



The State University  
of New York

## University Life and Student Affairs

H. Carl McCall SUNY Building  
353 Broadway, Albany, New York 12246

[www.suny.edu](http://www.suny.edu)

### MEMORANDUM

**TO:** Chief Student Affairs Officers, State-Operated Campuses

**FROM:** Cheryl Hamilton, Associate Vice Chancellor for Student Life and Opportunity Programs and Student Advocate

**DATE:** December 9, 2026

**RE:** Benjamin and David Scharps Legal Essay Competition

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I am pleased to announce the 2026 Benjamin and David Scharps Legal Essay Competition. This year's competition is open to ***juniors*** at state-operated campuses who are interested in legal issues or are interested in pursuing a career in the legal field. This year's essay competition topic centers on first amendment rights.

This award is offered in accordance with a gift accepted by the State University of New York Board of Trustees under the will of Hannah S. Hirschhorn to establish the Benjamin and David Scharps memorial Fund. One award of \$1,500 will be presented to the student who has written the best 2,000-word essay describing the role and relevance of law in dealing with a current legal issue. A second award of \$1,000 will be presented to the runner-up.

A copy of the program announcement, along with instructions, application cover sheet and essay topic are attached. We ask that you establish a campus contact person who will serve as the coordinator of selection and submission. The campus coordinator is responsible for ensuring that no more than three essays are submitted per campus. All entries will be reviewed by a selection committee, and the winners will be announced by March 2026. The names of the winners will also be posted on the SUNY System Administration website. The deadline for receipt of entries is January 30, 2026. All materials may be sent by email to Tamara Mariotti in the Office of University Life at [tamara.mariotti@suny.edu](mailto:tamara.mariotti@suny.edu).



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## **Benjamin and David Sharps Memorial Legal Essay Competition**

**Application Cover Sheet for 2026 – This page must accompany the essay**

*Submit this form for each nomination. Note that there may only be three submissions per campus.*

1. Campus

2. Student's Name

Address (for correspondence)

E-mail

3. Name and Title of Campus Coordinator

Address

E-mail

Phone

4. Campus coordinator's signature, indicating support of the submission and judgment that it is of high quality and representative of the campus.

5. Date submitted to System Administration

*Note: A copy of the application (this cover sheet & essay) should be sent via email to: [tamara.mariotti@suny.edu](mailto:tamara.mariotti@suny.edu) or by mail to Tamara Mariotti, State University of New York, H. Carl McCall Building, Room 1001, 353 Broadway, Albany, New York 12246, and must be received on or before January 30, 2026.*



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## Scharps Memorial Legal Essay Competition

### About the Essay Competition

The **Benjamin and David Scharps Memorial Award** was established in the will of Hannah S. Hirschhorn in honor of her brothers, Benjamin and David Scharps who were attorneys. The gift for the award was accepted by the SUNY Board of Trustees in 1974. The funds have been used to award students who are prelaw or have an interest in legal studies. As per the bequest, the prize is awarded to a student who writes the best legal essay on the subject determined by the Chancellor or designee. First Prize is \$1500; Second Prize is \$1000.

### Eligibility

Competition for the prize is open to SUNY students in their *junior year*.

### Campus Instructions for Essay Submissions

Award applicants will submit a 2,000-word essay that is responsive to the chosen topic. Submission is to be sent in standard essay format. End notes and footnotes are acceptable. No pictures or illustrations are to be included. Additionally, the use of artificial intelligence (A.I.) generators is prohibited. Any essay submissions found to be a product of A.I. will be disqualified. Preferred essay format is described below.

Essays written by students are submitted to a campus point of contact, who may submit a maximum of three essays for their campus. The Campus president appoints a single faculty or staff coordinator who will endorse each essay submitted indicating the he or she has read the essay and considers it of high quality and representative of the best of that campus. This is done by including a signed application with each essay to SUNY University life with each essay.

The essay and application will be submitted to SUNY Office of University Life by the campus faculty or staff coordinator. Please send all to the attention of Tamara Mariotti, Assistant Director of Disability Resources; a member of University Life and Opportunity Programs Operations, at [tamara.mariotti@suny.edu](mailto:tamara.mariotti@suny.edu)

The SUNY Office of University Life in consultation with the Selection Committee will make final recommendation to the provost for approval. The winner of the competition will be announced in early spring.

### Timeline

Announcement to all SUNY Campuses	December 9, 2025
Deadline for entries	January 30, 2026
Winner(s) selected	March 2026



## Benjamin and David Scharps Memorial Legal Essay Competition

### SCHARPS 2026 Essay Topic – First Amendment

Mid-Atlantic State University (MASU) is a public university system in the State of Atlantic. MASU North (MASU-N) is a technical college that prides itself on promoting hands-on experience preparing students for careers in a variety of fields, including environmental science, nursing, and veterinary professions. MASU North has recruited dozens of students into the vet science program who have embraced the opportunity to work with animals on campus, such as the large group of beagle puppies they train and provide medical care for each semester. The passion for animals has spread to students even outside the Vet Science program, and the Student Government Association has approved and funded an active student-run group called Students for Animals, Nature & the Environment (SANE). For the first several years of its existence, SANE focused on promoting environmental education and sustainability. This year, new student members hope to redirect SANE into more direct animal rights activism.

