

# Literacy and the Law



**Lesson Title: Jury in Action (6<sup>th</sup> lesson in the unit)**

**Context of the lesson within the project:** This is the sixth and last lesson in the unit, No David! Introduction to the Rule of Law. Students will now use speaking and listening skills as they play the role of the jury.

**Standards Addressed:**

## College and Career Readiness Anchor Standards for Speaking and Listening K-5

### Comprehension and Collaboration

1. Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.
2. Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.
3. Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

### Presentation of Knowledge and Ideas

4. Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.
6. Adapt speech to a variety of contexts and communicative tasks, demonstrating command of formal English when indicated or appropriate.

## Suggested K-12 Pathway for College, Career, and Civic Readiness

### Dimension 2, Civic and Political Institutions

**D2.Civ.2.3-5** Explain how a democracy relies on people's responsible participation, and draw implications for how individuals should participate.

## Visual and Performing Arts Standards – Theatre

### Creative Expression

### Development of Theatrical Skills

- 2.1 Participate in improvisational activities to explore complex ideas and universal themes in literature and life.

### Essential Questions/Issues:

What is justice?

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

In what ways are arguments productive?

## Literacy and the Law

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 show their understanding of the analysis and application of the rule of law as evidenced through discussion as jury members.

### End of Unit Authentic Assessment (GRASPS and Rubrics)

<b>GRASPS</b>	
<b>Goal</b>	To use facts in the case and the rule of law and apply to the school law/rules to effectively to determine the guilt or innocence of “David”.
<b>Role</b>	Jury members summoned to the Classroom Superior Court as jury members
<b>Audience</b>	The public, press, interested family members
<b>Situation</b>	David, as the defendant, has been accused of theft, a violation of the school rules. The prosecutor must prove that David took property owned by someone else with the intent to prove the owner of it permanently.
<b>Performance</b>	Jurors will listen to the testimony during the trial and the evidence presented. Following jury instructions given by the judge, they will determine the guilt or innocence of David, in writing, and orally through jury deliberations.
<b>Standards for Success</b>	Following classroom jury instructions, jurors must provide arguments backed up with evidence of David’s guilt or innocence. In addition, jurors must include one counter claim and discuss in jury deliberation, why it is or is not to be believed. Jurors must present their final verdict to the judge.

## Literacy and the Law

<b>Rubric: Quality Criteria</b>	Advanced	Proficient	Basic	Below Basic
<p><b><u>Speaking and Listening</u></b> 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 draws conclusions, shares at a reasonable pace using logical reasoning.</p>	Meets or exceeds all criteria; impressive use of skills to the enhancement of the group discussion	Meets criteria	Meets some of the criteria	Significant criteria missing
<p><b><u>Theatre</u></b> Active participation in improvisation, exploring emotions, physical characteristics, developing character</p> <p>Effective use of blocking for the “set” of the courtroom.</p> <p>Strong collaboration in jury deliberation “in role”</p>	Extremely active and creatively participates, very effective collaboration skills and use of space during simulations in jury room.	Meets the criteria	Meets some of the criteria	Very little criteria met.

**Materials and Resources Needed:** Power point on argumentative writing, Copies of the trial, No David! (from Lesson 2), Jury Instructions Handout

**Learning Activities:**

(5-10 minutes)

**Hook: (Enter with your black judge’s robe, or use a piece of black fabric wrapped around you and pinned)**

**Judge: (teacher):** “Members of the jury, you have heard all of the testimony concerning this case. It is now up to you to determine the facts. You, and you alone, are the judges of the facts. You will then have to apply the facts to the law as I give it to you.

***The law in this case is:***

To prove David is guilty, the people must prove beyond a reasonable doubt that:

- David took possession of property owned by someone else;
- David took the property without the owner’s consent;
- When the property was taken, the defendant intended to prove the owner of it permanently.

If you find that David is guilty you must find in favor of the plaintiff/prosecution, People of the State (room K-1).

If you find that David is not guilty, you must find in favor of the defendant, David.

## Literacy and the Law

In order to reach a verdict, 12 out of 12 of you must agree.” (unless you decide on smaller groups for management reasons)

\*\*\* *This following part is not completely authentic, but is used for purposes of this lesson.*

(20 minutes)

**Procedure:** Stay in character as jury members. **You will meet with eleven other jury members and discuss your opinions ~ as a jury you must make a final decision. This is a criminal case, so of you all must agree. As a juror, you may change your mind from the verdict you had decided on your written brief after listening to the the arguments presented by your fellow jurors.**

Jurors pick a foreperson, whose job it is to facilitate the jury “deliberation” and assure that each juror has the opportunity to speak, give their verdict and at least one fact/detail to back up their opinion (discussed, not read from their written opinion, but referenced from). Jurors are encouraged to “add-on” to what has already been offered by other jurors as they take their turn to speak, ie: I agree (or disagree) with \_\_\_\_\_ and would like to add \_\_\_\_\_.

In discussion, jurors draw conclusions and come to a final agreement on the verdict. If all jurors cannot agree on the same decision, it will be a “hung jury”.

Jurors complete the verdict form for the judge and return to the courtroom.

Jury chairperson hands the verdict page to the judge.

The Judge (teacher) reads the results from each group of jurors to all jury groups.

### **Closure:**

(10 minutes)

Whole group discussion follows (delving to reach the essential questions):

Has justice been served? Why or why not?

\*\*\**Very important that discussion includes vocabulary of the court and the importance of participation in jury duty ~ to keep the process impartial, and to have a jury of your peers... these are responsibilities of good citizenship.*

How did “argument” help or not help toward justice in this case?

How did the Rule of Law and impartiality apply to David’s trial?

**Special Needs of students are considered in this lesson:** Differentiation can be addressed in the assignment of the roles. Large and small group instruction and careful grouping assignments will be useful for ELL and also GATE students. Those who need assistance with speaking and listening can be pulled up for extra help...graphic organizers help to focus (Gathering the Facts Handout).

**Extension Ideas:** Students create their own mock trial after being given the scenario and conflict and supporting materials. Students play, We the Jury, icivics.com. Students complete a class book, using cartooning (David, or another character), showing positive behavior and the following of the rule of law as it applies to the school rules (lesson 7).

**References:** Common Core State Standards, California VAPA/theatre standards, C3 Standards

## Literacy and the Law

### Jury Instructions:

#### ***The law in this case is:***

To prove David is guilty, the people must prove beyond a reasonable doubt that:

David took possession of property owned by someone else;  
David took the property without the owner's consent;  
When the property was taken, the defendant intended to prove the owner  
of it permanently.

If you find that David is guilty you must find in favor of the plaintiff/prosecution,  
Room K-1.

If you find that David is not guilty, you must find in favor of the defendant, David.  
In order to reach a verdict, 12 out of 12 of you must agree.