

**Remarks by Pennsylvania Bar Association President Andrew F. Susko at the
National Forum on Children, Families and the Courts
May 1, 2008
Philadelphia, Pennsylvania**

Good morning. It is my privilege and honor to address you on behalf of the Pennsylvania Bar Association as its President and to discuss the significant benefit that bench bar partnerships provide Pennsylvania school children in terms of both civics education and special programs.

The collective programs we will be discussing this morning in the next session offer great promise to enhance a safe, healthy, self-esteem building, learning environment and ultimately to make better informed, active, and responsible adult citizens. Specifically, our purpose is to demonstrate and discuss the importance of comprehensive civics literacy, the success presented by several model programs that empower our elementary school children and high school young men and women to meaningfully understand the importance of conflict resolution and the rule of law.

These programs promote mutual respect between students, respect for authority, and, depending on the program, an understanding of the importance of our courts, the role of judges and lawyers in society, and the rule of law. They promote a dream that underlies our democratic government and legal system. That dream was born right here in Philadelphia and is embodied in our own Declaration of Independence: that everyone has the right to pursue liberty and happiness. The pursuit of liberty and happiness is fundamentally grounded in the rule of law and is nurtured by mutual respect for each others' views and respect for each other in a world that is increasingly diverse religiously, racially, ethnically and culturally. At the heart of this respect and understanding is an acceptance of and adherence to the rule of law so critically furthered by these civics education programs.

When we speak of the rule of law, it is entirely fitting and coincidental to the mission of this conference that we also are celebrating the 50th anniversary of Law Day today. Law Day was commenced by President Dwight Eisenhower in response to the then Soviet Union's May Day Parades, which emphasized the rule of force and military might. In response, President Eisenhower proclaimed May 1, 1958 as Law Day, where due recognition of the supremacy of the rule of law in the United States would be our country's answer to the May Day bullying metaphor that might makes right.

We only need to look at the recent events in Pakistan to see living testament to the importance of judges and lawyers to sustaining this rule of law. When Pakistan's President Pervez Musharraf understood that his political power was being threatened, the first thing he did was undermine democratic ideals and principles by sacking the Supreme Court Chief Justice replacing him with another and jailing and detaining scores of lawyers across the country.

This modern day example breathes renewed meaning in the often cited and frequently misquoted William Shakespeare line, from the play King Henry Part II, "Let's kill all the lawyers."

Shakespeare's point was that if you desire anarchy and cessation of the rule of law, the first thing you must do is get rid of lawyers and the rule of law.

Respecting each other and each others' differences, respecting authority and legal authority, understanding the role of judges, our court system, and lawyers in protecting the rule of law are essential to a peaceful and safe society. And so, we bring to you on Law Day some shining examples of programs involving our schools that offer great hope, hope for a better future, hope that is entirely dependent on a partnership between judges and lawyers, a partnership here in Pennsylvania that we call PennCORD, an initiative that is passionately championed by our First Lady Judge Midge Rendell.

PennCORD proudly includes, in partnership with Judge Rendell, the nearly 30,000 members of the Pennsylvania Bar Association, the United States Constitution Center and the Pennsylvania Secretary of Education. This partnership is fundamentally dedicated to promoting students' understanding of how our government works, with the ultimate goal of obtaining civics literacy for all Pennsylvania school children. The programs that we will outline this morning, and which will be the subject of this panel discussion that follows, provide a real opportunity at the front end to create a meaningful understanding of and appreciation for the rule of law, and for respect and authority of the differences between each other. These front-end programs can assist in ameliorating many of the problems and difficulties that the legal community is addressing at the back end. While this conference rightfully has been dedicated, at least in part, to justice system innovation and improvement, if we can invest time and resources at the front end, we can make meaningful differences in the lives of our children and families.

Yesterday, we heard about risk and resiliency and the critical need for school kids to have meaningful, adult connections. We have in Pennsylvania on shining display four programs that offer meaningful, adult connections and that will be discussed along with other programs.

