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1. Is The PRP Unconstitutional Under The Due Process Clause of the Fourteenth Amendment?

Fourteenth Amendment

Due Process Clause

Due process clause of the Fourteenth Amendment of the U.S. Constitution prohibits deprivation of people's life, liberty, and property without due process of law.

Here, PRPState A legislature enacted a statute creating a Physician Retention Program(PRP) at each of its State's medical schools. The PRP did not provide any due process like hearing for the approval or denial.

Thus, the PRP broke the due process clause.

Standing

A person must have a stake in the outcome of the case. A plaintiff must establish:(1) an injury, (2) caused by an allegedly unlawful government action, and (3) a favorable court decision will redress the grievance of the plaintiff.

Injury

Injury must be real, not speculative.

Here, Doug has been admitted as a first-year student in a State A medical school. He was denied application of PRP.

Thus, there was injury to Doug.

State Action

Due process clause prohibits government, not private entities unless the private entities are government agents or instrumentalities from violating people's individual rights.

Here, State A legislature enacted a statute creating a Physician Retention Program(PRP) at each of its State's medical schools. State A is a government.

Thus, there was state action.

Causation

The harm to the plaintiff must have been caused by the defendant's action.

Here, Doug was denied of his application for PRP.

Thus, his property right was caused by PRP.

Redressibility

A plaintiff 's injury must be redressed by a favorable court decision.

Here, Doug was denied his application for PRP. Should PRP be declared unconstitutional, Dough would be approved to join PRP.

Thus, Doug's property right of joining PRP would be restored with a favorable court decision.

In conclusion, Doug had standing.

Eleventh Amendment

The Eleventh Amendment prohibits private parties from suing state government for damages. But declaratory injunction is not barred.

Here, Doug sought to claim PRP as unconstitutional, without seeking damages.

Thus, Eleventh Amendment did not apply.

In conclusion, the court should declare in Doug's favor by declaring the PRP unconstitutional under The Due Process Clause.

2. Is the PRP Unconstitutional Under The Equal Protection Clause of the Fourteenth Amendment?

Fourteenth Amendment

The Equal Protection Clause

The equal protection clause of the Fourteenth Amendment of the U.S. Constitution requires the government to grant similarly situated people the equal rights of protection.

Here, PRP authorized both a tuition waiver and an annual payment of \$10,000 to State A residents who apply to and are admitted into the PRP.

Standing

See rules and analysis above.

Thus, Doug had standing

Injury

See rules above.

Here, Doug was denied his application for PRP just because he was a State B resident instead of a State A resident. He did not enjoy equal protection as other similar medical students of State A resident.

Thus, Doug was injured.

Causation

See rules and analysis above.

Thus, Doug's injury was caused by PRP.

Redressibility

See rules and analysis above.

Thus, Doug's grievance could be redressed by a favorable court decision.

In conclusion, the PRP violated the EPC.

3. Is the PRP Unconstitutional Under The Privileges and Immunities Clause of the Fourteenth Amendment?

Fourteenth Amendment

The Privileges and Immunities Clause

The privileges and immunities clause of the Fourteenth Amendment of the U.S. Constitution prohibits state government from discrimination of out of state residents in terms of travel, and other rights.

Here, PRP authorized both a tuition waiver and an annual payment of \$10,000 to State A residents who apply to and are admitted into the PRP, where denied Doug's application just because he was a State B rather than a State A resident.

Thus, the PRP violated the privileges and immunities clause by discriminating against out of state residents.

Standing

See rules and analysis above.

Thus, Doug had standing.

Injury

See rules above.

Here, Doug was denied his application for PRP just because he was a State B resident instead of a State A resident. He did not enjoy the rights protected by privileges and immunity clause.

Thus, Doug was injured.

Causation

See rules and analysis above.

Thus, Doug's injury was caused by PRP.

Redressibility

See rules and analysis above.

Thus, Doug's grievance could be redressed by a favorable court decision.

In conclusion, the PRP violated the privileges and immunities clause.

4. Is the PRP Unconstitutional Under The Privileges and Immunities Clause of Article IV, Section 2 ?

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END OF EXAM