

Rule of Law: It's what I live by



Law Day 2010 Planning & Lesson Guide for Lawyers and Judges

Message from the PBA President Clifford E. Haines



From May 6-8, 2010, Pennsylvania will proudly host the National High School Mock Trial Championships. Close to 1,000 students, teachers, coaches, advisors, lawyers, judges and guests will come to Philadelphia to represent most of the 50 states and several territories. They will compete in elimination rounds until one team is declared the 2010 National Champion on Saturday, May 8.

In recognition of Pennsylvania's strong mock trial program, many of the lessons for this year's Law Day program will focus on various mock trials that lawyers and judges can use during classroom visits with students of all ages.

Mock trials and mock appellate arguments are excellent opportunities for lawyers and judges to teach students about their rights and responsibilities, as well as the judicial system. They provide an engaging mechanism to educate about the privilege and duty of all citizens to serve on juries. They can bring to life lessons on being responsible and living by the rule of law. In addition, they help teach skills such as listening, problem solving, consequences, negotiating, and decision making. These are only a few of the skills and benefits you can share with students through a mock trial presentation.

This year's Law Day theme selected by the PBA Law-Related Education Committee is "Rule of Law: It's what I live by." The message encourages students to take an active and accountable role in life and government; living by the rules and laws that we have agreed to as a country; challenging laws and actions that are unfair; and holding others accountable for living by the rule of law. Without this respect for the rule of law, we would be a country of chaos, tyranny and terror. Fifty-two years ago when ABA President Charles Rhyne proposed

the first Law Day, one of the primary purposes was to celebrate the rule of law in our country, in stark contrast to the military displays of power being demonstrated in May Day celebrations in Communist countries like Russia. These same messages are just as important and relevant to us today in 2010. I encourage each of you to read Charles Rhyne's message for a deeper understanding of why it is so important for us as legal professionals to recognize Law Day each year and continue the legacy of this tradition and our noble profession.

In Pennsylvania, we celebrate Law Day throughout the entire month of May. This gives lawyers, judges and teachers flexibility in scheduling events and ensures that the greatest number of students will benefit from these educational opportunities.

This guide provides ideas for lessons you can easily use with students of all ages and the PBA Web site contains many other resources, including Charles Rhyne's Law Day message.

I can tell you based on personal experience with a group of fifth graders last May, students are very interested and eager to participate in the mock trial. The time spent with these students is very rewarding and an investment in the future. I have no doubt our visits make a difference in the lives of students and that many of them will take the experience with them throughout their schooling.

To those of you who are already working with students and teachers in your local communities, THANK YOU and please stay involved. Your time and personal attention do make a difference to these students. If you have not had the pleasure and satisfaction of working with a group of students, please consider getting involved this May. The PBA Law-Related Education Committee is here to assist you.

Best Regards,

Successfully Using Mock Trial Lessons with Students

Generally, scripted mock trials work well for students in elementary grades (K-5). For very young students, mock trials that are based on characters and story plots from well-known children's stories and fairy tales work well. And, for the youngest students with limited reading skills, the mock trials are performed by adults with questions to keep the students engaged and learning.

Whatever the grade level, with a little thought and preparation, mock trials and mock appellate arguments are an excellent and rewarding experience for everyone - students, teachers, judges and lawyers!

Preparation for a mock trial or appellate argument

To prepare for the visit and mock trial lesson, talk with the teacher for ideas on how best to prepare and what concepts to address with the grade level you are planning to visit. Learn what topics have been covered by the class so you can reinforce prior learning or properly introduce new concepts. Many of the lessons suggested in this guide include preparation and set-up information.

Generally, younger students (grades K-7) are fascinated with the judge's robe and gavel. If possible, judges should bring these along on your visit and be prepared to answer questions about why judges wear robes and when they use gavels. We also have a handout titled "Some Things Students Want to Know about Being a Lawyer and a Judge." This handout may be helpful for your review and preparation before a classroom visit.

