

Underage Democracy:

JUDICIAL SYSTEM

OVERVIEW:

This Judicial System exercise was developed by Forward Montana Foundation and is intended to introduce students to the federal court system, the impact it may play on their lives, and the impact individuals can have on the court system.

This is a great activity to pair with a curriculum or extracurricular club or group. While we expect students to take ownership over the program, we encourage administration or educators to be available to support as needed.

OUTCOMES:

Upon completion of this exercise, students will:

- Be more familiar with the federal court system, supreme court, and state court system
- Understand the difference between judicial activism and judicial restraint
- Understand how they can impact the court system and how it impacts them
- Have explored their values and priorities as they relate to the federal court system and decisions
- Be more familiar with the Montana District Court

SCHEDULE:

5 Minutes	Introduction	Peer leaders introduce the purpose and outcomes of the Judicial System exercise.
100 Minutes	Videos + Debrief	Each video (five total) will take about 15-20 minutes to watch + debrief.
5 Minutes	Evaluation	Participants fill out evaluation cards.

Time: Prep + 1-5 Class Periods
Grade level: 9th to 12th

Materials:

- POP Worksheet
- Video Series (online)
- Judicial System Workbook
- Markers/Pens/Pencils
- Access to online resources
- Evaluations (Online)



Educator Guide

JUDICIAL SYSTEM

This exercise is intended to be student-led. Individual students or a group of students can be responsible for leading the exercise for credit, extra-credit, or extra-curricular interest.

Pair this exercise with a relevant section in your curriculum to increase the impact for your students!

Two weeks before:

- Assign the exercise to a student leader or group of student leaders and make a copy of the Student Facilitator Worksheet for them.
- Review the included Judicial System Video Series (<http://bit.ly/judicialsystem>) and ensure you are able to show each of these videos to the class.
- Support student leader(s) in understanding the exercise + judicial system.

One week before:

- Review the Student Facilitator Worksheet with the student leader and ensure that they have an understanding of the exercise, confidence in leading the discussion, and clarity around purpose and outcomes.
- Ensure students understand the meaning of “judicial restraint” and judicial activism.”
- Help students test video equipment to show videos.

Day of:

- Help students answer questions arising from the video series.
- Support student leaders in leading the lesson plan.
- Provide clarification or additional resources as necessary.

Within one week after:

- Meet with student leaders to debrief their presentation and fill out the evaluation forms.
- If your students feel comfortable sharing their workbooks, feel free to send in photos to Forward Montana - we may share some of the illustrations.



JUDICIAL SYSTEM

OVERVIEW:

The judicial system exercise was created by young people for young people to help us understand how our federal court system and how it impacts us. As a student leader in this process, you are gaining more than an understanding of the court system - by the end of leading this exercise, you'll develop skills that you can use forever - like public speaking, teamwork, and thoughtful evaluation. Plus, you'll have the great feeling of knowing you helped your peers participate in the democratic process!

Two weeks before:

- Read through this entire exercise and write down any questions you have for your teacher.
- Fill out the Student Facilitator Worksheet.
- Set a schedule with your teacher for watching the videos with the class.
- Read the "How to Guide: Hosting Underage Democracy Online"

One week before:

- Review with your teacher the Student Facilitator Worksheet and your list of questions about the exercise.
- Select the case you will use for Activity + Video #3
- Test video equipment if you will be showing videos.
- Print Workbooks for students in your class.
- Decide whether you will ask students to work as a class, in small groups, pairs, or individually for Video #5 - if they work individually, they will need computers or laptops.

Day(s) of:

- Ensure markers/pens/pencils are available for drawing.
 - ◆ Instruct students to draw during the video as long as they are still paying attention. If this is too difficult, extend the drawing time after the video, before you discuss.
- Bring tape or push pins to place worksheets on the Activist/Restraint timeline
- Lead your peers through the exercises!

Within one week after:

- Meet with your teacher to talk about what went well, what needs to be changed, and what you would do differently in the future.

If you have any questions throughout this process, don't hesitate to contact Forward Montana Foundation's Civic Education Organizer at devin@forwardmontana.org.



