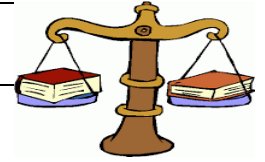


# Literacy and the Law



## Lesson Title: The Rule of Law and Impartiality of the Courts (3<sup>rd</sup> lesson in unit)

**Context of the lesson within the project:** This is the third lesson in the unit, No David! Introduction to the Rule of Law. Students will focus on the meaning of impartiality, especially as it relates to the judiciary. A power point reviews the three branches of government (and/or introduces), and uses the analogy of the role referees are assigned at a baseball game to the role of judges in the courtroom.

\*Note: There are two versions of the power point, depending upon the level of your students and their prior knowledge on the branches of the government.

### Standards Addressed:

#### History Social Science Content Standards

**5.7.5** Discuss the meaning of the American creed that calls on citizens to safeguard the liberty of individual Americans within a unified nation, **to respect the rule of law**, and to preserve the Constitution.

#### Grade 5 Common Core Speaking and Listening Standards

1. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on *grade 5 topics and texts*, building on others' ideas and expressing their own clearly.

### Essential Questions/Issues:

**What is justice?**

**In what ways does the Rule of Law apply to impartiality of the courts?**

**Are the processes in place in democracy designed to “level” individual bias in the court system effective? Why or why not?**

**Should one’s “character” influence judicial decisions? Why or why not?**

### Objective(s):

Students will analyze the impartial role of judges, and understand the purpose of the Rule of Law as evidenced by discussion, and answers to an open-ended writing prompt.

**Assessment:** Teacher observation based on the following rubric and writing prompt:

**What does it mean to have an impartial judiciary?**

**What does the Rule of Law have to do with impartiality?**

**Give a specific example of how the Rule of Law and impartiality might have an effect on you if it were not in place.**

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## Quality Criteria:

<b><u>Speaking and Listening</u></b>	<b><u>Meets or exceeds all criteria</u></b>	<b><u>Meets criteria</u></b>	<b><u>Meets some of the criteria</u></b>	<b><u>Significant criteria missing</u></b>
<p>Collaborative discussions with clear expressions of ideas</p> <p>Builds on other's ideas, responds to others' questions</p> <p>Prepared, follows roles assigned</p> <p>Reviews key ideas from discussion and draw conclusions, shares at a reasonable pace using logical reasoning.</p>	<p>Impressive use of skills to the enhancement of the group discussion</p>	<p>Uses skills to add to the group discussion</p>	<p>Uses some of the skills to add to group discussion</p>	<p>Uses few of the skills to add to group discussion</p>
<b><u>Writing Prompt</u></b>	<b><u>Meets or exceeds all criteria</u></b>	<b><u>Meets the criteria</u></b>	<b><u>Meets some of the criteria</u></b>	<b><u>Very little criteria met</u></b>
<p>Writing response shows thought and analysis regarding the implications of impartiality as it relates to the Rule of Law and the Constitution</p> <p>Specific examples are provided to justify points made.</p>	<p>In-depth analysis and response includes connection to the Rule of Law and the Constitution</p> <p>Excellent justification</p>	<p>Analysis and response and connects to the Constitution and Rule of Law</p> <p>Good justification</p>	<p>Some analysis and/or connections to the Constitution and the Rule of Law</p> <p>Some justification</p>	<p>Little analysis or connections</p> <p>Examples are missing or do not apply</p>

**Materials and Resources Needed:** Vocabulary Note page for reference (from Lesson 2), Impartial Judiciary power point, Open-ended prompt handout

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## Learning Activities:

5 minutes:

**Hook: Story: Example:** When I was your age, my brother and I had chores we were expected to do. For example, I did the dishes, set the table, dusted and vacuumed. My brother was assigned to help my dad with the yard work on the weekends. I did my chores all week long. When the weekend came, my brother would refuse to sweep up the sidewalk after the grass was mowed, so I had to do it! I felt this was unfair and that we were being treated differently ~ not following the rules of the household.

**Think about a time you feel the rules were not applied fairly to you (at school, on the playground, at home, or any activities in which you are involved). Share with your partner.**

10 minutes:

Discuss the Rule of Law... **With fairness in mind, what do you think is meant by the *Rule of Law*?** Students brainstorm and discuss in small groups and then whole group reconvenes and teacher charts comments. Continue to probe, and bring students to the following understanding:

*The **rule of law** is the underlying framework of rules and rights written in the Constitution that make prosperous and fair societies possible. The rule of law is a system in which no one, including government, is above the law; where laws protect fundamental rights; and where **justice** is accessible to all (or is for everyone).*

Introduce “impartiality”... **Write the word “impartiality” on the board...ask students to tell what they think this what means...**(delve for vocabulary such as “justice”, “fairness”, the root word, “partial”, impartial), **then ask how impartiality would apply to the Rule of Law and the judicial branch of government, role of judges.**

30 minutes:

Show the power point, The Importance of an Impartial Judiciary. Assign students the roles – of umpire and batter for the interactive section of the power point in advance.  
\*Note- You may choose to have one half the class “chorally read” the part of the umpire, and the other half of the class “chorally read” the part of the player.  
\*Note: Preview the power point first, you need to be sure that you have the proper program on your computer to show the “video” section. In addition, you may want to modify (delete) parts of this presentation for your own purposes and grade level.

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15 minutes:

**Open-Ended Prompt:** Students write to the following prompt: What does it mean to have an impartial court? What does the Rule of Law have to do with impartiality? Give a specific example (besides the baseball example in the video) of how the Rule of Law and impartiality might have an effect on you if it were not in place.

**Closure:** Ask some of the students to share their prompts to the whole group...reinforce understandings about the Rule of Law and impartiality as it relates to justice.

**Special Needs of students are considered in this lesson:** The use of visuals, pair share, and the power point, helps with different learning styles. ELL students can be given some assistance in Spanish, and benefit from grouping strategies and brainstorming, may respond to prompt verbally. GATE students have the opportunity to apply their understanding by creating their own examples during the Open-Ended Prompt.

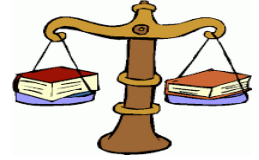
**Extension Ideas:** Have students research the cases in the video (for example, Brown vs. Board of Education), or other cases (Courts in the Classroom: <http://courtsed.org> and analyze how the Rule of Law and an impartial judiciary made a difference.

**References:** Common Core State Standards, California History/Social Science Standards, The Importance of an Impartial Judiciary, Superior Court of California, County of Sacramento

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Name: \_\_\_\_\_

**Prompt:**



What does it mean to have an impartial judiciary?

What does the Rule of Law have to do with impartiality?

Give a specific example of how the Rule of Law and impartiality might have an effect on you if it were not in place.