Suggested important legal concepts to teach students

The basic, fundamental legal concepts always bear repeating. Even adults often find the legal system confusing and can use a refresher. The amount of detail you will provide

about the terms and concepts, and the way you will explain them, will vary depending on grade level and the abilities of the students. A review of these concepts serves as an introduction and set-up for the mock trial or appellate argument lesson. Most of the lessons in this guide include set-up information. Generally each lesson includes a discussion of the difference between criminal law and civil law and prompts questions such as: Which type of case will you be acting out in your mock trial?; What is the role of the jury?; What is the importance of jury service and civic responsibility?; and How is the court room set-up and what are the roles of court personnel?

Acting out the mock trial or appellate argument

By now, you have established a rapport with the students. However, you will still need to help make the students feel at ease with the "courtroom" and the process. You want to keep a level of respect and formality during "court," teaching students the behavior expectations while helping them feel comfortable and explaining what to do, where to stand or sit, etc. The goal is to have a positive learning experience that closely simulates a real courtroom.

Make sure to allow for follow-up time at the end of the lesson to respond to students' questions and reflect on the experience. If possible, you may offer to serve as a resource to the teacher and students if they think of questions after you leave. (A word of caution, though, in giving your email address to students.)

2010 Law Day Lessons and Mock Trials

Elementary students in grades K-2

Children at this age may be a bit too young for mock trials because of the amount of reading involved. It is best to talk with the teacher of the class you are planning to visit. The scripted mock trials, such as *Commonwealth v. Goldilocks* provided below or some of the others on our Web site, could be used with younger students if adults can be recruited to play the required roles of the case.

If you determine a mock trial will not work with the class you plan to visit, we suggest the following lesson:

I Took My Frog to School - No Animals in the Library

Get a copy of the book, *I Took My Frog to School* by Eric Kimmel, from your local library and read it to the students. Even better, buy a copy of the book (\$5.99) and give it to the teacher for the classroom library when you have completed your visit. This is a very short story about a young girl who takes various animals to the library, resulting in chaos and mayhem. The story is used to introduce the lesson topic to students and begin to build a rapport with them. After reading the story, transition into the “No Animals in the Library” lesson that helps students think about rules and why they are necessary. The lesson also explores what makes a good rule and what happens when rules are unclear, and helps students think about appropriate consequences for breaking rules. This is a very engaging lesson, and you will find even young students are very insightful in their thinking. Have some fun and bring along a stuffed animal. Would a stuffed animal be allowed under the “no animals” rule?

Mock Trials for Elementary Classes

Commonwealth v. Goldilocks

Based on the fairy tale of *Goldilocks and the Three Bears*, this mock trial looks at criminal trespass. The trial is scripted and requires minimal preparation for adults playing the roles involved in the case. This option would be good for younger students with limited reading ability. Older elementary students may be able to read from the script and play most of the roles. Talk with the classroom teacher in advance to make sure that students’ reading abilities correspond with the script and to get advice about using the students to play the roles. It is important that the visit is a positive learning experience in which students are learning about the courts and rule of law in an engaging way without being embarrassed in front of their classmates. You may also be able to have older students act out the trial during an assembly for the younger students.

Case of the Missing Puppy

This lesson helps familiarize students with the civil justice legal process. The facts of the case begin with Mr. and Mrs. Green hiring Amanda Barber, age 13, to babysit their son and their puppy, Spot, for the day. The Greens tell Amanda to play with their son, to make lunch for him, and to be sure Spot is tied up outside for fresh air and exercise. While Amanda is preparing a sandwich for the child, the frisky dog tears his rope, breaks free, and runs away. The Greens blame Amanda for carelessness and want her to give them the cost of Spot.

Mock Trials for Middle School Students

At this age, students want to have a bit more input into the mock trial. They want to try their hand at asking questions of witnesses and not just reading from the script. The mock trial lessons provided for the middle school grade levels provide facts and background and require the students to develop their own questions and responses with the assistance of the visiting lawyer or judge. This makes the mock trial an interactive teaching and learning experience. The lessons provided below include information about preparing and delivering the lesson. The classroom teacher is an important partner in making this lesson and experience successful.

The “**Case of the Missing Puppy**” also can be used for some middle school classes, depending on the grade level. You should check with the teacher to determine if this will hold the students’ interest.

