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High School **Civil** Cases

Civil Rights—First Amendment (Free Speech)

_____ *Rook E. Greenwood v. Chief Billie Durden, in His/Her Individual Capacity as Chief of the Miltonville Police Department* **Origin GA (2011) Grade 9-12**

This problem is a 42 USC § 1983 action brought by Detective Rook E. Greenwood against Chief Billie Durden of the Miltonville Police Department. Greenwood claims that Durden violated his/her civil rights by terminating him/her based on a statement s/he made through a posting on a social networking site. Chief Durden disputes that the statement in question had anything to do with Greenwood's firing, and instead claims to have terminated Greenwood "for good cause" due to citizen complaints. **Bench Brief available.**

_____ *Hills v. Midway School Board* **Origin GA (1991) [also SC (1991)] Grade 9-12**

As a member of a school band, Hills is suing the school board because the band was abolished and his/her chance for a scholarship was lost after s/he and the band played a protest song at a local function. **No Bench Brief available.**

DUI Host Liability

_____ *Shannon Johnson v. Kelly Bowen* **Origin GA (1989) Grade 9-12**

Johnson's husband Lee was killed in a car accident with Stacey Viscious, who was arrested and charged with DUI. Johnson claims Viscious consumed the beer at a party given by Terry Bowen, a high school student at Thomas Nast High School. Johnson is suing Kelly Bowen, the parent of Terry Bowen. **No Bench Brief available.**

Job Discrimination

_____ *Taylor v. Lance Memorial Hospital* **Origin GA (1992) [adapted from AZ 1988]**
Grade 9-12

Male nurse claims to be fired from women's hospital because of his sex. Hospital claims he was fired because of his negligence and lack of cooperation. Used at '92 Summer Law Camp. **No Bench Brief available.**

Libel

_____ *Parker Hamilton v. Alex Sadler* **Origin GA (2001), Grade 9-12**

An anonymous message is posted on the Campbell County High School's Internet newsgroup citing an impropriety between teacher Parker Hamilton, a law student and stolen money from an attorney trust account, as reasons for Hamilton's leaving the legal profession to pursue a career in education. Hamilton alleges the post was made by student Alex Sadler and files a civil libel suit. **Bench Brief available.**

Negligence

_____ *Scooter Schwinn v. Kirby Farnsworth* **Origin GA (2003), Grade 9-12**

A car driven by the defendant hits a bicycle pizza delivery person. The Defendant counter-sues the Plaintiff, claiming negligence on the part of the Plaintiff. **Bench Brief available.**

_____ *Gabriel/Gabrielle Garcia LaQuinta v. Jed Hill, M.D.* **Origin GA (2007), Grade 9-12**

Paris LaQuinta and Nicole Commodore went out to a club on a Saturday night. One drank alcohol to excess, while the other did not. They both got into Paris' new car, bound for home. On the way, they collide with a large SUV driven by Dr. Jed Hill. Paris is killed and Nicole is in a coma, unable to testify. The driver of Paris' car is in question and while Hill is charged with causing the accident, s/he claims that s/he is not at fault and counter-sues Paris' parents. **Bench Brief available.**

Personal Injury

_____ *O'Riley v. Happy Daze Daycare and J. Weaver* **Origin GA (1999) [similar to SC 1999]**

Grade 9-12

Parents charge daycare center with exposing child to second-hand smoke, leading to an asthma attack and permanent disability. Written with SC, which used an altered version suitable to SC law. **Bench Brief available.**

_____ *Tenebrous v. Busy Bee Express* **Origin GA (1995) Grade 9-12**

Plaintiff is suing for compensation following a traffic accident. Colorful witnesses. Failed mediation agreement included. **Bench Brief available.**

Sexual Harassment

_____ *Alexander v. Cooper, Cook, & Troy* **Origin GA (1993) [also SC (1993)] Grade 9-12**

Attorney sues her law firm for providing an unwelcome and hostile work environment constituting sexual harassment. **No Bench Brief available.**

Tort—Battery

_____ *Alex Sadler v. Parker Hamilton* **Origin GA (2009) Grade 9-12**

This case uses a mock trial competition as the backdrop for the plot. On March 16, 2008, Defendant Sadler struck Plaintiff Hamilton with his/her briefcase causing injury to Plaintiff's mouth and nose. After this initial attack, the defendant continued attacking the plaintiff by pushing and cursing him/her until law enforcement personnel arrived at the scene. Plaintiff has suffered serious bodily injury in addition to pain and suffering. Defendant filed a counterclaim. **Bench Brief available.**

