

SEX-BASED DISCRIMINATION
Instructor: Prof. Mays

FINAL EXAMINATION
Fall, 1991
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December 10, 1991
1:30 - 4:30 p.m.
Room 259

This is an open book examination. The exam consists of four essay questions. All questions will be weighted equally. You will have a total of three hours to complete the examination.

Put your examination number on this sheet and on the front of each bluebook you turn in. This exam is to be turned in with your bluebook.

Take time to organize coherent answers. Your answer should be concise and to the point. You should, however, discuss all relevant issues even though resolving one issue might dispose of the case. Merely stating legal principles is insufficient. Analysis is important.

You should not assume facts not specified in each problem. If you do make assumptions in answering a question, state what those assumptions are and their significance.

Good luck and have a joyous holiday season.

Exam Number _____

1. Thus far, a majority of the United States Supreme Court has refused to designate sex as a suspect classification. Discuss the rationale the Court uses in continuing to refuse to elevate sex to a suspect classification and your legal analysis of why you agree or disagree with their determination.

2. Assume the same facts as set forth in *Michael M. v. Superior Court* (1981), 450 U.S. 464. Assuming that the groups classified in the Court's decision are similarly situated, rewrite the Court's opinion.

3. Certain burdens and benefits accrue to those who are part of a legally recognized family unit. Develop and defend the parameters that should be used to define a "family", how that is different or similar to the definition used by the courts, and what the legal and social ramifications would be if your definition of family were adopted.

4. Assume the same facts as set forth in *Rostker v. Goldberg* (1981), 453 U. S. 57. Write the brief for the plaintiffs, alleging that requiring all males but no females to register for the draft is violative of the Fourteenth Amendment equal protection clause.