Case of the Broken Radio

Using role play techniques, students will distinguish between facts and opinions and discuss why courts rely upon facts more than opinion. This exercise helps students develop critical thinking skills and learn about civil trials. This case involves a student who purchases a radio then tries to return it because it is broken.

Appellate Arguments for High School Students

Each lesson provides all of the information you will need to prepare for your visit and present to students. Generally, these lessons are not scripted like the mock trials used for younger students. Again, it is important that you talk with the teacher ahead of time and share the lesson and materials with him or her. After introducing yourself and the lesson and talking with students about the legal terms, facts and history of the case, students will be asked to develop arguments for one side or the other. Some students may be asked to serve as justices and decide the case based on the arguments presented by their classmates. There are a variety of ways to act out the lesson depending on the resources you have available.

Both of the lessons suggested below were developed by the Federal Courts Educational Outreach Law Day and Juror Appreciation program and have been used multiple times by PBA members. Both cases are highly engaging and well-received by students, teachers, lawyers and judges.

Scott V. Harris, 550 U.S. 372 (2007)

This case was ultimately decided by the U.S. Supreme Court. It raises Fourth Amendment seizure issues and involves a teen driver who decided to flee from the police when they attempted to pull him over for a minor traffic offense. The car chase that followed was ended by the police when they used a police maneuver to push the teen's car from the road to ensure public safety. The police action caused the car to crash and left the teen paralyzed. The question posed to students for oral argument: Was the police seizure of the teen's car a violation of the teen's Fourth Amendment protection against unreasonable seizures? The lesson materials provide background about the case and explain various ways the case can be used with students.

Carey v. Musladin, 549 U.S. 70, 127 S. Ct. 649 (2006)

Free speech and fair trial issues come to the Supreme Court in many ways. This case asks students to separate emotions from reason when they decide the following question: If the friends and family of a murder victim sit in the trial of the alleged murderer wearing buttons printed with a picture of the deceased, does that prejudice the jury and risk depriving the defendant of his Sixth Amendment right to an impartial jury?

Just released - The 2010 lesson from the Federal Courts Educational Outreach program addresses very timely issues of social media and the First Amendment. In this case, the high school principal claims that students violated school policies by posting content to the school's official "FaceLook" page. He maintains the content threatened a safe and efficient learning environment. The students claim that their First Amendment rights were violated and sue the principal and the school district in federal court. The lesson applies the U.S. Supreme Court decision in *Hazelwood*.

The link to this lesson will be posted on the PBA Web site (www.pabar.org/lre.asp).



**Pennsylvania Bar
FOUNDATION**

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Law Day is one of many projects funded by the Pennsylvania Bar Foundation. The Foundation is the charitable affiliate of the Pennsylvania Bar Association. It seeks to improve the public's understanding of the law and its appreciation of democracy and strives to ensure that citizens, particularly Pennsylvania's most vulnerable, have full access to our legal system. The foundation accomplishes its mission by making grants, seeking financial support from individuals and organizations both within and outside of the legal community, and encouraging bar members to donate their time, talent and expertise in service to the public.

To make a donation in support of the Pennsylvania Bar Foundation's work, please visit the Web site: www.pabarfoundation.org.



Your Other Partner

Rule of Law: It's what I live by

For a great article about Law Day and the rule of law, read the text of the original "Voice for America" radio broadcast by Charles S. Rhyne, delivered on the first Law Day, May 1, 1958. You can find this article, along with all of the following lessons, on our Web site.

Rule of Law Lessons Adaptable for All Grade Levels

- The Law is Everywhere

Elementary Lessons on Rule of Law

- Why Were These Rules Made?
- No Animals in the Library

Middle School Lessons on Rule of Law

- Why We Have Rules and Laws
- No Hats in Class

High School Lessons on Rule of Law

- No Vehicles in the Park
- Why Law Day?

Use the Law Day article and lesson ideas to guide a discussion with high school students about the Rule of Law in our country as compared to other countries of the world and similarly talking about our legal system and the legal system in other countries. At least two current events can help in this discussion: the kidnapping case of an American child by Brazilian citizens and the trial of an American student accused of murder in Italy.

