



## 2017 SCHOLARSHIP APPLICATION

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**Eligibility:** Scholarships are limited to 2<sup>nd</sup> and 3<sup>rd</sup> year law students (and 4<sup>th</sup> year law students enrolled in part-time or evening programs) who attend an accredited law school and intend to practice law in the Southern California area. Scholarship recipients **MUST** attend the BWL Scholarship Luncheon on June 3, 2017. Scholarships typically range from \$3,000 to \$5,000.

Personal Information	
Name	
Street Address	
City ST ZIP Code	
Home Phone	
Cell Phone	
Work Phone	
E-Mail Address	

Family Information (if applicable)	
Marital Status	
No. of Dependent Children	
Age(s) of Child(ren)	
Occupation of spouse	

Employment Information (if applicable)	
Current Employer	
Employment Address	
City ST ZIP Code	
Position/Title	
Hours per week	
Gross wages per month	

<b>Law School Educational Information</b>	
Law School	
Dates of attendance	
Expected date of graduation	
Cumulative GPA	
Class Rank	
Honors or awards	
School or club activities	

<b>Undergraduate Educational Information</b>	
School	
Degree	
Dates of attendance	
Graduation date	
Cumulative GPA	
Honors or awards	
School or club activities	

<b>Graduate Educational Information (if applicable)</b>	
School	
Degree	
Dates of attendance	
Graduation date	
Cumulative GPA	
Honors or awards	
School or club activities	

### Financial Information

Please estimate your income and expenses.

<b>EXPENSES:</b>		<b>RESOURCES:</b>	
Tuition & Fees	\$	Scholarships	\$
Educational supplies	\$	Loans	\$
Rent/Mortgage	\$	Wages	\$
Utilities	\$	Spouse's wages	\$
Food	\$	Monetary gifts	\$
Personal expenses	\$	Investments: stocks, bonds, real estate, etc.	\$
Medical/dental	\$	Current account balances	\$
Transportation	\$	Checking	\$
Child care	\$	Savings	\$
Bar expenses	\$	Other	\$
Miscellaneous	\$	Miscellaneous	\$
<b>TOTAL EXPENSES</b>	<b>\$</b>	<b>TOTAL RESOURCES</b>	<b>\$</b>

### Legal Career Plans

What are your plans for employment following graduation? Have you received any offers for employment as of today's date? If so, please discuss.

**Community Involvement**

Please list and describe the community or professional organizations with which you have been actively involved during the past four years. If necessary, please use additional pages.

**Additional Information**

Please describe any additional information or circumstances, including hardship, that you would like the Scholarship Committee to consider with your application. Please use additional pages if necessary.

Miscellaneous	
How did you hear about this scholarship?	
Do you currently know any BWL members? If so, please list their name(s)	
Have you previously applied for and/or received a BWL scholarship? If so, when?	
Are you currently a BWL student member? If so, when did you join?	
Have you participated in any past BWL events? If so, please list the events, year, and explain your level of participation (volunteer, attendee, etc.)	

**PERSONAL STATEMENT** (should be 1-2 pages in length)

Please tell us about your personal and professional background, passions and interests, extracurricular activities, and why you have chosen to pursue a career in law.

**ESSAY** (should not exceed 5 pages in length)

Your essay must be typewritten, double-spaced, cite legal authority in support of your position and be well organized. The essay will demonstrate to the committee your ability to analyze and provide legal authority. The essay is modeled after a California State Bar Exam Performance Test and is a great opportunity for you to demonstrate your mastery over this type of exam.

*See the following attached page for the Essay Question.*

**SUPPORTING DOCUMENTS**

Please submit the following documents with your completed application:

1. Current official law school transcript, including school grading scale
2. Law school letter verifying your current academic status/enrollment
3. 2016-2017 Financial Aid award letter
4. Resume
5. Offer letter or other documentation showing your intent to practice in Southern California, if any

Completed applications and all supporting documents must be received **no later than April 7, 2017** and emailed to BWLScholarship@gmail.com.

**Agreement and Signature**

By submitting this scholarship application, I affirm that the facts set forth in it are true and complete. I understand that if I am selected as a scholarship recipient and any of the information I provided is false that my scholarship award may be revoked.

Name (print)	
Signature	
Date	

## **ESSAY QUESTION**

Sheryl, a forty-year old registered nurse, comes into your office seeking your best legal advice regarding possible constitutional claims against the State of Waldorf. Waldorf is a state in the United States. Sheryl informs you that she is a lesbian, and that she has been involved in a monogamous relationship with – and has shared a household with -- her partner, Laura, for the past eight years. The two of them moved to the State of Waldorf just six months ago, in part so they could be closer to Laura's ailing mother.

