

SOUTHWEST BAR ASSOCIATION
P.O. Box 141
Palos Heights, Illinois 60463
info@southwestbar.org

Southwest Bar Association
Scholarship

Prize: \$3,500.00*

Deadline: January 20, 2025

Theme: Write a closing argument of 600 words based upon the following fact pattern:

Mary and her cousin James lived in the same house in Alsip, Illinois for about two years. James's son, Joey, lived with his mother down the block and would go over to James's house to spend time with him. On April 1, 2022, James bought a puppy named Buddy. James hoped this puppy would encourage Joey to spend more time with him.

However, James worked long hours and often traveled out-of-town for extended periods of time for business. He was also dating Stephanie who lived in Libertyville, Illinois, about an hour away and he would often go and spend the weekends with her. When James was out-of-town or working long hours, Mary would take care of Buddy. She took him to the veterinarian for check-ups. She bought Buddy food and toys.

Buddy was only an 8-month-old puppy and would often chew on their couches, shoes and anything he could get his teeth around. Buddy caused a lot of damage to Mary and James's belongings which would enrage James. Buddy also got out of the yard on a couple of occasions and the neighbors would have to bring him home. This frustrated James.

On October 1, 2022, James told Mary he was looking to find a new owner for Buddy, because he could not handle him anymore. Stephanie found a new family for Buddy and gave James their information. The family was very excited to take Buddy home. The day before the family was scheduled to pick up Buddy, James changed his mind. He decided not to give Buddy to the family.

On November 5, 2022, James told Mary, again, that he was looking for a new owner for Buddy. This time, Stephanie refused to help, because she did not want to disappoint another family. At first Mary was unable to find a family to take Buddy. James told her, again, on November 30, 2016, that he wanted to find a new family for Buddy. For most of December of 2022 James was out-of-town for work and business leaving Mary to take care of Buddy. She continued to take care of Buddy making sure he was fed, walked and bathed.

On January 15, 2023, Mary talked to a friend of hers at the local pet store who found a family in Florida who wanted a puppy. They were very excited to take Buddy home! Mary, trusting her friend, never got any information on the family wishing to take Buddy. Mary sent James a text message on January 15 indicating that she found a family to take Buddy, and they wanted to pick him up soon. Mary sent James another text later that day that she was going to drop Buddy off with her friend at the local pet store that day to bring the puppy to the new family. James did not respond.

Two days later, Mary received an angry text message from James demanding to know where Buddy was and requesting that he be brought back home. Mary, unaware of where Buddy was, responded that she thought James wanted to find Buddy a new home. On January 30, 2022, Mary was arrested for theft.

See the Jury Instructions establishing the elements of “Theft” below: 13.09
Definition Of Theft From The Person

A person commits the offense of theft from the person when he knowingly [(obtains) (exerts)] unauthorized control over property by taking said property from the person of another and

intends to deprive the owner permanently of the use or benefit of the property. [or]

knowingly [(uses) (conceals) (abandons)] the property in such manner as to deprive the owner permanently of its use or benefit.

[or]

[(uses) (conceals) (abandons)] the property knowing that such [(use) (concealment) (abandonment)] probably will deprive the owner permanently of such use or benefit.

Defenses to Theft include:

Lack of intent to permanently deprive (i.e. intent to return)

Mistake of fact

Duress

Coercion

Entrapment

Insanity

Owner's consent

Part I: In 600 words or less, write a closing argument that you would give during a jury trial in this case. You choose whether you are the prosecutor representing the State of Illinois or the defense attorney representing Mary Masters (Mary). REMEMBER: The closing argument is your last chance to provide the jurors with enough ammunition to turn the voting your way during deliberations. A closing argument can move jurors who are on the fence to your side. Because closing argument is your last chance to talk to the jury and make a positive impression before ceding control to 12 strangers, you must not squander this opportunity. You also must explain the law to the jurors. You must break down the elements of the offense in a way that is easy to understand. You also want to argue how the elements of the offense either were or were not proven by the evidence that was presented in this case.

Submit your closing argument no later than January 20, 2025 at 5:00 PM to info@southwestbar.org

Southwest Bar Association Scholarship Rules:

- Entrant must be a senior who attends high school and intends to attend a college or university following high school graduation.
- Submission must be no more than 600 words on the theme.
- Each entrant may submit only one closing argument. The closing argument must be the sole effort of the writer. It must be original and must not infringe upon any material protected by copyright.
- The essay must be submitted in a Word Document or PDF document. Any other entries will not be considered.
- The criteria for judging the essays are: originality, persuasiveness of the argument, proper grammar and spelling, and adherence to the competition topic.
- Deadline: Entries must be received by January 20, 2025. Entrant shall include a cover letter addressed to Deanna Barbaro, President Southwest Bar Association and sent to info@southwestbar.org. Entries must identify the Student's High School and contain the student's home address, telephone number and email, as well as the letter of acceptance from the college or university that the senior intends on attending. Entries must provide a paragraph detailing how this \$3,500.00 scholarship award will help them and/or their family.
- Award: A scholarship of \$3,500.00 will be awarded for the prize-winning submission. Winner(s) will be selected and will be notified by the committee. The judges' decisions are final. Winner(s) will be presented their award in March 2025 during a presentation by the Southwest Bar Association. *Multiple scholarships may be awarded based on fundraising and applicant pool.
- The scholarship will be paid directly to the university or college that the winner attends and must be used to pay for tuition, fees, books and other course materials.
- The essays will be judged by an advisory panel consisting of attorneys selected by the Southwest Bar Association members.