



# National High School Law Review Additional Rubric

## Examples

This document is for readers who are interested in going over more reference rubrics before grading the papers sent to them. Before using these examples, read the entirety of the [NHSLR Selection Process Manual for Readers](#), as the bulk of the instructions and information can be found in that document.

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Paper 1: *ACLU v. Iowa: The Unconstitutional Implications of America's Strictest Abortion Law*

Text: On May 15, 2018, the Planned Parenthood Federation of America and the American Civil Liberties Union (ACLU) filed a case against Iowa governor Kim Reynolds over SF-239, Iowa's "Heartbeat Law." This regulation outlaws abortions after six weeks of pregnancy, with exceptions in the instance that the pregnancy was a result of rape or incest, or if it is a miscarriage or if the fetus is "medically futile." However, as stated by the Iowa District Court Order following the case

[t]he focus of the respondents' factual challenge to the motion revolves around at what stage of a pregnancy is a fetal heartbeat detectable. While conceding that a fetal heartbeat can be detected as early as six weeks into a pregnancy, the respondents contend that such detection is ordinarily not detected until later, especially when using an abdominal ultrasound as mandated by the statute. The affidavit of the respondents' expert, Dr. Kathi Aultman, states that the earliest a fetal heartbeat can be detected abdominally is 7 weeks, with most detected by 8 to 9 weeks and some not until 12 weeks into the pregnancy.

This claim allowed the judges to declare that SF-239 is contradictory to the Iowa State Constitution as well as the Constitution of the United States. Section Nine of the Iowa Constitution states that "[t]he right of trial by jury shall remain inviolate; but the General Assembly may authorize trial by jury of a less number than twelve men in inferior courts; but no person shall be deprived of life, liberty, or property, without due process of law." The last portion of this statement also appears in the Fifth Amendment to the U.S. Constitution, which states that "[n]o person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in

cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense [sic] to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.” Planned Parenthood argues that Iowa’s abortion law deprives women of life and liberty without due process of law by forcing them to decide to have an abortion just days after learning of their pregnancy. During the case, Chief Justice Cady took into consideration all factors pertaining to obtaining an abortion in the heartland, or rural areas of the Midwest. Something that had a significant impact on the verdict of the case was the violation of the Fifth Amendment to the U.S. Constitution as well as Section Nine of the Iowa Constitution through access to abortion clinics. As described in the Harvard Law Review Journal,

... the Chief Justice reviewed the record... including PPH’s pre-abortion protocols and data concerning access to abortion care in Iowa prior to the Act. The court listed limited obstetrician and gynecologist access, cost, distance, and domestic violence and sexual assault as factors limiting abortion access in the state. Chief Justice Cady then used hypothetical sample patients from different Iowa cities to illustrate the additional burdens for patients under the Act. The waiting period would require them to make two trips to their provider and incur extra, potentially cost prohibitive financial burdens, and could delay them beyond the twenty-week cutoff

If women must fulfill Planned Parenthood’s protocols for receiving an abortion but the law prevents such protocols from being completed, these women are being stripped of their fundamental rights established by the U.S. Constitution. Planned Parenthood of the Heartland v. Reynolds resulted in the permanent injunction of Iowa’s SF-239. One of the main counterarguments that Iowa Governor Kim Reynolds makes is the concept of “potential life.” Potential life is an ethical dilemma, stating that because the fetus is a fertilized egg that will become a human once the pregnancy is completed, it has the same rights as a fully formed human. Following the verdict, Reynolds released a statement; “I am incredibly disappointed in today’s court ruling, because I believe that if death is determined when a heart stops beating, then a beating heart indicates life.” In stating this, she uses the ethics of potential life to try to prove that abortions are illegal. However, the unconstitutionality of SF-239 outweighed this claim. The verdict of Planned Parenthood of the Heartland v. Reynolds is a standard to which state and federal courts should hold all abortion cases. Given that this instance resulted in a strict abortion law deemed unconstitutional in several contexts, all cases along these lines should produce verdicts with the same reasoning. In the 1971–1973 Roe v. Wade abortion case, the decision yielded that it is a woman’s choice whether or not to have an abortion and that in placing unjust prohibitions

on obtaining an abortion, the government is in violation of the due process clause to the Constitution. Roe v. Wade also established that state governments have the right to place certain reasonable restrictions on abortion. However, the word “reasonable” in this context is subjective, and allows for controversies such as Planned Parenthood of the Heartland v. Reynolds. In order to efficiently apply the decision of Roe v. Wade to future abortion cases, the word “reasonable” must be defined by the Court to avoid future misinterpretations such as this one.