The first is a wonderful program called Project Peace for school children ages kindergarten through 8th grade. This is a student peer mediation program with training of student mediators who then provide an alternative way for children to resolve their disputes. While learning and developing peaceful conflict resolution skills for life, this program is a quintessential example of student empowerment with a strong anti-bullying message. In Pennsylvania, Project Peace is a partnership between the Pennsylvania Bar Association and the Pennsylvania Attorney General's Office.

With the help of judges and lawyers across the state, more than 150 schools have been trained in Project Peace and now have active programs. The Chester County Teen Court provides a way for disputes at the high school level to be resolved through a trial convened and conducted by teens, with decisions on consequences resting with the teen court. This program, which you will see in a few moments by the school students in the back of the room, empowers young men and women to resolve their disputes.

Another innovative project is the Allentown School District Violence Prevention Demonstration Program. This program too offers tremendous hope in reducing violence and bullying in schools. Emphasizing four-court concepts, authority, responsibility, justice, and privacy, schools within

the Allentown School District engage students in mock government exercises and civics awareness programs. Providing a tracking and measuring feature the school district is able to assess their success in terms of reduced student upset, discord, and bullying episodes.

Here are the results: Teachers perceived students to be more sympathetic and less selfish in class meetings. Students built an understanding that when voting, everyone will not be happy with the outcome. Teachers noted a reduction in the number of guidance slips issued for conflict resolution, as well as a reduction in teasing. One student recounted a speaker being surprised that a student could define bullying in terms of power and authority. Others told of student conversations with the concept of privacy. One teacher recalled how students volunteered to the guidance counselor that a fellow student whose mother had died might need some privacy for a while. One teacher relayed how, after students misbehaved during the teacher's absence, the students came to the conclusion on their own that they had bullied the substitute.

All of these examples demonstrate the students' increased ability to think about responsibility and to hold themselves accountable. These outcomes are wonderful by teaching problem solving, mutual respect, understanding, and the need to make smart choices, and lay the foundation for students discourse and for true participatory citizenship.

Finally, one of the most visibly successful programs through the Pennsylvania Bar Association is our state-wide mock trial competition. The mock trial program allows students to conduct a mock jury trial with the problem changing each year. This year, in the prosecution of a kidnapping case, more than 300 teens participated across Pennsylvania. And in 2010, right here in Philadelphia, the mock trial competition will be held at the national level. The PBA, along with Drexel University, will proudly sponsor the 2010 Mock Trial Finals. This program involves literally hundreds of lawyers and judges who provide mentorship and offer a tremendous civics engagement for students.

If you want a strong learning environment with adult connections, look to partnerships between the bench and the bar at the front end. These kids are worth the investment. Statistics from the 2003 study, Fight Crime Invest in Kids, proves the point. Sixty percent of boys classified as bullies in grades six through nine have been convicted of a crime by age 24. Forty percent have been convicted of three crimes by that age.

We can, and must, work to foster a deep and abiding respect for the rule of law, and do so at early ages. Each of these programs that you will hear about today offers an opportunity for school children to develop an appreciation for and understanding the importance of respecting each others' differences and the rule of law. The power of these programs cannot be overstated. They offer hope and present a compelling case for bench bar partnership for civics engagement in the classroom.

We trust you will share our enthusiasm and help by reinvigorating programs in your area in need of new energy, replacing programs with these models where there are no effective programs in your jurisdiction, and to create new programs with them where none yet exist. As adults and officers of the court, investing in our kids at the front end, and not just at the time of crisis, is

highly beneficial and needed, and we hope that you will with us in this mission of civics education.

Thank you all very much.

I have one other important function today, and that is to introduce Pennsylvania's First Lady. It is my high honor and personal privilege to present to you Her Honor Judge Midge Rendell. No Pennsylvania lawyer and especially no Philadelphia lawyer practices law without knowing the Judge. After private practice at the prestigious Duane, Morris & Heckscher law firm where she became a partner, she was appointed to the district court bench for the United States District Court for the Eastern District of Pennsylvania. After time on the trial court, the district court, Judge Rendell ascended to the United States Third Circuit Court of Appeals, where she has served with distinction. To put it quite simply, she represents the best of what being a judge is all about. She is a friend of the organized bar and, as the First Lady, has served with great energy, enthusiasm, and grace. But it is through her passion for civics education school children across Pennsylvania that I have been fortunate to get to know Judge Rendell better. She has dedicated herself to this cause and the cause has no finer advocate than Her Honor. Judge Rendell has just finished convening and hosting a civics education summit, attended by over 100 people, all of whom share Her Honor's vision of civics education. Your Honor, your passion for this subject is down right inspiring, and you are a role model for so many of us who are privileged to follow your lead.