- Stepping Out

Use the PBA Stepping Out materials addressing laws that young people will need to be more aware of as they graduate from high school, turn 18, and "step out" on their own. What does the Rule of Law mean in this context?

- George Washington and the Rule of Law

This lesson discusses George Washington's commitment to the principle of the rule of law. The reading examines situations faced by Washington as both commander-in-chief and president when he chose the rule of law over expediency or personal power. Discussion questions follow the reading.



Share your experience

Would you be willing to video tape a short message about law-related education to share with others? Just tell us why it's important, why you volunteer, whether it is rewarding, what you have observed about its impact on students, etc. Contact Susan Etter at the PBA if you are willing to help with this project.

What kinds of things do students want to know?

If you have been asked to visit a classroom and talk to students about being a lawyer or judge, you might find some of these ideas and resources on our 2010 Law Day Web site helpful as you prepare to talk with students.

- Role of a Lawyer
- Becoming a Lawyer (provides discussion ideas for all grade levels)
- Getting Started - Tips for Judges and Lawyers
- Judges in the Classroom: A Guidebook for Judges and Teachers (and lawyers) (a 60-page book)
- Lesson Planning

Law Day Planning

What Can We Do to Celebrate Law Day?

These ideas are based on stories from county bar associations in Pennsylvania and other state and local communities across the United States.

Get some Positive Press

These three resources on the PBA Law Day Web site will help with your media efforts:

- Involving the Media
- Sample Media Advisory
- Sample Media Release

Using Word Searches to Supplement Your Law Day Lesson

Word searches are a fun activity for students and something you can leave with them to complete and take home to share with their parents after your visit. You can go over the words with the students and ask them if they know what the words mean. This activity involves the students in the lesson instead of you lecturing to them about legal terms. Their responses create discussion opportunities in which you can clarify any misperceptions students have and you can ask questions to help them and their classmates think a bit more about their responses.

Use the Word Searches as an Introduction to Set-up the Lesson or as a Wrap-up Activity

A word search can be an opening introduction to your lesson to cover some key terms you will be discussing or the word searches can be used as a follow-up to check for comprehension and to see if the students have unresolved questions about the lesson you just presented.

An Alternate Idea

An alternative way to use the word search is to have the students write the words they will be searching for based on the definitions you give. To do this, you would give the students the word search grid but the words they are to find would not be listed (You would have determined the words when you made the puzzle or, if you use one of the puzzles on our Web site, just white out the words below the puzzle before copying it for the students.). For example, if one of the words in your word search is “court,” you would ask the students something like, “Can anyone tell me the name of the building where judges work?” Or you might ask for the name of the building where judges hold trials. You may get different responses, providing opportunities to engage in more discussion with the students. When you get the answer to your question, you can ask if anyone would volunteer to spell the word. Students can spell the words from their seats and

you can write them on the board or you could have the students come to the board to write the words for everyone to see. You would then ask the students to write the words on their papers and explain that after you leave the classroom they can find all of the words you talked about and take the papers home to share with their families.

Word Search Puzzles from the Pennsylvania Bar Association

Visit the PBA Law Day Web site for word search handouts that you can print and use with various grade levels. Or, use the links provided below to create your own word searches.

Make Your Own Word Search Puzzle

Below are three Web sites you can use to create word search puzzles to use with some of the vocabulary words you are using in your lesson. The puzzles allow you to tailor the difficulty level of your word search to match with the grade level you are visiting.

- http://www.edcreate.com/wordsearch/wordsearch_create.php
- <http://www.superkids.com/aweb/tools/words/search/>
- <http://puzzlemaker.discoveryeducation.com/WordSearchSetupForm.asp>

How to Get Help

You may access all of the lessons, information and resources in this guide through our Law Day Web site: www.pabar.org/lre.asp

If you have questions or would like to request the materials by sending an e-mail or leaving a phone message, please contact Susan Etter, PBA Education and Special Projects Coordinator.

E-mail: susan.etter@pabar.org

Phone: 800-932-0311, ext. 2256

The PBA Law Day program is organized by the PBA Law-Related Education Committee and is funded by the Pennsylvania Bar Foundation.