Suggested Rubric: *ACLU v. Iowa: The Unconstitutional Implications of America’s Strictest Abortion Law*

Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Thesis (25%)	There is no thesis.	The thesis is unclear or there are several theses	It is clear which sentence (s) are the thesis, but the argument itself is unclear or underdeveloped .	The thesis is clear and well-written . It is perhaps not as well thought through as it could be or not as concise.	The thesis is concise, clear, well-written, and can be easily argued about. It is one succinct sentence.	22
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received

Research (30%)	It does not appear as though the writer conducted any research.	It is evident that some research was conducted, but only a few of the points are supported with direct research.	It is clear that research on the subject matter was conducted, but it was not thorough enough to defend the claims in the thesis.	Almost all of the points are backed by research. There are perhaps a few pieces of information that are not thoroughly supported or a few pieces of research that are included, but not analyzed effectively.	All the cited research is purposeful and effectively analyzed. Every claim is backed by research.	20
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received

Organization (20%)	There is little to no organization. Paragraphs or points seem to come in random order. There is no focus and/or an unclear tone.	There is some evidence of organization, but many of the ideas are out of order. The whole paper focuses on one subject matter.	Most of the ideas are in a cohesive order, but one paragraph is not in the most effective place or one paragraph has misorganized sentences. The tone and subject are consistent throughout	Ideas are organized in a way that leads to a clear argument. There are no misplaced sentences or paragraphs.	Ideas are effectively organized into a logical and coherent argument. Transitions are smooth and clear. The tone is strong.	20
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Originality (5%)	No evidence of original thought.	Very little original thought. Perhaps only a portion of the thesis or some of the evidence appears to be original.	Some of the points made are original, but some of the paragraphs or connections being made are common or well known.	Sufficiently original. Concepts are manipulated in a way that is new or rare.	Reads as entirely original. The content is not presented in a way that is well known or common.	16

Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Grammar (10%)	There are many grammar errors.	There are frequent grammar errors.	There are some grammar errors, but not significant enough to impact reading experience or understanding.	There are very few grammar errors.	There are no grammar errors.	25

Total score: 103

Weighted Score:  $18.8/22.5=0.836$

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Paper 2: *Ranked Choice Voting, Law and American Democracy*

Text: On election days in the United States, Americans simply select one candidate they consider “best” from a list of those running without taking into account who else they might want to hold a given office if their preferred candidate does not win. The inability of any candidate to achieve a majority of votes in a single-round election often forces a costly and cumbersome run-off -- particularly likely where many candidates are competing in a primary before their political party has endorsed one to run on that party’s “line” on the general election ballot. In an attempt to gather and use information on voter preferences in singleround elections and avoid run-off elections, some U.S. cities (e.g. New York City) and states (e.g. Maine) have begun to experiment with ranked-choice voting (RCV) as an alternative to traditional one-vote-per-voter plurality voting (PV). As discussed above, most U.S. elections are run using PV, a voting system that limits voters to a single choice and elects the candidate with the most single choices. Where one candidate does not win a majority, in PV elections, either the candidate with the most votes (a plurality) is declared the winner -- in which case, the majority of voters that did not vote for the plurality winner may be dissatisfied with the person taking office -- or there is a run-off -- which costs additional time and money from candidates and the election system. By contrast, RCV elections allow voters to put down not just their first choice but also lesser ranked choices (if they choose to, of course). While RCV may be legally permissible under the Constitution and authorized under various state and local laws—nothing in governing background federal law requires PV voting—

