

Sample Discussion Board Thread

Christine Lissitzyn, Department of Paralegal Studies

I will pose a question. The first person responds to my question; the next person responds to THAT posting, just as in a conversation.

What I will look for:

- Identify legal reasoning
- Always answer “why” in your posting with “because”
- Expand the topic
- Give examples from the material or personal examples
- Present a new idea
- Apply concepts to facts
- Pose a question
- Propose a solution

What **NOT** to do in Discussion Board:

- Answer my question as if no one else had posted
- Simply say “I agree.”
- Restate a prior posting
- Give a personal opinion without any support
- Go off track of the discussion

Sample Discussion Board

Question: Do you think the Florida Supreme Court was right in *Loft v. Kearney*, in which it held a Florida statute prohibiting homosexuals from adopting a child did not violate the constitution and was valid?

Jane:

I do not agree with the holding. In Florida, homosexuals can be foster parents, but they can't adopt a child. I think it's much harder to be a foster parent than an adoptive parent, so if they can be a foster parent, I think they are qualified to adopt.

Melissa:

That's a good point. I agree with Jane.

Francine:

I know for a fact that it is very difficult to be a foster parent. I think the court was wrong in holding that homosexuals cannot adopt because you use the same skills in being a foster parent and an adoptive parent.

Ellen:

I think the opinion was wrong because it said it was okay to discriminate against homosexuals. I do not think it is right to discriminate against anyone because of their sexual orientation.

Mary:

I don't agree with the holding either, but I think you are missing an important point. The court stated that the test it must use to decide if the statute is unconstitutional is whether the state had any rational basis for enacting it. The court found that there was a rational basis because the statute was based on the reason that a family composed of a husband and wife is more stable than a homosexual family. You might not agree with this, but unless it is clearly wrong, the court must accept it.

Melissa:

But don't you think the fact that some states are allowing same sex marriages shows that a homosexual union can be as stable as a marriage?

Mary:

Maybe, but only a few states have same sex marriages, and the U.S. Congress made a law that no state has to recognize a same sex marriage from another state. Clearly, there's a lot of controversy about this.

Ellen:

Yes there is. And what about the child? What is in his best interest? After all, he may get teased or even worse. I think it's a terrible burden on a child to be different in any way, but being raised by gay parents has got to be very harmful.

Mary:

Well, I actually know a gay couple who take care of one man's nephew every weekend. They aren't adoptive parents, but I've seen how they care for this little boy, and I'll tell you, they couldn't be more loving. They take him to museums and to concerts. I think he's one very lucky little boy.

Jane:

Yes, and just think of how many children really need help and guidance. Gays often take on children who are in the juvenile justice system and help turn them around.

Paula:

But aren't we getting off the point here? I mean, the issue isn't whether a gay adoptive couple would be as good as a heterosexual one. It's whether the court was right or wrong in applying the law.

Jane:

Well I guess we can agree that it did the right thing with the legal analysis and still think that the result is wrong.

Paula:

But what's the solution?

Jane:

Well, Paula, I guess if the court was right, then the solution is to get the Florida legislature to change the law. That would take public pressure, I guess.

Melissa:

Well, maybe if other states start to permit same sex adoptions, Florida will see that it wasn't the problem they thought it would be.

Paula:

Melissa, good point. It seems that the courts aren't always the answer to social change. Maybe that's actually a good thing.

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