

## FEXP Charter Scenario

Name \_\_\_\_\_

/40 Possible Marks

### Instructions

1. For the scenario below, use the **4 STEP Charter Analysis** to structure your answer.
2. You must answer in full sentences in the *Google Doc* provided. Even if you work in point-form.
3. You must submit your answer via the *Google Classroom*.
4. You must support your points in STEP 2 & STEP 3 with relevant precedent cases studied in class and offer detailed explanations and/or examples from those precedent cases given your analysis of the FEXP scenario. Cite cases as (Case Name).

Core Cases — (Keegstra) (Whatcott) (Sears)

Context Cases — (Irwin Toy) (Sharpe) (Little Sisters)

5. Let the total possible marks for each step guide the length of your answer.

### Mark Breakdown

**STEP 1 → IDENTIFY GOVERNMENT ACTION & KEY WORDS AT PLAY IN THE LAW BEING CHALLENGED → 3 marks (3 COM)**

**STEP 2 → DETERMINE CHARTER VIOLATION → 8 marks**

WHAT 1 COM

WHO 1 COM

HOW 3 KU & 3 APP *details on form & content of the problematic expression, specifically how the law is restricting the expression, and whether or not it is protected under the (Irwin Toy) test.*

**STEP 3 → DETERMINE IF A JUSTIFIED VIOLATION → 28 marks**

VALID PURPOSE → 6 marks / 2 points & 1 precedent case (6 KU)

LOGICAL CONNECTION → 6 marks / 2 points & 1 precedent case (2 KU / 2 T / 2 COM)

MINIMAL IMPAIRMENT → 8 marks / 2 points & 2 precedent cases (4 T / 4 APP)

PROPER BALANCE → 8 marks / 2 points & 2 precedent cases (4 T / 4 APP)

**STEP 4 → REMEDY → 1 mark (1 COM)**

STRIKE DOWN (entire section of law)

READ IN (paste new words into section of law)

READ DOWN (cut words out of section of law)

COMPENSATION (money)

DECLARATION (statement of recognition by court)

**OR**

Justified Violation NO REMEDY REQUIRED