RCV makes voting in and administration of elections more complicated and may cause confusion and/or turn voters off from voting. Although the U.S. Constitution provides that voters elect members of Congress for certain terms and from certain jurisdictions, there is no method of voting outlined in the US Constitution, nor for that matter in the state constitutions that govern elections. Article I, section 4, clause 1 of the U.S. Constitution provides: “The Times, Places and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of [choosing] Senators.” This has been interpreted by the Supreme Court as saying Congress has authority to regulate congressional elections but “if there be no overruling action by the Congress” then suitable regulations “may be provided by the Legislature of the state upon the same subject.” In other words, where Congress has not passed federal law on election methods, state legislatures can run their elections as they see fit. RCV has a greater impact the more candidates there are on the ballot. If there are only two candidates, this voting system is identical to PV. However, with three or more candidates, voters are instructed to list their 1st through Nth choices out of a list of C candidates, with N being less than or equal to C. (A voter does not have to like or rank all candidates, although preferences are limited by the number of candidates.) Next, the first-place votes are counted, and the candidate with the least votes is eliminated. The eliminated candidate’s votes are given to the next favorite choice of that person’s voters, and this process is repeated until there is a majority. This creates an artificial majority in the absence of a simple majority, but depending on the specific votes and preferences received, RCV could lead to a candidate winning who does not even have a plurality of voters, making it possible for someone with few first-choice votes to win. Mathematicians consider a voting system to be “perfect” if it follows a set of rules and consistencies that have been agreed on by a broad consensus of participants. Proponents of RCV argue that it more accurately portrays the will of the voters, because it shows all of their preferences instead of only one, and depending on how the votes are allocated it may allow those preferences to be realized and therefore given value. However, at this time, there is no broad consensus in the United States that the current voting system represents the will of election participants inaccurately or with insufficient accuracy. From time to time large numbers of people may disagree with election results and may want to back into their preferred results by re-writing the election mechanics—say, by re-counting a specific state’s ballots in different ways or by pushing to abolish the constitutionally mandated Electoral College in favor of popular voting. However, disagreement with or grumbling about specific election results from time to time is not the same as a broad consensus that the election system is inadequate. U.S. citizens often complain about elections being held inefficiently by permanent state bureaucracies -- but the issues are occasional, state-specific, and not recurring or systematic. Accordingly, support for RCV is not driven by a desire for greater perfection in the mathematical sense of the term. There is nothing inherently wrong with

PV, which demonstrates the will of the people by electing the candidate with the most people choosing them as their first choice. To evaluate claims that RCV is somehow perfect, or more perfect than PV, we must begin with a list of rules a voting system must follow. Vote theorists and mathematicians from the Carnegie Mellon math department have developed a standard list of rules:

1. Majority: If a candidate gets more than 50% of the first-place votes, they should win.
2. Condorcet: If a candidate wins every head-to-head comparison vs. opponents, they should win.
3. Monotonicity: If a candidate becomes more popular with more people, that will help (or at least not hurt) the candidate.
4. Independence of Irrelevant Alternatives: If Candidate A would win over Candidate B, and people change their preference for Candidate C, without changing the order of Candidate A and Candidate B and if no other changes are made, Candidate A would still win over Candidate B.
5. Pareto: If everyone prefers Candidate A over Candidate B, then Candidate A should be ranked above Candidate B.

Stanford Professor Kenneth Arrow, looking over these criteria for evaluating a voting system, declared that the only mathematically perfect system would be a dictatorship, an observation that helped win him a Nobel Prize in Economics. RCV is not a perfect system, and the drawbacks are significant when it is examined side-by-side with PV. RCV requests more information from each voter and requires election administrators to process the greater amounts of information they receive. Simpler election systems tend to work better, are more easily understood by voters, and therefore more readily accepted. In an RCV system, in practice, different voters will almost certainly express different amounts of their preferences. Some voters will continue to express a single preference, while others will express a full ranking among all possible candidates. This phenomenon is called “voter exhaustion”—Americans are busy, and many don’t have the time or the information to properly rank and convey a full set of preferences when all many voters want is to pick a single winner. In New York City mayoral and city council elections in 2020, some seats have a half-dozen or more candidates for voters to evaluate and rank, a difficult task which may lead people to request absentee ballots to do their voting in the privacy of their own home with the aid of a computer or mobile device, rather than in a crowded public voting facility where people behind voters may pressure them to take less time than we as a society should want behind voting decisions. The impact of this is that, after RCV votes are tabulated, mathematically different voters’ choices will count towards the overall election result in different amounts. In other words, some people’s votes will count more than others—a fundamental unfairness. On the other hand, perhaps it is justifiable in that the voter expressing fewer preferences implicitly or explicitly chooses to limit his voting power, just as people who choose not to vote in elections limit theirs. However we feel about this unfairness, it is important to note that it exists and



