Naples High School, Lincoln High School, Jupiter High School, Pinellas Park High School, Coral Reef High School, Marion Technical Institute, and Miami Killian High School. Oral arguments for the preliminary rounds were held at the First District Court of Appeal. The top two teams advanced to the final round before all seven Florida Supreme Court Justices.

The appellate case addressed two issues on appeal. The first dealt with whether the First Amendment guarantees a reporter's right to protect his confidential sources. The second addressed whether Olsen's Sixth Amendment rights were violated as part of the trial court's sentence enhancement. Students worked with their teachers and attorney coaches to prepare for the oral arguments. In addition to knowing

the case materials provided, students were given a variety of cases to analyze and apply to the scenario presented.



Student Nicola Menchetti addresses the court in the final round of competition.

"Students learned quickly that, at the appellate level, an oral argument is more like a dialogue or conversation between the attorneys and judges," stated Annette Boyd Pitts, Executive Director of the Florida Law Related Education Association, Inc. "Students walked in with a prepared presentation on their briefs, but almost as soon as they began their presentations, they were interrupted with questions from the judges," Pitts added. "This definitely is a challenging academic program," said Steve Shenkman, President of the FLREA. "Students have to think on their feet, apply cases and constitutional arguments, and present themselves in a professional manner," Shenkman remarked.

The Florida Law Related Education Association, Inc. coordinated the program

throughout the state, which brought in briefs from each of Florida's five district court of appeal regions. Funds were provided by the Young Lawyers Division of The Florida Bar with supplemental assistance from the Florida Bar Foundation. The Supreme Court hosted the final round of competition. The program was videotaped and shown on the Florida Channel as well as on the WFSU's Gavel 2 Gavel website, <http://wfsu.org/gavel2gavel/>.

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The initiative was spearheaded by Chief Justice Barbara Pariente. “Chief Justice Pariente requested that the program be designed to correspond to the Florida high school mock trial program,” remarked Pitts. “She wanted students participating in the popular mock trial program to understand what happens beyond the trial

courts and to fully grasp the appellate process.”

FLREA designed a constitutional law course for inclusion in the Department of Education's Course Code Directory. The course requires the development of an appellate brief. School districts are already offering the course. FLREA is seeking an honors designation for one section of the yearlong course.

The final round was held at the Florida Supreme Court. Petitioner students were from Lincoln High School in Tallahassee. Respondent students were from Coral Reef High School in Miami. “Both teams did a fantastic job,” stated Chief Justice Pariente during the awards ceremony held at the Golden Eagle Country Club in Tallahassee. “The decision was close, 4-3 in favor of the petitioner students. Lincoln High School received a trophy as well as individual student awards. A new award this year for best brief was presented to Jupiter High School.

The Florida Law Related Education Association will provide a link to the oral arguments on its website at www.flrea.org. For additional information or to learn how to access next year's case materials, contact FLREA at ABPflreaED@aol.com or call 850-386-8223.

Participating Teams

First DCA

Lincoln High School

Teacher: Rob Thompson

Students: Kathleen Wade, Nicola Menchetti, and Kathryn Davis

Second DCA

Naples High School

Teacher: Joseph Germaine

Students: Zac Bell and Bradford Bailey

Pinellas Park High School

Teacher: Matt Valentine

Students: Oscar Bastardo and Erika Jennings

Third DCA

Coral Reef High School

Teacher: Jan Jacobowitz

Students: Jessica Bouis and Jessica Moscoso

Miami Killian High School

Teacher: Lorraine Silverstein

Students: Joshua Ginsberg and Louis Holzberg

Fourth DCA

Jupiter High School

Teacher: Sheri Brooks

Students: Alexander Salazar and Rebecca Barstein

Fifth DCA

Marion Technical Institute

Teacher: Doug Oswald

Students: Caitlin Greenwell and Richard Chynoweth