



SREB/*High Schools That Work*

Enhanced CT

Project Unit Development Template

Project Title: Is Justice Served?

Essential Question: How does proper legal research affect the outcome of a trial?

Technical Content Standards:

LW-LEG 1: Demonstrate effective communication skills (writing, speaking, listening and nonverbal communication) in the legal services environment.

LW-LEG 2: Interpret nonverbal communication cues in order to discern facts from fabrication.

LW-LEG 3: Produce written legal materials using writing strategies applicable to the legal services environment.

LW-LEG 6: Use legal terminology to communicate within the legal services community.

LW-LEG 9: Analyze the impact of the Fourth, Fifth, Sixth and Fourteenth Amendments on the provision of legal services.

The Project Description

Step One: Project Description:

You are: a practicing trial attorney

You are faced with: the task of representing a client in a civil court proceeding regarding gross negligence.

You must:

Technical:

- Read and investigate stipulated facts and witness statements from the *Scott Walker vs Tanya Brewster* mock trial to determine the approach you must take in order to represent your client.
- Figure out how to direct and cross-examine witnesses by reading through handouts given.
- Analyze and read the applicable law (Applicable Law, Related Statutes from mock trial) that pertain to the case.
- Gather evidence that supports the approach you are going to take in representing your client.
- Write a legal brief summarizing the outcome of the court case once it is litigated.
- If you serve on the jury, you will be writing a formal opinion based on the outcome of the case (majority/concurring & dissenting opinions).

Research, Read and Write:

- Read and examine evidence.
- Write opening and closing arguments.
- Develop concise and compelling questions for witnesses based on information found in the evidence.
- Write a legal brief summarizing the outcome of the case.
- Write majority, concurring and dissenting decisions/opinions.

Math: In determining the reward in damages your client wishes to receive, you will be calculating and interpreting the medical expenses and any further expenses that the client wants to receive in the future due to the defendant's negligence. This can be found as part of the evidence given in the mock trial paperwork (Bill for medical Services)

Once you have decided upon a course of action, you will: conduct a trial and litigate in front of an active jury/audience and a judge or attorney to observe. Upon completion you will write a legal brief or formal opinion summarizing the outcome of the lawsuit.

Step Two: Project Description in the Four-Paragraph Model

In this project, students will be required to act according to the role they have been given. In terms of an attorney, students will be placed in a situation where they need to form their case based on the information they have been given regarding the case. They will be analyzing data, evidence, witness statements and any other information needed to make their case. In the real world of litigation, it is the duty of a practicing attorney to determine how best to represent their client. Students will be responsible for forming their own questions for witnesses, drafting their own opening and closing arguments and conducting themselves with the proper courtroom decorum. They must be familiar with the steps in a trial as well as dressing professionally, as this will be a part of their grade. If the role a student has is to be a witness or on the jury, they will be required to memorize any and all information that pertains to them and be ready to answer questions that would come their way from any of the acting attorneys. As a jury they will participate in jury questioning as well as being familiar with the stipulated facts of the case, any applicable law and upon deliberation they are to write out a formal opinion explain their decision of the case.

How does proper research affect the outcome of a trial? After researching witness statements, case law and other evidence on the trial and participating in enabling learning activities intended to assist you in researching, conducting and analyzing a trial, write a student legal brief in which you describe outcome of the case and relate and analyze it to your personal opinion regarding the decision and outcome of the case. Support your discussion with evidence from your research and from conclusions you draw from participation in enabling learning activities.

The academic and technical skills the student faces is formulating and constructing their own approach of how to best represent their client and win their case. This involves a great amount of reading and writing. Before any of the research will be done students will be reminded of what negligence is. We will do a mini-lesson that discusses what must be proven in a negligence case and different defenses to negligence such as comparative negligence, contributory negligence and assumption of risk. These will be key things students must be familiar with in order to distinguish what can be used against and in favor of their client when they begin preparing for the mock trial. As well, students will become familiar with what a legal brief is and will write a practice rough draft regarding a current Supreme Court case we are working on in class. This will serve as an introduction to what will be expected at the end of the mock trial. The students will then, as part of the mock trial preparation, read through all the paperwork given per each role from the *Scott Walker vs Tanya Brewster* mock trial. The students will need to become familiar with how to write opening and closing arguments, how to correctly question witnesses, how to object, and how to address the judge.

