

Question I (public indecent language ordinance) (50 points)

- as applied-ML argues fully protected political expression, Cohen protects profanity------(3) _____
- city argues lesser value speech, intermed scrutiny------(3) _____
- fighting wds-def-face-to-face wds,likely to cause average addressee to resort to violence-(3) _____
- applic to facts-does audience of police matter; are wds directed at issue or individual------(5) _____
- city argues obscenity or libel, but ML refutes arguments------(3) _____
- traditional public forum-city streets & trad'l means of expression-leafletting------(3) _____
- content based ordinance-vulgar language not other speech, but manner not ideas------(5) _____
- strict scrutiny-compell'g int (protect children (one 14 yr old?), avert ears), least restric alt(5) _____
- reduce adult expression to what is suitable for children------(3) _____
- reasonable TPM-content based, secondary vs. primary effects-imp int, narrow, ample alts(5) _____
- facial challenge-overbreadth-can apply to fighting wds,but what about other applications?(5) _____
- vagueness-vulgar and indecent language------(4) _____
- miscellaneous _____(3) _____

Question II (law school bulletin boards) (50 points)

- Boxer seeks to engage in core political expression------(2) _____
- status of official student group bulletin boards-designated limited public forum------(4) _____
- available to all student groups (like booth rule), but not indivs, but he can form group------(3) _____
- impermissible selective access or based on status as in Perry------(3) _____
- not a Kennedy forum since not akin to streets and parks------(2) _____
- nonforum-selective access based on status-to avoid notices everywhere, reasonable------(4) _____
- reasonable TPM restriction------(4) _____
- content based limitation; is it viewpoint based because only pro-choice, strict scrutiny-----(5) _____
- content selected by group not by school officials-school officials are neutral as to content(3) _____
- general notice bulletin bd-forum status? designated public forum or nonforum _____(4) _____
- limited based on content of communication, impermissible limit?------(3) _____
- preference for commercial speech over political speech------(3) _____
- standard of review-content-based-strict scrutiny or intermediate (reas TPM)------(3) _____
- argue forum is all bulletin boards and pol sp accommodated on student group bds------(4) _____
- miscellaneous _____(3) _____

Question III (Bloody Sunday March) (50 points)

- application of anti-littering ordinance - March is political speech------(2) _____
- city sts-a traditional public forum, no evid street is off-limits to public & thus nonforum--(4) _____
- symbolic expression - Spence test - intent to communicate & likely to be understood------(4) _____
- O'Brien test-imp int, unrelated to effort to suppress exp, narrowly tailored------(2) _____
- application to facts-imp int-clean sts, unrelated to expression (all trash), narrow------(4) _____
- reasonable TPM reg-manner-imp int, narrow tailoring, content neutral-ample alts------(6) _____
- facial challenge to special event permit law-prior restraint scheme------(3) _____
- do criteria leave too much discretion in hands of city?------(4) _____
- do criteria allow decision to be based on content of event?------(4) _____
- procedural protections-5 days before event,judicial rev w/burden on city,emergency basis(5) _____
- overbreadth-do impermissible applications dwarf permissible ones-single person who draws attention (could be clothes they wear etc.)------(5) _____
- vagueness-events w/propensity to draw onlookers, etc.------(4) _____
- miscellaneous _____(3) _____