

The Inaugural “Supreme Court and My Hometown” Program Wraps Up in St. Louis

By: Nicole Maffei

“All speakers were incredible and gave unique insight to every aspect of the judicial system, but hearing from Cathy Kuhlmeier was so immersive.” – Hometowns Student

It is hard to believe that, after announcing the launch of the *Supreme Court and My Hometown* program in St. Louis, Missouri in the last issue of the *Quarterly*, the semester-long student program has almost concluded. Over the course of 10 after school sessions, 22 St. Louis area high school students engaged in an immersive federal court program that took them on a journey through *Hazelwood v. Kuhlmeier* (1988). The students were aided by local attorneys who served as mentors throughout their learning experience as well as federal judges and court staff, law professors, and historical eyewitnesses. The *Hometowns* program was planned and coordinated by Nicole Maffei, the Society’s Director of Civics Education, and Rachel Marshall, Public Education and Community Outreach Coordinator for the U.S. Court of Appeals for the Eighth Circuit and the U.S. District Court for the Eastern District of Missouri.

During the first few sessions, the students analyzed evidence from both parties involved in the district court trial *Kuhlmeier v. Hazelwood School District* (E.D. Mo. 1985). They had the opportunity to meet with Cathy Kuhlmeier and hear her firsthand account of the case. The students also learned key case details from Tony Rothert of the ACLU of Missouri, Husch Blackwell attorneys Mary Kate Mullin and Eli Sullivan, and former Judge Nangle law clerk, current Husch Blackwell partner, Steve Holtshouser. The expertise and information our guest speakers provided helped establish a firm foundation of knowledge for the students to build upon throughout the program. As a culminating activity for the district trial and to apply their learning, each student group hypothesized how they might have ruled if they had been the district court judge.

Eighth Circuit Clerk of Court Michael Gans provided insights into the appellate process using details from the *Kuhlmeier* case in the next session. The processes he shared helped St. Louis University School of Law professors Chris Rollins and Marcia Goldsmith guide the students through “Briefing a Case”



Eighth Circuit Clerk of Court Michael Gans explains the appellate process to Hometowns students in the Eighth Circuit’s En Banc Courtroom. Photo by Rachel Marshall

using the eighth Circuit’s *Kuhlmeier v. Hazelwood* (8th Cir. 1986) opinion. One student remarked, “I learned how to write a Student Case Brief like a real law student! I felt so engaged and now I have a system to fully and comprehensively analyze a case!”

With the Moot Court experience on the horizon, the *Hometowns* students and their mentors began to prepare for their own oral argument. Rachel and Nicole guided the students through several prep sessions designed to strengthen their understanding of why the Supreme Court grants certiorari and how to apply precedent from previous First Amendment cases. The experienced mentor team worked with the *Hometowns* students to help them develop their best arguments to present during their allotted argument time. Chief Magistrate Judge Shirley Mensah served as the Chief Justice of the moot court and expertly prepared and guided the student justices through the process of questioning and proposing hypothetical situations for consideration during oral argument. One student exclaimed, “It was so cool to hear ‘Madame Chief Justice and may it please the Court...’” After hearing arguments, the student supreme court broke from history and sided with the

respondents, explaining that they believed Kuhlmeier’s student attorneys had made a more compelling case for the *Spectrum* to be considered a public forum. Students overwhelmingly enjoyed their court experience! One student shared, in their session evaluation, “*We got a very insightful, hands on experience with the Supreme court case process. It truly helped me to understand the work that goes into these cases and how the actual trial itself works.*” Former Supreme Court Law Clerk and local attorney, Robert Haar, provided the students with feedback from their moot court and shared his own experience of writing one of the appellate briefs and being in the Supreme Court courtroom when *Hazelwood v. Kuhlmeier* was heard in 1987. Supreme Court Advocate and Society Trustee John Elwood also spoke with the students about what it’s like to argue before the Court.

He shared how he prepares for each case and answered many insightful questions from the students. For homework, students listened to the oral arguments and reviewed Justice White’s majority opinion.

During the final “new learning” session, Cathy Kuhlmeier, Gene Policinski of the Freedom Forum, and a local high school journalism advisor shared their perspectives on the current state of freedom of speech in student journalism. They also discussed the New Voices legislation that 17 states have adopted along with numerous other individual schools and districts that have taken steps to protect the free speech rights of student journalists. The *Hometowns* students had the opportunity to ask questions and delve into the impact the Supreme Court’s *Hazelwood* decision had on student press rights.

All of the learning culminated in a capstone project—an installation in the Judicial Learning Center at the Thomas F. Eagleton Courthouse. Students worked in small teams to apply their learning and create one of five panels that will complement the existing *Tinker v. Des Moines* exhibit. Eighth Circuit Library Assistant Molly Rach taught the students about graphic design and helped design the exhibit to ensure cohesion. Each panel centers around a key topic of the *Hazelwood* case: context and student journalism, district court trial, Eighth Circuit appeal, final appeal to the Supreme Court, and impact of the decision. Each student applied all their learning and knowledge from the program to their panel. The legal mentors and Eighth Circuit Library staff provided feedback and helpful suggestions to the students throughout the development process. The students presented their designs to Chief District Judge Stephen R. Clark, District Judge Sarah Pitlyk, and Magistrate Judge Stephen Welby, Eighth Circuit Clerk of Court Michael Gans, and numerous other

distinguished guests during a celebration of the program. The official unveiling of the project in the Judicial Learning Center will take place in early 2024.

Students were especially appreciative of the local nature of the *Hometowns* program citing working with respondent Cathy Kuhlmeier and local attorneys as some of their highlight experiences. When students were asked about their time participating in the program, 100% said they would recommend *Hometowns* to friends and classmates.

“Absolutely. It is such an amazing experience that I was able to be a part of. I am from a town with about ~150 people per class, and I want to show them that inner city programs are achievable for them. Many students, especially in rural areas, believe the court system is so out of reach and warps their perception on the system as a whole. It is necessary for students to learn this information, and it was such a privilege to learn it in the building it happens in.”

Students overwhelmingly said they would love to come back and serve as mentors for future *Hometowns* programs. Many students wished the program had been a bit longer with one student sharing, “*I think the reason that I wish I had more time is because I wish I never had to give up the chance to keep learning like I have.*” When asked to share their key learning, students replied, “*Better understanding of the specifics and nuances of the Supreme Court processes. I learned a lot about legal jargon, too.*” And “*I think I gained a very important inside perspective on our court system and also learned a lot about how a case moves through the courts and makes it to the Supreme Court. I also discovered many different careers in the judicial branch.*”



Hometowns Students and their legal mentors, AUSA Mohsen Pasha and Husch Blackwell partner Christine Moore, prepare for moot court. Photo by Nicole Carlson Maffei.