The college administration has noted the growing interest in environmental science and has secured funding to build a Sustainability Center on campus. The region's Congressman will join administrators in making the announcement, as part of the college's Earth Week festivities. Earth Week will include lectures and hands-on learning opportunities, invited speakers, and a campus-wide Earth Fair.

SANE will promote its agenda and activities during Earth Week. The new membership wants to use this opportunity to shift from its traditional messaging into a more confrontational posture. They believe that the College administration is not genuine in its embrace of environmentalism; and they point to the invitation of the Congressman for the event. He is well known to be a big game hunter, and SANE believes his inclusion in the event is unacceptable. In a divided decision, the leadership of SANE votes to pursue the more aggressive approach and begins planning an informational campaign for Earth Week. They authorize the creation of T-shirts, posters, and social media posts, and submit an application to the administration to hold a counter-rally during the Congressman's announcement.

On Monday of Earth Week, SANE puts up posters around campus. Most of them have general calls to action, including "Save the Animals- join SANE" and "Build a Kinder World". Newer members want to see more action and plan to bring their T-Shirt campaign to classrooms on Wednesday. Angela, Oscar, and Toby recruit several dozen other students to join them in wearing T-shirts, which say "Stop Animal Murder Now!" They lead other students to three sections of a Biology class, that was chosen because the curriculum includes the dissection of frogs, cats, and fetal pigs.

Angela recruited a group of students in the first section of class. During the class, they sat silently. Other students were distracted and upset by the messages on the t-shirts, and the professor was upset. He cancelled the class in frustration. In the second section of class, the group of students Oscar led stood at the front of their classroom and linked arms in front of the professor. When she attempted to begin class, they chanted "Save the Animals", with increasing volume. The professor was unable to teach and canceled the class. A third class was pre-emptively cancelled when Toby and other students arrived wearing the T-shirts. As they left the classroom, Toby sprayed fake blood on the whiteboard and wrote "End Animal Torture". Faculty have forwarded student conduct disciplinary requests to the Community Standards Office against all of these SANE members and allies.



Encouraged by the perceived success of their classroom advocacy, SANE creates additional signs to supplement the existing poster campaign. They say, “Speak out now! Hunt the hunter!” and show an image of the Congressman in the crosshairs of the view from a rifle scope. Some of these signs are torn down, but dozens remain posted.

Friday had perfect weather for the outdoor Earth Fair. In addition to student and faculty tabling, students enjoyed music, lawn games, and a Chicken BBQ picnic. Angela led a group of SANE students to the Fair and gathered near the BBQ buffet. They held signs with shocking images of bloody and dead animals and began loudly chanting “Meat is murder!” After this continued for many minutes, some students became upset and the fair lost its festive atmosphere. Students stopped playing games and eating and gradually left the event. A half hour before the Congressman was set to speak, SANE began its counter rally on the other side of campus at the pre-approved location. After rallying for twenty minutes, Toby led a chanting group of students across campus toward the Congressman’s event. They arrived as he was being introduced and they surrounded the crowd and loudly chanted “Killer Congressman!” Every time he attempted to speak, the volume of chanting increased, and he could not be heard. Eventually the Congressman gave up and left the event. This angered some in the audience, and sporadic fighting broke out between SANE members and students in the audience. UPD decided to shut down the event, and the administration declared all classes cancelled for the remainder of the day.

You are a legal intern at the MASU Office of General Counsel and have been asked to write an objective legal memo analyzing the application of First Amendment rights to the recent activities on campus and advising whether the college may discipline students or un-recognize a student organization for violating the Student Code of Conduct or Rules for Public Order, by engaging in upsetting language or disruption of campus activities.

**You may consider the following sources, rules, and facts:**

**1. MASU’s Rules for Public Order:**

- Freedom of Speech and Assembly; Picketing and Demonstrations:
  - a) No student shall be subject to any limitation or penalty for expressing his or her views or for assembling with others for such purpose.
  - b) Peaceful picketing and other orderly demonstrations in public areas of campus are not subject to interference provided there are no violations of Campus rules.
  - c) In order to provide maximum protection to the participants expressing their freedom of speech and to the campus community, each president shall: promulgate procedures for provision of reasonable advance notice of the date and time of any planned assembly, picketing or demonstrations upon the grounds of the campus; the proposed location of the assembly or exercise; and the intended purpose.
- Prohibited Conduct – No person either singly or in concert with others shall:
  - a) willfully cause physical injury to another person, nor threaten to do so;
  - b) physically restrain or detain any other person;