that informed and expressive voters have more power in RCV. Because of the way RCV works, someone can have less than a majority of votes on the first round but win based on subsequent rounds of vote counting. In the case where someone wins without a majority, that raises questions about legitimacy -- will voters feel that the candidate declared the winner really won and deserves to be in office? Is a clear plurality in PV better or worse than a manufactured majority through RCV? Some people think that only real first-choices deliver the mandate that a winner needs to be successful, and it might be hard for election organizers to say, "well, this person didn't get the most first choice votes, but they won because of deep expressed preferences by voters!" This is what happened in the last Congressional election cycle in 2018, in the Second District of Maine, where incumbent Republican Bruce Poliquin lost to Democrat challenger Jared Golden after Poliquin, who had more first-choice votes, lost to Golden after re-allocation of votes away from minor candidates. Poliquin sued in federal court, challenging the use of RCV, and the district judge hearing the case and later the First Circuit declined to step in to change the result. As Professor Jason Sorens points out in a paper for the Cato Institute, RCV (which he refers to as IRV), requires voters to give their less-than-first preferences at the same time as their first choice. This can be seen as "voting in the dark," as voters are forced to predict or guess which candidates will be standing in subsequent rounds to fully consider how they should vote for lesser choices in the most meaningful fashion. In many elections, like those where there are two major party candidates, it is pretty easy to guess who the top vote-getting candidates are, but in crowded primaries in areas without frequent and meaningful publicly-disclosed polling results it can be near-impossible. As Lee Goodman, former commissioner for the Federal Election Commission, testified to a committee of the Massachusetts state government, voting for candidates is a highly subjective, choice-driven psychological exercise.<sup>10</sup> Goodman cites political science studies showing that between 5-15% of voters have intransitive voting preferences, which means lower-ranking choices among candidates change depending on who is left standing after early eliminations. In other words, voting in the dark would hurt some of the voters forced to do so; they would be better off voting in a run-off. Supporters of RCV point to the voting method's advantages of avoiding run-offs and giving election winners the ability to claim greater legitimacy by saying they received a majority of votes cast. However, this is a costly solution to a minor problem—only ten of the fifty states require run-offs in primary elections, where a large number of candidates running for a single party's nomination can increase the vote gap between what a PV winner receives and the majority after vote reallocation that an RCV winner would receive. Runoffs are more common in the South, where states with a long history of domination by a single political party (e.g. Democrats, from the Reconstruction Era in the 1860s through the Civil Rights movement in the 1960s) would have primaries that matter more than general elections. With run-offs, a minor and occasional issue in states where they are longstanding practices and therefore accepted by voters, the increased complexity of RCV as a cost of avoiding them