Since their arrival in Waldorf, Sheryl has worked at Waldorf State Hospital ("Hospital"); a state owned and operated facility. Although the subject of her sexual orientation did not come up when she was interviewing for the job, Sheryl has made no attempt to hide her relationship with Laura from her co-workers at the Hospital, and most of them, including her supervisor, are aware that she is a lesbian. Sheryl maintains that she has suffered no harassment or discrimination on the job, and has received excellent performance reviews.

For some time now, Sheryl and Laura have wanted to start a family. Laura cannot bear children for various medical reasons. Before moving to Waldorf, Sheryl attempted to become pregnant by way of artificial insemination, using sperm donated by Laura's brother, Ross. These attempts were unsuccessful, and Sheryl's doctor subsequently advised her that due to blockage in her fallopian tubes, Sheryl's best – and perhaps only – hope of becoming pregnant would be through the process of in vitro fertilization (the procedure would involve removing Sheryl's eggs from the uterus, fertilizing them with Ross' sperm in a laboratory, and then transferring them back into Sheryl's uterus). Moreover, Sheryl's doctor informed her that because she is nearing the end of her childbearing years, the likelihood of in vitro fertilization resulting in a successful pregnancy would drastically diminish within the next two to three years. Sheryl and Laura are therefore anxious to move forward with in vitro fertilization; they see it as their last chance at having a child of their own. Because Laura's work provides no health benefits, and given the expense of in vitro fertilization, Sheryl and Laura will not be able to afford the procedure unless it is covered under the health care plan Sheryl receives as a state employee.

Unfortunately, when Sheryl went in to talk to her benefits officer at the Hospital, she learned that the Waldorf state legislature passed a law last year, titled the "Preservation of Family Values Act" (PFVA), that, inter alia, prohibits any doctor or health care professional, whether in private practice or employed by the state, from providing infertility services to any unmarried person within the State of Waldorf. The statute further prohibits the use of any hospital, clinic or health care facility, whether public or private, from providing such services to any unmarried person within the State of Waldorf. PFVA goes on to read that "in the event a federal or state court finds these general prohibitions against the provision of infertility services to unmarried persons to be unconstitutional, then the prohibitions shall apply only to the provision of infertility services to homosexual couples." Finally, PFVA mandates that coverage of infertility services under the health care plan for state employees shall apply only to married, heterosexual couples.

The benefit officer at Waldorf State Hospital went on to tell Sheryl that in a highly publicized case last year, a single woman and her male partner obtained infertility services from a private clinic, in direct violation of PFVA. The Attorney General of Waldorf declined to prosecute the

woman's doctor in that case, and stated publicly (although not in court) that his office understood the primary purpose of the law to be the prevention of childbearing by homosexual couples. As a consequence of this failure to prosecute on the part of the Attorney General's office, private doctors and clinics throughout the state have continued to provide infertility services to those persons who can pay their fees, without inquiring into the patient's sexual orientation. Public institutions like Waldorf State Hospital, on the other hand, have felt obliged to abide by PFVA, and the benefit officer knows of no instance where unmarried state employees have been able to obtain coverage for infertility services under their state health plan. Sheryl's attempt to obtain coverage for the in vitro fertilization procedure through her health plan has therefore been denied.

Assume that everything the benefit officer has told Sheryl turns out to be true, and that there are no state action or standing problems involved in Sheryl's case. Assume further that: 1) PFVA does not define homosexuality; 2) PFVA defines marriage in the traditional fashion (i.e. a state-sanctioned, legally binding contract into which persons of the same sex cannot enter); and 3) PFVA's stated purpose is both brief and vague - namely, "to preserve the integrity of marriage as an institution," and "to curb the steady increase in out-of-wedlock births" (the legislative record contains summary findings that out-of-wedlock births frequently result in economic hardship for both mother and child, and that such hardship eventually places an unsustainable strain on the state's social service budgets).

Please analyze the possible claims Sheryl may have under both the Equal Protection Clause of the Fourteenth Amendment, and under the "substantive" component of the Due Process Clause of the Fourteenth Amendment. Given that this is a preliminary memo for your file, you do not need to arrive at any definitive conclusions regarding Sheryl's claims; rather, your analysis should include any arguments that seem plausible, and should then identify any potential weaknesses in these arguments. In framing your analysis, you may find it useful to discuss the constitutionality of each component of PFVA separately. You should also consider the constitutionality of these various clauses in the statute not only as applied to Sheryl, but also as potentially applied to unmarried persons generally.