Ladies and gentlemen, it is my great pleasure to present to you the heart of the PennCord initiative, Her Honor Judge Marjorie Rendell.

**Remarks by Judge Marjorie O. Rendell at the
National Forum on Children, Families and the Courts
May 1, 2008
Philadelphia, Pennsylvania**

Thank you, Andy, and good morning.

You know, Law Day serves as a reminder of the responsibility of the judicial branch of our government and its capacity to sustain the rights and liberties we cherish. Yet, I am reminded of Sandra Day O'Connor's admonition that on Law Day we should not think only about our courts, for the courts are only called upon to provide clarification or to remedy failures or disagreements as to the rule of law.

The rule of law itself, however, pervades our very way of life. The rule of law reaffirms the values and principles that allow us to celebrate our freedoms. In its absence, there is chaos, inequality, and unrest.

My passion for the law has led me on a journey, a personal crusade along with others to ensure that the young people of our nation have an understanding of the rule of law and our democracy. When my husband became governor of Pennsylvania, I decided to focus my efforts as First Lady on promoting civics education.

The inspiration for this initiative generally came as a result of my experience as a judge, but more specifically because I presided over naturalization ceremonies. Looking out over the crowd of joyful new citizens, I realized that they knew how special our citizenship is. They realized that our democratic way of life, our respect for the rule of law, our fundamental belief in equal opportunity, mutual respect, individual liberty, and freedom for all. These things make us different. These things cause people from other countries to leave their homelands, sometimes risking everything, to come to America.

This doesn't happen anywhere else. We are indeed blessed. As members of the judicial system, we all understand the importance of the rule of law and the importance of competent and responsible participation in our democracy. These fundamental values and principles of our system should serve all citizens as a moral compass to guide our thoughts, behavior, and choices.

My vision is that all students will enjoy a basic understanding of our representative democracy. They'll experience public participation in the democratic process, including democratic deliberation, and will be better prepared to be good citizens who understand their rights and responsibilities as citizens.

I believe that the inculcation of civic values in our children at an early age is essential. Our children learn early on who they are and how they fit in their family, their church, their community, their neighborhood. They need to know that they have a role, a role as a citizen, and that that role not only carries with it the rights of citizenship, but the responsibilities as well. Our schools must plant this seed of knowledge and make it grow.

From the beginnings of our democracy, it was the mission of the schools to teach civics. Is this happening? Are our schools fulfilling their civic mission so that each generation is civically engaged? In the most recent national assessment of educational proficiency civics assessment, only 22 percent of eighth graders scored at or above the proficient level, and 27 percent of 12th graders – tomorrow's, maybe today's, voters – scored at or above the proficient level. The ability of citizens to reflect critically and to deliberate on crucial issues facing the nation requires knowledge of history.

NAEP history assessments for public school 12th graders are not encouraging. In 2006, in the history assessment, 53% of all 12th graders performed below basic. The most recent civil health index created by the National Conference on Citizenship has examined civic trends over the last 30 years and finds significant declines in many of the indicators of civil life.

We can do better. We must do better. We must prepare our students not only in poor subject areas, we must impart critical thinking and problem solving skills that are developed through discourse, discussions, and deliberation. Their thoughtful appreciation of our democratic way of life and the need for their participation in it should be an overriding goal. We must make curricular materials and program readily available to teachers K through 12.

My passion, combined with the passion of others who believe civic education and knowledge of the rule of law should be taught in schools, led to the formation of PennCORD that Andy referred to, the Pennsylvania Coalition for Representative Democracy. It is uniquely positioned as a coalition of educational advocacy and governmental organizations committed to improving civic learning for students grades K through 12. The mission is to encourage the creation of local civil learning policy to implement state standards in every school district by motivating community advocacy for better civic education and by supporting educators across Pennsylvania with resources in training.