seems like overkill. The use of RCV affects voters and how a winner is eventually determined, but some think it also may affect candidates by getting them to campaign not just for first-choice votes but lesser preferences as well. If two major-party candidates are close in first-choice preferences, how many people put those candidates at lower rankings could be decisive in the result. That would incentivize candidates not to turn off voters who might not put them first, perhaps curbing negative campaigning against those voters' first-choice candidates, which some observers believe is a good thing. While it's a bit much to envision candidates saying "even if you like someone else better, put me next on your ballot," people trying to win elections can be expected to respond to rules that allow them to win through other than first-choice votes. Critics of minor-party candidates would dislike an RCV system as it encourages such candidates to run knowing they can get symbolic first-choice votes from citizens whose hearts are inspired by such candidates while knowing their "real vote" between major-party candidates would be their second-choice. No vote is wasted in an RCV system, just registered, and then reallocated to lower preferences. Independent candidates Ross Perot in 1992 (running against Democrat Bill Clinton and Republican George H.W. Bush), Ralph Nader in 2000 (running against Republican George W. Bush and Democrat Al Gore), and Gary Johnson and Jill Stein in 2016 (running against Republican Donald Trump and Democrat Hillary Clinton) might have received more first-choice vote in an RCV system, and when those votes were later reallocated they may even have swung close states in different directions than those they went. In today's partisan era, where everyone is asking how their preferred candidates would be affected by voting method changes, it is a fair question to ask which parties or candidates are helped or hurt by RCV. Charlie Cook of the Cook Political Report, asked about RCV in an on-line interview, said "as the parties and political environment changes, which party might benefit or be hurt can change as well. [A major Republican pollster Cook spoke to] thought that today it would be more likely to be beneficial for Democrats and detrimental for Republicans... Libertarian votes cannot be assumed to flow on a subsequent ballot for the GOP. He thought there was a much stronger relationship between Green and Democratic Party voting so it is much more likely that Green Party voters would migrate to Democrats on later ballots. I don't know this but it seems plausible." Proponents of RCV think that we can overcome public political division and polarization by procedural changes, i.e. making people feel better that the system is "more fair". However, is this really the case? Or do people care more about policy preferences driving votes (i.e. is this party or that party good for people like me?) so they don't really care about how people are elected, and only care about who is elected and what they will do in office? Changing the voting system in any way, especially on a fundamental basis like changing PV to RCV, is costly, requires voter and election administrator education, and risks unintended consequences regardless of the known advantages and disadvantages. Looking at the advantages and disadvantages discussed above, it does

not seem that supporters of RCV have made their case, and it looks like an interesting solution in search of a problem.

Suggested Rubric:

Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Thesis (25%)	There is no thesis.	The thesis is unclear or there are several theses	It is clear which sentence (s) are the thesis, but the argument itself is unclear or underdeveloped .	The thesis is clear and well-written . It is perhaps not as well thought through as it could be or not as concise.	The thesis is concise, clear, well-written, and can be easily argued about. It is one succinct sentence.	20
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received

Research (30%)	It does not appear as though the writer conducted any research.	It is evident that some research was conducted, but only a few of the points are supported with direct research.	It is clear that research on the subject matter was conducted, but it was not thorough enough to defend the claims in the thesis.	Almost all of the points are backed by research. There are perhaps a few pieces of information that are not thoroughly supported or a few pieces of research that are included, but not analyzed effectively.	All the cited research is purposeful and effectively analyzed. Every claim is backed by research.	24
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received

Organization (20%)	There is little to no organization. Paragraphs or points seem to come in random order. There is no focus and/or an unclear tone.	There is some evidence of organization, but many of the ideas are out of order. The whole paper focuses on one subject matter.	Most of the ideas are in a cohesive order, but one paragraph is not in the most effective place or one paragraph has misorganized sentences. The tone and subject are consistent throughout	Ideas are organized in a way that leads to a clear argument. There are no misplaced sentences or paragraphs.	Ideas are effectively organized into a logical and coherent argument. Transitions are smooth and clear. The tone is strong.	21
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Originality (5%)	No evidence of original thought.	Very little original thought. Perhaps only a portion of the thesis or some of the evidence appears to be original.	Some of the points made are original, but some of the paragraphs or connections being made are common or well known.	Sufficiently original. Concepts are manipulated in a way that is new or rare.	Reads as entirely original. The content is not presented in a way that is well known or common.	22

Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Grammar (10%)	There are many grammar errors.	There are frequent grammar errors.	There are some grammar errors, but not significant enough to impact reading experience or understanding.	There are very few grammar errors.	There are no grammar errors.	21

Total score: 108

Weighted Score:  $19.6/22.5 = 0.871$

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### Paper 3: *Re A (Conjoined Twins)*

