



The Mock Oral Argument Experience
The School Uniform

First Amendment United States Constitution

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Jimmy Madden v. School Board of Union County

One day, the Union County School Board members read a report about school uniforms. The report said that students who wear school uniforms have better grades and don't get into as much trouble. After reading the report, the School Board said that the school uniform rule would also help parents because they would not have to pay as much for school clothes.

When school started in the fall, Jimmy Madden decided that he didn't want to wear a uniform to school. Jimmy and his parents filed a lawsuit against the School Board. They said that making Jimmy wear a school uniform went against Jimmy's First Amendment right to express himself and wear what he wanted to.

The superior court, where Jimmy's suit went to trial, decided that the School Board could not make Jimmy wear a school uniform. The court said that the rule took away Jimmy's First Amendment right to express himself as a special person. The School Board appealed the superior court's decision to the next highest court, the Georgia Court of Appeals. The Court of Appeals disagreed with the superior court and decided that the school uniform rule was OK and did not take away Jimmy's right to express himself.

Jimmy appealed the Court of Appeals' decision to the Georgia Supreme Court. Because school uniforms affect so many people, the Court has decided to hear oral arguments.

Constitutional Question:

Does the School Board's rule requiring students to wear school uniforms violate a student's First Amendment right to freedom of expression?

Case Study Sheet

I. What are the Facts?

II. State the Issue to be Decided:

III. Arguments for Appellant, Jimmy:

IV. Arguments for Appellee, State Board of Union County:

V. What Would You Decide?

VI. Reason/Evaluation?

VII. Mock Supreme Court Tentative Decision:

Deputy Clerk's Script

(When door opens and Justices begin to enter)

- Bang gavel twice
- Announce in a loud voice: "ALL RISE! THE HONORABLE SUPREME COURT OF GEORGIA IS NOW IN SESSION."
- Bang gavel twice more
- Announce in a loud voice: "YOU MAY BE SEATED."

(When Chief Justice rises to leave)

- Bang gavel twice
- Announce in a loud voice: "ALL RISE!"
- Once the last Justice exits the magic door, bang the gavel once (indicating everyone is free to leave)

Chief Justice's Script

The Court is ready to hear the case of Jimmy Madden v. School Board of Union County.

Are the attorneys ready to proceed?

Attorney for the Appellant (Jimmy) may begin.

[When the Deputy Clerk calls time, tell the appellant's attorney that his/her time is up. If the attorney is in the middle of an answer when time is called then you can tell him/her that he/she may briefly finish his/her answer.]

Attorneys for the Appellee (School Board) may begin.

[When the Deputy Clerk calls time, tell the appellee's attorney that his/her time is up. If the attorney is in the middle of an answer when time is called then you can tell him/her that he/she may briefly finish his/her answer.]

Attorneys for the Appellant may present rebuttal.

[When the Deputy Clerk calls time, tell the appellant's attorney that his/her time is up. If the attorney is in the middle of an answer when time is called then you can tell him/her that he/she may briefly finish his/her answer.]

Attorneys, thank you for your arguments. The Court will announce its decision shortly.

Appellant Arguments

MAY IT PLEASE THE COURT. MY NAME IS _____ AND I REPRESENT THE APPELLANT, JIMMY. WE DON'T THINK THAT THE SCHOOL BOARD SHOULD MAKE STUDENTS WEAR SCHOOL UNIFORMS BECAUSE THE RULE GOES AGAINST THE FIRST AMENDMENT.

Student's Arguments (for *not* wearing school uniforms) include:

1. Under the First Amendment, students should be able to wear whatever they want so that they can show that they are special people.
2. Uniforms will not save parents any money because uniforms cost as much as regular clothes.
3. Students will do better in school if they can wear what they want.
4. If all students have to wear the same clothes, they will be just like everybody else and can't show that they are special people.
5. The school dress code already makes sure that students wear proper clothes to school.

Try to think of other arguments against school uniforms. Write these arguments on the note pad at your seat.

Appellee Arguments

MAY IT PLEASE THE COURT. MY NAME IS _____ AND I REPRESENT THE SCHOOL BOARD. WE THINK THAT THE SCHOOL UNIFORM RULE IS A GOOD RULE AND THAT IT DOES NOT GO AGAINST THE FIRST AMENDMENT.

The School Board's Arguments (*for* wearing school uniforms) include:

1. Uniforms will help school safety. Teachers can tell if somebody shouldn't be at the school because the person will not be wearing a uniform.
2. Students will do better school work if they are not thinking about clothes and what the other students are wearing.
3. If everyone wears uniforms, teachers won't have to spend time checking whether students are wearing clothes that are okay under the school dress code.
4. Uniforms will save parents money on school clothes because they won't have to buy as many outfits.
5. All students will be dressed the same and you won't be able to tell how much money students have.

Try to think of other arguments in favor of school uniforms. Write these arguments on the note pad at your seat.

Sample Questions for Justices

(Each Justice may ask one question)

Questions to ask the Appellant (Jimmy):

1. Don't students who wear crazy clothes cause trouble in classes and keep the other students from learning?
2. Does worrying about fashion and clothes keep students from learning in school?
3. Isn't it good to get rid of things that keep students from learning in school?
4. Can't students show that they are special people in other ways than their clothing?
5. Students can wear the clothes they want to outside school. Doesn't that give students enough chance to express themselves as special people?

Try to think of other questions for the attorneys who don't like school uniforms. Write these questions on the note pad at your seat.

Questions to ask the Appellee (School Board):

1. Doesn't the school uniform rule take away the students' right to be special people?
2. Do crazy clothes cause lower grades on tests? How?
3. If you have a dress code that keeps students from wearing crazy clothes, why do you need uniforms?
4. Do school uniforms cost less than regular clothes?
5. Can't schools use some other way to find out if people are at school who shouldn't be there?

Try to think of other questions for the attorneys who like school uniforms. Write these questions on the note pad at your seat.

Clerk's Script

(place vote sheet on Clerk's desk)

After the arguments, the Justices will vote on the case. Count the votes for the Appellant (Jimmy) and Appellee (School Board).

READ:

The Georgia Supreme Court has reached a decision in this case. By a vote of _____ to _____ the Court rules in favor of the _____.

Vote Sheet

Votes:

Chief Justice Hines

Appellant/Jimmy

Appellee/School

Presiding Justice Melton

Appellant/Jimmy

Appellee/School

Justice Benham

Appellant/Jimmy

Appellee/School

Justice Hunstein

Appellant/Jimmy

Appellee/School

Justice Nahmias

Appellant/Jimmy

Appellee/School

Justice Blackwell

Appellant/Jimmy

Appellee/School

Justice Boggs

Appellant/Jimmy

Appellee/School

Justice Peterson

Appellant/Jimmy

Appellee/School

Justice Grant

Appellant/Jimmy

Appellee/School