Each side, the plaintiff and defense, will receive handouts discussing how to do all of these things. It is the responsibility of each side to go over these documents in order to prepare correctly for the case. This will tie into to essential question. It takes a large amount of higher level thinking and preparation as far as problem solving and coaching their witnesses on how to answer tough questions that can come up during cross examination. The students need to be confident and able to speak confidently as they question witnesses and address the jury as well as the judge. As the mock trial is being conducted, the judge (either played by the teacher, or the authentic audience) will point out things and give feedback as well as anything the representative (authentic audience) has to say.

During the presentation and conducting of the actual trial, it is hopeful that a judge will be able to sit in and help the 'attorneys' conduct themselves in the required manner. Even having an actual attorney join the process to give feedback would be helpful for the students to make the connection to an authentic audience. The 'attorneys' will be expected to conduct themselves in a manner that is pleasing to the court even if an authentic audience is unavailable. The availability of an attorney of judge coming in will be encouraged however the role play done during the mock trial will help students become familiar with the litigating process and the ethics and jobs involved in being an attorney and will still fulfil the goal of the project relating to a real world application.

Identifying State and Common Core Standards

List CCTC or Specific CTE Content (and Skill) Standards:

LW-LEG 1: Demonstrate effective communication skills (writing, speaking, listening and nonverbal communication) in the legal services environment.

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Identify CCSS Reading and Writing Standards:

Key Ideas and Details

[CCSS.ELA-Literacy.CCRA.R.1](#) Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.

[CCSS.ELA-Literacy.CCRA.R.2](#) Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.

Craft and Structure

[CCSS.ELA-Literacy.CCRA.R.6](#) Assess how point of view or purpose shapes the content and style of a text.

Integration of Knowledge and Ideas

[CCSS.ELA-Literacy.CCRA.R.8](#) Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

[CCSS.ELA-Literacy.CCRA.R.9](#) Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.

Range of Reading and Level of Text Complexity

[CCSS.ELA-Literacy.CCRA.R.10](#) Read and comprehend complex literary and informational texts independently and proficiently.

Text Types and Purposes¹

[CCSS.ELA-Literacy.CCRA.W.1](#) Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.

[CCSS.ELA-Literacy.CCRA.W.2](#) Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.

[CCSS.ELA-Literacy.CCRA.W.3](#) Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details and well-structured event sequences.

Production and Distribution of Writing

[CCSS.ELA-Literacy.CCRA.W.4](#) Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

[CCSS.ELA-Literacy.CCRA.W.5](#) Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach.

Research to Build and Present Knowledge

[CCSS.ELA-Literacy.CCRA.W.9](#) Draw evidence from literary or informational texts to support analysis, reflection, and research.

Identification of Mathematical Skills and Content:

- [CCSS.Math.Practice.MP3](#) Construct viable arguments and critique the reasoning of others.
- [CCSS.Math.Practice.MP4](#) Model with mathematics.
- [CCSS.Math.Practice.MP5](#) Use appropriate tools strategically

Identification of Other Content Standards:

[CCSS.ELA-Literacy.RH.9-10.6](#) Compare the point of view of two or more authors for how they treat the same or similar topics, including which details they include and emphasize in their respective accounts.

[CCSS.ELA-Literacy.RH.9-10.8](#) Assess the extent to which the reasoning and evidence in a text support the author's claims.

[CCSS.ELA-Literacy.RST.9-10.9](#) Compare and contrast findings presented in a text to those from other sources (including their own experiments), noting when the findings support or contradict previous explanations or accounts.

[CCSS.ELA-Literacy.WHST.9-10.1a](#) Introduce precise claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that establishes clear relationships among the claim(s), counterclaims, reasons, and evidence.

[CCSS.ELA-Literacy.WHST.9-10.1e](#) Provide a concluding statement or section that follows from or supports the argument presented.

[CCSS.ELA-Literacy.WHST.9-10.9](#) Draw evidence from informational texts to support analysis, reflection, and research.

Workforce Readiness Standards:

- Act as a responsible and contributing citizen and employee
- Communicate clearly, effectively and with reason.
- Consider the environmental, social and economic impacts of decisions
- Demonstrate creativity and innovation
- Utilize critical thinking to make sense of problems and persevere in solving them
- Work productively in teams while using cultural/global competency