Text: Religion is a defining way of life for many, but should it get in the way of medical health? *Re A (Conjoined twins)* is famous for dividing the courts and public on the ethics of the medical decision being made. However, the pressing question is, how would this case be ruled in the United States? On September 22, 2000, the Court of Appeals of England and Wales was faced with the medical and moral case of *Re A (Conjoined twins)*. It was to be decided if two twins, Rosie and Gracie, referred to as Mary and Jodie respectively in court, conjoined at the chest, would be separated. The moral dilemma arose when medical experts advised that separation would almost certainly cause Rosie to pass away and that only Gracie could live a full and healthy life. Further complicating the situation was the fact that both twins would die in a matter of weeks if no action was taken. The parents were devout Catholics who intended on leaving the girls' lives in God's hands by not agreeing to perform the separation surgery. The court ruled in favor of the separation surgery and saving Grace, despite the probable death of Rosie. The primary reason this result was reached was because the court's primary responsibility is to protect lives, especially those of children, over religion. Since conducting the surgery was against the parent's wishes, *Re A* became a groundbreaking case. It forever changed the way future medical ethics cases would be handled in the UK, and inspired the handling of such cases in the US. In

Re A (Conjoined Twins) there are not only ethical dilemmas but legal intricacies that must be considered when making the decision in a US court. Not only must the First Amendment right of freedom of religion be upheld, the state must also adhere to its responsibility of ensuring the survival of the child. This importance of religious freedom is seen through The Toleration Act of 1689 in the UK<sup>1</sup>, and with the First Amendment in the US. How would these rights pair with a parents responsibility to decide what is best for the survival of their children? In the US, religious exemption for a child's medical treatment is upheld mostly in specific cases where the proposed medical treatment is harmful to the child, or has a low chance of success. This was upheld in the court proceeding of Newmark vs. Williams, where parents of a child suffering from Burkitt's lymphoma preferred to seek medical treatment in their church. This request was in between parameters of religious exemption because the proposed chemotherapy fell within being "risky, extremely invasive, toxic with many side effects, and/or offering a low chance of success", with a survival rate of 40%. On the other end of this issue, religious exemption is denied when it is not acting in the best interest of the child in a life or death medical situation. In this case, the state takes control of the medical decision. For example, In the Matter of DR5 Religious exemption was denied because the child had an extremely high chance of survival and drastic reduction of the frequency of the life threatening seizures she had been experiencing, all with a very low risk treatment. In court, it is understood that despite their own responsibility to, the guardian might not always take actions that are in the best interest of their children. In the United States of America, there are a number of ways a minor's consent would be taken into account in court. During Re A, some judges presented the idea of acting on Rosie's behalf for a plea of self defense. One specifically stated that "If [Gracie] could speak she would surely protest, Stop it, [Rosie], you're killing me". If Rosie had sided with her parents in this matter, her case would have become a case of religious exemption requested by a minor. In such cases of religious exemption, the importance given to any minor's wishes is determined by their age, maturity, and the repercussions of the decision being made. Physiological state is determined in order to achieve a thorough and deep understanding of the true reasons for the denial of treatment. Examples of such actions being taken by minors due to religious principles are the cases of E.G9 and Daniel Hauser. They illustrate two different ways these cases can be handled. In the case of E.G, a 17 year old made the decision to refuse blood transfusions, as a Jehovah's Witness. Her maturity was assessed by professionals, falling between 18-21 years old, and her motives for making this decision were questioned by psychologists. In the end, the court decided to respect her decision to refuse the transfusions, and her doctors estimated she had one month to live. On the other hand, in the case of Daniel Hauser, 13 year old Daniel was a part of the Native American Healing practice, Nemenhah. His family opposed chemotherapy, which would greatly increase life expectancy with only the common side effects. In the end, Daniel and his family's religious and parental rights were outweighed by the state's wish to preserve Daniel's life. Given this, we

