

FINAL EXAMINATION
CONSTITUTIONAL LAW I

Professor Moskowitz

Fall 2005

1. You have **two (2) hours** to complete this exam.
2. This is a **closed** book exam.
3. This exam consists of one (1) essay question. Please write your response in the blue books provided. Please write clearly. Write on every other line and every other page to permit instructor comments.
4. Write your exam number on your exam envelope. Put your correct class section and student exam# at the top of this page, each page of questions, and each blue book. **Do not** use your name, student ID number or Social Security Number on any exam materials.
5. At the conclusion of the exam, return all test materials, including blue books, scratch paper, and this exam packet to the envelope and submit it to the proctor. **DO NOT** seal the envelope. Students who do not return all exam materials at the end of the exam may not be graded.

GOOD LUCK!

To: My law clerk

From: Sandy Castle, City Attorney, City of Oceana, New Jersey

Question 1. Our City Council has adopted a plan to redevelop the city. The plan calls for acquisition of 40 acres near the beach by eminent domain, removal of any buildings on those properties, and construction of new buildings on those properties for a convention center, an amusement park, office buildings, and apartments, all owned by the City and all connected by streets and walkways owned by the City. The new development will be called Beachtown. The City hopes to provide more jobs, provide a healthier living environment, and increase tax revenues to the City.

The City Council plans to sign a contract with Corleone Construction Co. (C) to build Beachtown. Coreleone submitted a bid of \$100 million for the construction, which was \$20 million lower than the next higher bidder. The City Council also plans to sign a contract with Soprano & Associates (S) to manage the City-owned Beachtown properties.

Both Corleone and Soprano would like to be able to fire their employees without complying with procedures required by the Due Process Clause of the 14th Amendment of the U.S. Constitution. May they do so? If we need more facts, say what they are and why it matters.

In addition, please advise me as to whether the following proposed actions would violate the U.S. Constitution. If we need more facts, say what they are and why it matters.

Question 2 The City Council intends to adopt Ordinance #456, which would prohibit any new building on private properties next to the beach for the next five years. At the present time, some of these properties have homes on them, while others have no buildings on them.

Question 3 The City Council intends to adopt Ordinance #789, which would make it a crime to commit prostitution in Beachtown.

- End of Exam -