Wrongful Death

_____ *Ortega v. Brewster, et. al* **Origin GA (1997) [adapted from NM 1996] Grade 9-12**

Based on Morris Dees' "Hate on Trial," this fact pattern sets the racial tension between immigrants and citizens. An Hispanic-American is killed in a hate crime and a member of an anti-immigrant organization pleads guilty to murder. This civil case charges a national, anti-immigrant political organization and its Internet web site with liability for the death. **Bench Brief available.**

_____ *Hatty Fields v. Reese Register* **Origin GA (2005), Grade 9-12**

Hilly Fields was killed during the Grand Finale of the Annual Charity Fashion Show supporting Safe Shelter. Her killer was her uncle Cappy Fields and Hilly's personal security guard, Hunter Sherlock, gunned down Cappy shortly after Cappy shot Hilly. Rumors abound about Cappy, his relationship with Reese Register of McKoy Designs & Manufacturing, Inc., his affiliation with shady underworld characters and his dependence on drugs and alcohol. Hilly's parent, Hatty Fields alleges Register conspired with Cappy to murder Hilly and is liable for her death. **Bench Brief available.**

High School *Criminal* Cases

Aggravated Assault

_____ *State v. Claire/Clay Stafford* **Origin GA (2010) Grade 9-12**

The defendant, Clay/Claire Stafford, is accused of aggravated assault against his/her classmate Verne/Vivian Theodore. The prosecution claims that Stafford carefully planned the alleged attack on Theodore during a graduation party, but Stafford claims that Theodore was a bully who pushed Stafford to his/her limit.

Arson/Felony Murder

_____ *State v. Robin Banks* **Origin GA (2006) Grade 9-12**

The town of Auraria Springs, located in the mountains of North Georgia, is playing host to the “Gang of Four” Economic Summit. Simultaneously, the Glutco Corporation, maker of the massive SUV, the Guzzler, has plans to convert a former alternative fuel vehicle dealership in Auraria Springs into a Guzzler dealership. Robin Banks, a local environmental activist protests both the Gang of Four summit and the anticipated Guzzler dealership. In the days leading up to the start of the summit, the building Glutco planned to convert into their new dealership burns to the ground and Philipa Newton, a local homeless woman, dies in the fire. Philipa’s sibling, Larry Newton, identifies Robin Banks as the person who set the fire in the dealership, but Banks has an alibi. Banks is charged with Felony Murder and First and Second Degree Arson. **Bench Brief available.**

Drug Trafficking

_____ *State v. Binder* **Origin GA (1992) Grade 9-12**

Chris Binder is charged with trafficking in cocaine and obstruction of law enforcement officer. Issue of police brutality. **No Bench Brief available.**

_____ *State v. Clifford Bryant* **Origin GA (1988) [adapted from TX 1987] Grade 9-12**

The charge of possession of marijuana with intent to distribute is defended by an entrapment claim. (2 witnesses per side) **No Bench Brief available.**

_____ *State v. Sandy Bryant* **Origin GA (2008—the 20th Anniversary Season) [adapted from TX 1987 and GA 1988] Grade 9-12**

The charge of a sale of a controlled substance (marijuana) is defended by an entrapment claim. (3 witnesses per side) **Bench Brief available.**

_____ *U.S. v. Remy* **Origin GA (1994) Grade 9-12**

Adds an international flavor to drug trafficking and importation. Brazilian charged with violating customs laws of U.S. **No Bench Brief available.**

Fraud/Computer

_____ *State v. Turing* **Origin GA (1993—National Competition Case) Grade 9-12**

Student gains access to school's computer system and orders a check to be written. Many exhibits included. **No Bench Brief available.**

Homicide

_____ *State v. Ashley Dougherty* **Origin GA (2009—National Competition Case) Grade 9-12**

Philip Newton, an assistant curator at the New Echota Museum of Art, is gunned down in the museum curator's office after a series of arguments over a world-famous painting, *The Cherokee Rose*, destined for a new exhibit at the museum. Ashley Dougherty, the curator, admits to shooting Newton and is charged with his murder, but Dougherty claims it was self defense. **Bench Brief available.**