predict that the United States, still considering the heavy importance of freedom of religion and the argument of self defense, would come to the same conclusion as the UK because of the significance placed on the preservation of life by courts. Religion is one of the most powerful practices in humankind—in 2010 84% of the world's population was affiliated with a religion. It has torn the world apart and brought billions of people together; it's given people a purpose for millions of years. This is what made this case so gripping and controversial. It was the fact that Micheal and Rina (the twins' parents) were devout Catholics who decided it would be best to leave the survival of their children up to God. Their piety meant they could not bring themselves to agree to let one infant die to save the other. Even though medical experts predicted that the twins would have at most 8 months left to live, the parents concluded that their religious values would oppose the separation of their children. "We decided it was better to put their future in God's hands" said Mrs. Attard. Their position in court would be to oppose the surgery. Even though the court ultimately decided to go forth with the procedure, some judges argued that, as mentioned before, in an act of self defense Rosie would have opposed dying in order to save her sister's life. Even with the parent's religious beliefs opposing the death of another, it would still be more ethical to at least save one child's lives at the unfortunate expense of the other, in order to prevent the deaths of both. Freedom of Religion and the Toleration Act are both placed in utmost importance in the United States and the United Kingdom in order to push inclusivity into their respective countries. Yet religious views are often seen as contradictory to science rather than correlating with it. A doctor's opinion is incredibly important in making a medical choice. The USA court demonstrates this value time and time again, whether it is In the Matter of Newmark vs. Williams. When religious, one must be selective about how they implement their values. Facts are just as important as values and in the case of the Attard twins, the faith needed to be placed into the success of the surgery rather than question its necessity, an approach the parents adopted later. "We are very glad now that God had a bit of help from the surgeons," said Mrs. Attard. The state denied the parents the option to not take action and Gracie is now healthy and living a normal life hoping to be a doctor, just like the ones who saved her 20 years ago. Gracie reflected "I think I'd have died if we hadn't been separated — and I'm alive. I thank God for that. I don't think too much about what might have been. The best is here. I just think of myself as very lucky." Re A is a striking case in the legal sense, and because it touches the hearts of all who hear about it through the ethical dilemma present in every step of the way. It was an issue of not only medical expertise, but ethics and faith. It challenged the values of all those involved, and it was acknowledged that whatever the outcome, it would still be absolutely heartbreaking. Even though this case took place in the United Kingdom, the United States would've come to a similar conclusion. Despite the country's fierce constitutional protection of religious freedom, the responsibility of the state and its priority is still the preservation of life, especially that of youth. This decision was the right one, considering these



priorities from the state, and one that, although hard for the Attard family, allowed them to save the life of at least one of their daughters. Today, as they look back at the decision they made, even though it was long ago, hopefully it will be one of acceptance for what has happened, and to let go of the past but still let their faith guide them in their future path.

Suggested Rubric:

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Research (30%)	It does not appear as though the writer conducted any research.	It is evident that some research was conducted, but only a few of the points are supported with direct research.	It is clear that research on the subject matter was conducted, but it was not thorough enough to defend the claims in the thesis.	Almost all of the points are backed by research. There are perhaps a few pieces of information that are not thoroughly supported or a few pieces of research that are included, but not analyzed effectively.	All the cited research is purposeful and effectively analyzed. Every claim is backed by research.	23
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received

Organization (20%)	There is little to no organization. Paragraphs or points seem to come in random order. There is no focus and/or an unclear tone.	There is some evidence of organization, but many of the ideas are out of order. The whole paper focuses on one subject matter.	Most of the ideas are in a cohesive order, but one paragraph is not in the most effective place or one paragraph has misorganized sentences. The tone and subject are consistent throughout	Ideas are organized in a way that leads to a clear argument. There are no misplaced sentences or paragraphs.	Ideas are effectively organized into a logical and coherent argument. Transitions are smooth and clear. The tone is strong.	21
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Originality (5%)	No evidence of original thought.	Very little original thought. Perhaps only a portion of the thesis or some of the evidence appears to be original.	Some of the points made are original, but some of the paragraphs or connections being made are common or well known.	Sufficiently original. Concepts are manipulated in a way that is new or rare.	Reads as entirely original. The content is not presented in a way that is well known	23

					or common .	
Criteria (percent weighed)	1-5	6-10	11-15	16-20	21-25	Score Received
Grammar (10%)	There are many grammar errors.	There are frequent grammar errors.	There are some grammar errors, but not significant enough to impact reading experience or understanding.	There are very few grammar errors.	There are no grammar errors.	24

Total score: 109

Weighted Score:  $19.15/22.5 = 0.851$