

## International Law

Activity: Hard Court Cases  
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The use of hypotheticals in legal education is a time-honored technique. Hypotheticals allow a professor to create a case with a limited number of facts, thus forcing the student to focus on the relative value of the presented facts. As the students' familiarity with court cases (and legal reasoning) increases, real-life situations can be introduced. Until that point, it is quite helpful to focus on a smaller number of facts.

On this paper are several core cases, each with extensions based on changing or adding relevant (and non-relevant) facts. Only use the facts as presented to that point. In each case, you will make a determination of the important (relevant) facts and how they will influence your decision.

### Case One: Where There's a Will, There's a Way

1. Old Man Bochum finally succumbed to his battle with stomach cancer. It was a long and *very* painful five-year fight. He died without children; however, he had three nephews, one niece, a brother, and one grandson. He also died without a will. Who inherits his millions?
2. Bochum made it clear throughout his life that he wanted his grandson to inherit his full estate. However, he never wrote it down.
3. He did write it down, but he never had it in the form of a will. In fact, there were no witnesses to his signature.
4. There were two witnesses to his signature, but it was not in the form of a will. It only said, "I want my grandson, Bobby, to inherit my entire estate."
5. The actual form was still not a will, but the signed (and witnessed by two people) document said, "I hereby leave my entire estate to my grandson, Robert Knight Bochum." The grandson's name is Robert King Bochum.
6. The grandson's name is Robert Knight Bochum.
7. There is actually a proper will, dated 25 years ago, leaving the entire estate to the niece, in addition to the written statement leaving the will to his grandson, which is undated.
8. The statement is dated six years ago.
9. The statement is dated the day of his death.
10. The statement leaving everything to his grandson is a genuine will, with two witness signatures, dated the day of his death.

11. The statement leaving everything to his grandson is a genuine will, with three witness signatures, dated the day of his death.
12. The grandson pulled the plug on Old Man Bochum's ventilator, which killed the old man.
13. The cause of death was a heart attack, not asphyxiation.
14. The will naming his grandson sole heir also says, "I am instructing my grandson to unplug the ventilator so that I may pass into the next life at last." The witnesses back up the story that the grandfather insisted on the grandson pulling the plug.

### **Case Two: Privacy and your Stash**

1. You own this historic 1910s home in South Omaha. You are growing marijuana (350 plants) in your basement. Police enter your dwelling without a warrant and stumble upon your stash. They arrest you for cultivation and intent to sell marijuana.
2. The police go straight to your basement and locate your stash.
3. The police saw your stash through open basement windows and entered without a warrant.
4. The police saw the abnormal heat output from curtained basement windows using an infra-red detector and entered without a warrant.
5. The police entered your home pursuing your sister, who was running from the police after running over an old man (not Old Man Bochum).
6. The police entered your home pursuing your sister, who was running from the police for no apparent reason.
7. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and the policeman wandered into the basement on his own.
8. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and told the policeman to have a seat in the living room. The policeman wandered into the basement on his own.
9. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and told her date to make himself at home. The policeman wandered into the basement on his own.
10. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and told her date to make himself at home in the basement. The policeman wandered into the basement.

11. Your sister and her date walk into the living room and he sees pot on the coffee table. He then calls it in and searches the house when his fellow officers arrive with a warrant.
12. Alright, you do not own the house; you are renting it from your parents, and the police just enter without a warrant, and your sister is not dating one of them.
13. You do not own the house; you are renting it from strangers.
14. You do not live in a house. You live in the dorms on campus.
15. You were growing the marijuana in the basement of your grocery store (you own and operate it).
16. You were growing the marijuana in the basement of your grocery store (you just work there).

*Alright, now let us look at whether the police will be able to get a warrant.*

17. The police saw your stash through open basement windows.
18. The police saw the abnormal heat output from curtained basement windows using an infra-red detector.
19. The power company notifies the police that you are using more electricity than usual in your neighborhood.
20. The power company notifies the police that you are using twenty times more electricity than usual in your neighborhood.
21. The police entered your home pursuing your sister, who was running from the police after running over an old man (not Old Man Bochum). They search the basement for your sister and come across your marijuana.
22. The police entered your home pursuing your sister, who was running from the police for no apparent reason. They search the basement for your sister and come across your marijuana.
23. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and the policeman wandered into the basement on his own. He comes across your marijuana.
24. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and told the policeman to have a seat in the living room. The policeman wandered into the basement on his own. He comes across your marijuana.
25. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom, and told her date to make himself at home. The policeman wandered into the basement on his own. He comes across your marijuana.

26. The policeman entered your home when your sister invited him in after a date with him. Your sister went to the bathroom (it seems like she is doing this a lot; maybe she has prostate problems?), and told her date to make himself at home in the basement. The policeman wandered into the basement. He comes across your marijuana.
27. Your sister and her date walk into the living room and he sees pot on the coffee table.
28. You, under 21, stumble towards home and are picked up by a campus security officer, who takes you to your dorm. You let him stand outside in the hallway. He smells marijuana smoke wafting from your dorm room.
29. He smells nothing, but he can see green leafy herbage on the coffee table in full view of the open doorway.
30. He cannot see the coffee table, but you invite him in to wait (the hallway is cold?) and he sees the coffee table and the herbage at that point.