



## May It Please the Court: Students Argue Constitutionality of School Internet Policy

Russell Pierson, Matthew Perkins and Ryan Iocco may have been nervous on Friday, May 11, 2007 as they waited anxiously for the doors to open and the Supreme Court Justices to enter the courtroom. Most attorneys arguing before the Supreme Court of Florida would be nervous. However, Russell, Matthew, and Ryan are not attorneys. All three are high school students participating in the final round of the Florida High School Moot Court Competition.

A program hosted annually by the Florida Supreme Court, the high school initiative challenges students to apply reasoning and critical thinking skills to constitutional scenarios. "It's a lot of common sense and practical application," stated one high school student. "It combines legal research and writing, analysis and public speaking skills... it is unlike any other academic competition I have ever experienced." The Florida Law Related Education



*Justice Charles Wells posing a question to a student during the final round.*

Association, Inc. administers the program with funding and assistance from The Florida Bar Young Lawyers Division and the Florida Bar Foundation.



*Student Russell Pierson arguing before the Florida Supreme Court in the final round.*

Students are provided with an issue booklet complete with guidelines and case materials. Teams of up to two students write legal briefs addressing the constitutional issues before the court. They must choose to direct their arguments from either the petitioner or respondent side.

Briefs are evaluated by attorneys throughout the state. Students who write the best briefs are invited to participate in oral arguments. Practice sessions and preliminary rounds are held with District Court of Appeal judges. The final round is held annually at the Florida Supreme Court.

This year, over thirty-five teams submitted briefs. Students invited to

participate in the oral argument phase represented Miami Killian High School, Naples High School, Marion Technical Institute, Pinellas Park High School, and Lake Howell High School. Students are recommended to work with appellate attorneys throughout each phase of the program.

To further expand students' knowledge of the appellate process, The Florida Law Related Education Association, Inc. designed a course in Constitutional Law, which has been approved by the Florida Department of Education for inclusion in the State Course Code Directory. The course includes a requirement to write an appellate brief. "The Constitutional Law course will really help us grow this



*Justice Bell (left) and Justice Anstead (second from left) meeting with the finalists after the final round.*

program in Florida," stated Annette Boyd Pitts, Executive Director of The Florida Law Related Education Association, Inc. "The appellate program is still in its infancy and will require at least another five years to become a stable, viable program", Pitts concluded.

The top six teams in Florida were invited to participate in preliminary rounds at the First DCA in Tallahassee. Judge Wolf, Judge Benton, and Judge Kahn comprised the judging panel. The

judges peppered the students with questions throughout each forty minute round. "The DCA rounds were



*Student Matt Perkins listening to the questions posed to him in the final round.*

difficult," reported one student finalist. "It was like we were arguing a real case!" They selected two best advocates from the multiple rounds. Students Matthew Perkins from Lake Howell High School and Rebekah Soucey from Marion Technical Institute received the top honors from the preliminary rounds.

The First DCA judges also selected the top two teams to advance to the final round at the Florida Supreme Court. Lake Howell High School and Naples High School presented oral arguments for the respondent and



*The student competitors in this year's competition posing in front of the Florida Supreme Court.*



*A display of all the awards presented at the conclusion of the Moot Court Competition.*

petitioner respectfully. Both teams had previously participated in the Florida High School Mock Trial Program. The Moot Court Competition incorporates an issue on appeal from the mock trial case materials.

Six of Florida's seven Supreme Court justices heard oral arguments from the high school students on May 11, 2007 at the Supreme Court. Each side was allotted twenty minutes to present their arguments. The justices asked questions throughout the round as students addressed whether a school's internet policy and monitoring of a student's personal email violated his



*Attorney Janeia Daniels (left) receiving an award from Chief Justice R. Fred Lewis (right) for her dedication to the Moot Court program.*

right to privacy. Further students argued whether or not the disciplinary actions imposed upon the student unconstitutionally impinged upon his right to freedom of speech. Following oral arguments, the justices attended a reception with the students, their families and teachers.

Naples High School took top honors in this year's final round. Lake Howell High School came in a close



*The first place trophy, a statue of the Lady of Justice, prior to being awarded to Naples High School.*

second place. A special awards luncheon was held at the Governor's Club as part of the statewide Law Week activities. Chief Justice R. Fred Lewis served as Master of Ceremonies. Justice Raoul Cantero also attended.

Janeia Daniels, of the Myers and Brooks Law Firm in Tallahassee, wrote this year's case materials. She assisted with the orientation of students prior to the preliminary rounds. Justice Barbara Pariente was pleased with the students'

performances during this year's final round. She suggested a scholarship program be implemented in future years to provide a greater incentive for students to participate.

"These young people and their teachers and coaches are an inspiration to the court," stated Chief Justice R. Fred Lewis. "This program offers a hands on approach to teaching and learning about our constitutional framework and the appellate process," Chief Justice Lewis concluded.



*The team from Lake Howell High School poses for a picture with Justice Barbara Pariente (second from left) and Justice Raoul Cantero (far right).*

Chief Justice Lewis presented the appellate awards to all students and teachers participating in the 2007 competition. He also hosted the appellate and Law Week students at a special educational program held for the winners and their families on Saturday, May 12 at the Florida Supreme Court. The best brief award was presented to the team from Miami Killian Senior High School.

Briefs submitted by the students must be written by the students. Attorney coaches are utilized to review the students' work and provide feedback. Each brief must be only 15 pages in length and include a cover page, table of

authorities, opinion below, constitutional and policy provisions involved, questions presented, statement of the case, summary of argument, arguments, and a conclusion.

Greg Brown and Kelly O'Keefe of The Florida Bar Young Lawyers Division have provided guidance and technical assistance throughout the development and implementation of the program. This is the third year the YLD has funded the initiative. Funds pay for the teams' travel to the DCA and state finals, awards, transportation and other costs.

Studies have shown that as public knowledge of the courts increases, so too does support for the courts. Additionally a national survey conducted by the Justice at Stake Campaign found that understanding such concepts as precedent, constitutional review, appeals, and other important components of our judicial system, reinforce an appreciation for the courts and their role as constitutional guardians. "These practical yet high level academic experiences offer our students an opportunity to experience the legal system from the trial level through the appellate courts," stated Annette Boyd Pitts, Executive Director of the Florida Law Related Education Association, Inc. "Not only do our students walk away with a balanced and realistic understanding of the system, but we all benefit when we share our knowledge of the courts with the public," Pitts added. The appellate program is one of twenty respected law related and civic education initiatives offered through FLREA.

For additional information on the program, contact Annette Boyd Pitts, Executive Director of The Florida Law Related Education Association, Inc. at [abpflreaed@aol.com](mailto:abpflreaed@aol.com)