Joining me as lead partners in the coalition are the Pennsylvania Bar Association, the National Constitution Center, and the Pennsylvania Department of Education. Our goal is for every Pennsylvania school to prepare its students to understand and participate in their communities, society, and government. Building a solid foundation of civil learning for every student is the first critical step toward achieving this goal.

To fulfill our mission, PennCORD has developed keystone programs. These programs form the centerpiece of PennCORD's programming and messaging. These programs provide curriculum materials that are aligned with Pennsylvania standards and assessment. Keystone programs offer inexpensive or free civic education methods and materials designed to be easily adopted and replicated by schools and school districts, offering support such as teacher training that is available at little or no cost to the schools. These programs do not create an additional programming requirement, but can be integrated into the existing curricula to support schools in meeting civic education requirements. Our programs exist in four categories. First, civic learning in the classroom, and those programs are We the People and 26. Number two, event programs, Law Day, Constitution Day, Veterans' Day. Number three, extracurricular activities such as mock trial, and fourth, institutional programs or initiatives that improve the school culture such as Project Peace. These are just examples.

These programs are unique to Pennsylvania, or the designation I should say is unique to Pennsylvania, but the programs you will hear about today are programs that you can bring to the schools in your area. You will hear today about their impact on young people, both in and outside of the schools. There is strong evidence that learning the principles underpinning the rule of law can change the environment in the schools and help reduce violence in the schools, delinquency and improve the dropout rate. You will hear from educators in partnership with judges, lawyers and other law and justice professionals who have implemented programs that improve the school climate.

As Andy has noted, one of our programs that the Allentown School District has focused on has adopted a K through 12 curriculum that has been developed around basic values and desired behaviors. A school violence prevention demonstration program that you will hear about from Myron Yoder is an integration of two PennCORD keystone programs, We The People and Project Citizen. The Allentown School District is a diverse district of 18,500 students and the population comes from 43 countries and speaks 26 different languages, so the implementation of this universal program in the schools was challenging, but its success has surpassed all expectations.

Research also shows academic growth, including reading, writing, and math skills, as well as the development of problem solving skills. These outcomes are gratifying, suggesting that by teaching problem solving, mutual respect, understanding, and the need to make smart choices we can lay the foundation for student discourse and for true participatory citizenship and responsible behavior.

If we are educating our students properly about participatory democracy and responsibility at an early age, we should not need to convince them of its importance as they reach voting age, and perhaps they would not arrive in a juvenile court to discover their firsthand knowledge of the rule of law. Dispute resolution programs foster communication and participation.

Project Peace, one of our PennCORD programs, sponsored by the Pennsylvania Bar Association and the Pennsylvania Attorney General, shows students how they can participate positively in their school communities, as Andy has noted.

Another program that is showcased today is the Ninth Grade Nation in the Pittsburgh schools, for every ninth grader implementing mentorship and relationships with adults and trying to reduce the dropout rate that we know is so dangerous to our youth. Research shows that knowledge of the law combined with positive interaction with law and justice professionals does lead to better choices by our young people. As members of the legal profession, we are champions of the legal system and have a unique position to share with young people. Many of you may have visited a school to talk about the rule of law or helped with law-related exercises such as mock trial.

Today, you will get a chance to see the positive influence of civics programming through an extension of the mock trial effort called Youth Court. The true value of civic education can be seen in the eyes and voices of the students themselves. I will never forget the expression of a young student presenting in a courtroom for the first time at a mock trial competition – the

excitement, the bright eyes, and the nervous twitch in his voice. He was learning about the law for sure, but at the same time he was learning about himself – about his ability to think, to speak, to hear his voice and share it with others, and that is what our participatory democracy is all about.

We are pleased to have with us today students from Chester's Youth Court program to demonstrate how they have taken on problem solving in their school and community, and I'm sure you will join me in giving them a great welcome. I think David Trevaskis is going to set the stage.

Thank you all for your involvement today.