- c) remove anyone from any place where he or she is authorized to remain;
- d) willfully damage or destroy property of the campus or property under its care;
- e) use campus property or property in the campus's care without authorization;
- f) obstruct the free movement of people and vehicles in any place;
- g) deliberately disrupt or prevent the peaceful and orderly conduct of classes, lecture and meetings;
- h) deliberately disrupt or prevent the freedom of any person to express his or her views, including invited speakers;

2. **MASU North Student Code of Conduct; Prohibited Conduct:**

- **DISORDERLY CONDUCT/ABUSIVE BEHAVIOR:** No person shall engage in any disorderly and/or disruptive conduct that interferes with the normal operations of the University, infringes upon the rights of others, and/or breaches the peace or safety of the University community. Prohibited behavior includes, but is not limited to: fighting, making unreasonable noise, disturbing a lawful meeting, obstructing pedestrian or vehicle traffic, or creating a hazardous situation by an act which serves no legitimate purpose.
- **DISRUPTIVE DEMONSTRATIONS:** The First Amendment protects the right to assemble and to petition, but it requires that the right be peaceably exercised. The University will not tolerate the deliberate disruption of the work or movement of others, nor will it condone violence or physical interference with the facilities or functions of the campus. If protestors (or anti-protestors) resort to the use of violence or physical interference, University officials may, without delay, invoke the use of legitimate authority to remove all violators.
- **DISRUPTIVE CLASSROOM BEHAVIOR:** If an instructor feels that a student is interfering with the right of other students to profit from attendance in that classroom, or if an instructor feels that the presentation of the class subject matter is being unreasonably hindered, the instructor has every right to eject the offending student from the class and/or notify the Office of Community Standards of the student's behavior.
- **CRIMINAL MISCHIEF:** No person shall intentionally or recklessly damage property other than one's own without the consent of the owner.
- **HARASSMENT:** Harassment, threats, verbal and/or physical abuse are prohibited. Behaviors that will constitute a violation of this policy include, but are not limited to:
  - Attempting or threatening to subject another person to unwanted verbal or physical contact.
  - Stalking any person by physical, electronic, written, or telephonic means.
  - Persistent, pervasive, or severe bullying behaviors such as theft or destruction of personal property, public humiliation, intimidation, and/or threats of violence.



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### 3. Case Law:

- a) *Tinker v. Des Moines Independent Community School Dist.*, 393 US 503 - Supreme Court (1969);
- b) *Snyder v. Phelps*, 562 U.S. 443 (2011);
- c) *Virginia v. Black*, 538 US 343 (2003);
- d. *Startzell v. City of Philadelphia, Pennsylvania*, 533 F.3d 183 (2008).

### 4. Statutes:

- a. U.S. Const., Amendment 1



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# Benjamin and David Scharps Memorial Legal Essay Competition

## Specific Instructions for Essay Participants

### Essay Parameters

This is a closed-universe essay question, meaning that only the facts as they are written, and the authorities provided, should be considered when you prepare a response to the essay question posed. The facts presented should be considered undisputed. In your analysis, you must accept the facts as-is, meaning you must take them exactly as they are written. You are not permitted to make up any facts that are not provided in the record, or make any assumptions based on the facts as they are presented.

While completing this essay task, you should refrain from looking to any other sources for information. Additional outside research may interfere with completing the task as instructed, which is to analyze and evaluate the issues presented and to draw a legal conclusion using only the sources cited in the authority. Additionally, you are not permitted to cite from any authority other than the law and cases provided in the attached. This means you cannot use or rely on newspaper articles, law review articles, or any other sources which you believe are relevant to the question presented. Additionally, the use of artificial intelligence (A.I.) generators is prohibited. Any essay submissions found to be a product of A.I. will be disqualified. The purpose of prohibiting other sources in your analysis is to see how effectively you can craft a legal argument using only the sources of information provided to you.

Additionally, outside sources may lead you to believe there is a right or wrong answer. However, for purposes of this essay, there is no right or wrong conclusion to each of the questions posed, and your essay will not be evaluated based on the conclusion you reach. Instead, your essay will be evaluated based upon your analysis that leads to your conclusion in each of the issues. Therefore, you should attempt to compare the facts of the cases provided in the authority to the facts of the instant case as a persuasive tool to reason why the court should decide one way or another.

Your essay should be 2,000 words or less.

### Evaluation Methodology

Your essay will be judged based upon how effectively you've articulated the law and court cases and applied them to the fact pattern provided to reach a conclusion. You will be evaluated based upon how well you articulate the law, and the reasoning you offer to support your conclusions for each issue. Please be sure to include any proper citations when citing a law or a case, as you will be evaluated on your ability to attribute a particular law or reasoning to a source.

We look forward to reviewing your essay submissions. Thank you for being a part of a great award opportunity.