

Question I (painting of the crucifixion) (40 points)

standing-parents-state or munic taxpayers?money spent on art program?--(3) _____
 noneco inj-attended mtg&likely to attend others,but change in behavior?(3) _____
 student-forced exposure to painting at least once a week----- (3) _____
 Lemon-sec purp-help dev. talents of art students,not sham but Stone---- (4) _____
 effect-pub. forum for student artwork-can include relig. art(Widmar)--- (4) _____
 if gov'ts own speech-not relig. symbols alone-3 other paintings(Lynch)-(4) _____
 coerced exposure by impressionable high sch students(Lee)or more mature (3) _____
 permanent display of Christian relig painting in prominent place----- (3) _____
 not nondenominational,much larger than other paintings,no disclaimer--- (4) _____
 purpose to endorse, effect of endorsement or symbolic union?----- (4) _____
 entanglement-no involvement with church officials----- (2) _____
 miscellaneous _____ (3) _____

Question II (Mincha Area sign) (40 points)

standing-state taxpayer, but only nominal expenditure to pay for sign--(3) _____
 noneco injury-change in behavior-now won't stop at rest area----- (3) _____
 source of injury-sign itself or orthodox jews-only former = standing--- (2) _____
 secular purpose-traffic safety or accommodation(Amos)of existing pract-(4) _____
 appearance of endorsement?,observer knowledgeable of history----- (4) _____
 Kennedy accomm. test-distinct burden,not shifted,no discrim. amg relig-(4) _____
 effect-no funding of religion, but state sponsored relig. services---- (4) _____
 no entanglement-no supervision or joint enterprise----- (2) _____
 religious devisiveness because of denominational preference----- (2) _____
 denominational preference-Larson-strict scrutiny----- (2) _____
 rest area may be pub forum for private relig. sp, but not gov't sign--- (3) _____
 sign is gov't sp. & no disclaimer & no neutrality betw relig & nonrelig(4) _____
 miscellaneous _____ (3) _____

Question III (picture on driver's license)

free exercise - sincerely held - no evid. to contrary----- (2) _____
 religious beliefs-belief need not be shared by members of church----- (2) _____
 belief based on study of bible so religiously based¬ lifestyle----- (2) _____
 burden-choice between driving (to get to work) & relig----- (3) _____
 driving w/o a valid license would be a crime----- (2) _____
 compelling gov't int-identification of motorists-but 3 states don't req(3) _____
 least restrictive alt-would int be undermined by granting exemption---- (2) _____
 others are exempt-there are others who can drive w/o picture on license(3) _____
 won't open floodgates-rare belief&modest form of special treatment---- (3) _____
 other exemptions are for temporary or nonroad licenses----- (2) _____
 state has no procedure for individ. scrutiny unlike unemployt comp---- (3) _____
 free ex arg-use Smith test-no syst of individ exempts&socially harmful-(3) _____
 arg. to not use Smith-not socially harmful¬ crim'l law of gen'l app-(3) _____
 internal gov't procedure like Bowen v. Roy?----- (2) _____
 Relig. freedom act-would use comp'g int test described above¬ Smith-(3) _____
 miscellaneous _____ (2) _____