_____ *State v. Barbara Barrett* **Origin GA (1990) Grade 9-12**

Defense is battered woman syndrome. **Bench Brief available.**

_____ *State v. Haley Brunetti* **Origin GA (2000) [adapted from CA 1998] Grade 9-12**

At approximately 7:45 a.m. on Friday, November 29th, a shooting occurred at Millard High School in suburban Salem Cove. Nicky Blanc, a freshman shot and killed Jackie Potomski, a senior by shooting Potomski in the chest with a hunting rifle. Blanc also shot at the police officers responding to the call. The officer's returned fire and killed Blanc, as well. In the course of the investigation it was learned that Haley Brunetti, Blanc's cousin, also had a long standing rivalry with Potomski. The officers allege that Brunetti plotted with Blanc to kill Potomski and Brunetti was charged with Murder and Felony Murder. **Bench Brief available.**

_____ *State v. Matthew West* **Origin GA (Clayton Co. 1985) [adapted from MS 1983] Grade 9-12**

A 24-year old female file clerk is murdered with a .38 caliber revolver behind the Crazy Time Bar. She was seen in the bar earlier in the evening arguing with boyfriend Matthew West over the victim "seeing other men". West was seen slapping the victim twice during this altercation. **No Bench Brief available.**

_____ *State v. Micky Finn* **Origin GA (2004), Grade 9-12**

Victim Hollingsworth Morse dies of an overdose of liquid Ecstasy (liquid MDMA) at a Halloween party given by three friends and roommates Micky Finn, Dylan Childs and Ashley Brewer. Finn, Childs and Brewer are notorious pranksters at Metropolitan University and their biggest prank of the year comes at the annual Halloween party where, in the past, Finn has dressed as the Grim Reaper and passed out a tray of drinks at midnight. One of the drinks was spiked with liquid Ecstasy and given to the "mark" the friends identified earlier in the week. In years past, Brewer obtained the drug and Childs made sure the "mark" made it to the party and stayed until midnight. In this case, Brewer has copped a plea and will testify against Finn. Finn is charged with Felony Murder and Childs is not charged at all. **Bench Brief available.**

_____ *State v. Perry/Perri Foil* **Origin GA (1996) Grade 9-12**

Case set in Atlanta, host of the 1995 "Spartan" Games, surrounds the sport of fencing. A fencing incident results in the death of a contestant. Was it an accident or murder? Lots of conflicting facts, and a confession by the defendant creates a legal issue regarding admissibility.

_____ *State v. Sam Cunningham* **Origin GA (2002), Grade 9-12**

Former best friends and business partners Sam Cunningham and Jude Smith try their luck one last time at shrimping on the vessel *Jodocus*. Cunningham and Smith are the only two on the boat when a storm blows up and sinks the ship. Cunningham makes it to shore alive that

evening, but Smith’s body washes up on the beach a couple of days later with what appears to be stab wounds. Cunningham is charged with murder, felony murder, and possession of a knife during the commission of a crime. **Bench Brief available.**

Involuntary Manslaughter/Hazing

_____ *State v. Pat Peterson* **Origin GA (1998) [adapted from NJ 1997] Grade 9-12**

Fraternities and sororities have been replaced at this university with Student Social Organizations (SSO’s). The problem with hazing, however, has not been solved. Pledgemaster Pat Peterson is charged with involuntary manslaughter and hazing in the death of freshman Jamie Johnson. **Bench Brief available.**

Middle School Criminal Case

_____ *State v. Shawn Windsor* **Origin GA (2008) [adapted from IA MS 2005] Grade 7-8**

In Miltonville, the Metropolitan University football team is the hottest ticket in town, particularly since the team has made it all the way to the Rose Bowl this season. In this case, Shawn Windsor, the manager of the Pizza Now! restaurant (a popular local hangout) is accused of reckless driving after a hit and run accident during the victory celebration injured MU fan “Hawk” Kennedy. **No Bench Brief is available.**

Middle School Civil Case

_____ *Kelly Procope v. Winkies Foods Corporation* **Origin GA (2008) [adapted from IA MS 2008 & SC MS 2008] Grade 7-8**

The Plaintiff purchased a cup of coffee from the Defendant’s establishment. While the Plaintiff was holding the cup of coffee purchased from the Defendant, the lid suddenly and unexpectedly came off of the cup, causing the coffee to spill onto the Plaintiff resulting in severe bodily injuries. This case is based loosely on the famous *Liebeck v. McDonald’s* case. **No Bench Brief available.**