

Morris Tyler Moot Court of Appeals at Yale Law School

Harlan Fiske Stone Prize Finals

Thursday, December 11, 2008 · 4:30 pm · Levinson Auditorium



Pleasant Grove City v. Summum (No. 07-665)

QUESTIONS PRESENTED

Petitioner Pleasant Grove City owns and displays a number of monuments, memorials, and other objects in a municipal park. Respondent Summum sued in federal court, contending that because the city had accepted monuments donated by local civic groups, the First Amendment compels the city to accept and display Summum's "Seven Aphorisms" monument as well. The district court denied Summum's request for a preliminary injunction, but a panel of the Tenth Circuit reversed, holding that the city must immediately erect and display Summum's monument.

- 1** Did the Tenth Circuit err by holding that a monument donated to a municipality and thereafter owned, controlled, and displayed by the municipality is not government speech but rather remains the private speech of the monument's donor?
- 2** Did the Tenth Circuit err by ruling that a municipal park is a public forum under the First Amendment for the erection and permanent display of monuments proposed by private parties?

FOR PETITIONERS

SABRIA MCELROY '10
JOSEPH MINTA '09

FOR RESPONDENT

MICHAEL MURRAY '09
LINDSAY EYLER '09

PANELISTS

HON. THOMAS B. GRIFFITH
(U.S. Court of Appeals for the D.C. Circuit)

HON. PETER W. HALL
(U.S. Court of Appeals for the Second Circuit)

HON. SANDRA L. LYNCH
(U.S. Court of Appeals for the First Circuit)

This event is open only to the Yale Law School community and invited guests.

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