VIDEO REVIEW, WORKBOOKS, AND DISCUSSION:

5 Minutes: Introduction

This is your opportunity to set the tone and energy in the room. Start off by introducing yourself. Next, you'll explain the purpose and outcomes of the Judicial System exercise using the Student Facilitator Worksheet. Place this exercise into the context of what you've already learned about the judicial system. Finally, you'll describe a basic outline of what the schedule will be.

DON'T KNOW WHAT TO SAY?

Sample script: "My name is [] and I'm stoked to be leading us in a Judicial System exercise from Forward Montana Foundation's Underage Democracy program. This exercise was made by young people for young people. We get to learn more about our court system and share our perspectives. Let's get started!"

VIDEO #1: WHAT EVEN ARE THE COURTS?

8 Minutes: Watch Video #1

<http://bit.ly/judicialsystem>

While You Watch:

- Students may choose to participate in the drawing activity listed in the workbook.

10 Minutes: Questions

Ask your peers:

- Who would like to share their illustration?
- Why do we have a court system?
- What is a writ of certiorari or a writ of cert?
- Why do justices choose to review cases?
- Do you have any additional questions?

REMEMBER: You are leading a discussion on a topic, not presenting on what you think. Give everyone space and time to answer questions, and don't be afraid of a few moments of silence after you ask a question - give your peers time to consider your questions.

VIDEO #2: HOW DO YOU JOIN THE COURTS?

8 Minutes: Watch Video #2

<http://bit.ly/judicialsystem2>

While You Watch:

- Students may choose to participate in the drawing/writing activity listed in the workbook.

10 Minutes: Questions

Ask your peers:

- Who would like to share their illustration or description?



- What qualities do many students think are important for judges to have?
- What qualities are different or interesting?
- How do judges become judges?
- What surprised you?
- Do you have any additional questions?

VIDEO #3: WHO IS ON THE FEDERAL COURTS?

8 Minutes: Watch Video #3

<http://bit.ly/judicialsystem3>

20 Minutes: Judicial Activism/Restraint Activity

1. Provide background for your chosen case:
 - <http://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks>
2. Draw or place a “**Judicial Restraint** ----- **Judicial Activism**” spectrum across the front of the classroom. Review these terms from the video - Activism refers to re-interpreting the law, while restraint refers to upholding original intent as rigorously as possible.
3. Provide 5-10 minutes for students to complete the worksheet
 - a. Make sure your peers know you will be reading their answers aloud
 - b. Be available to answer questions
 - c. When all students are finished, collect their worksheets
4. Begin reading answers aloud - Ask your peers to help you place the answers on the spectrum of “Judicial Restraint” and “Judicial Activism” spectrum
 - a. You can gather consensus through a simple majority vote
 - b. If you have too many students to read each aloud, hand everyone another student’s worksheet and have them place it on the timeline
5. Discuss:
 - View the spectrum - where does the majority of your class fall?
 - How does your class vote compare to the decision made?
 - Who was on the court when the decision was made? Do you think their background affected their decisions?
 - Does everyone agree with where their “opinion” was placed?
 - Ask someone to be a spokesperson for why they believe Judicial Restraint or Activism is better in this case.
 - Are there times when it is better to be one or the other?
 - If you could only choose ONE side of the spectrum to fall on, which would you choose?



VIDEO #4: WHY DO THE COURTS EVEN MATTER?

8 Minutes: Watch Video #4

<http://bit.ly/judicialsystem4>

While You Watch:

- Students may choose to participate in the drawing/writing activity listed in the workbook.

10 Minutes: Questions

Ask your peers:

- Who would like to share their illustration/description?
 - What values are the most common?
 - What values or priorities are different or interesting?
 - Which of the values shared can be affected by the court system? How?
 - How does your background and experiences affect your values?
 - Do you think the background and experiences of the Justices affect their values and decision making? Why or why not?
- Do you think the courts do matter? Why or why not?
- What is something you learned from the video that you didn't know before?
- What surprised you?
- Do you have any additional questions?

VIDEO #5: HOW YOU CAN AFFECT THE COURTS

6 Minutes: Watch Video #5

<http://bit.ly/judicialsystem5>

10 Minutes: Worksheet #5

Students can complete the worksheet as a class, small group, partners, or individually.

10 Minutes: Questions

Ask your peers:

- Share answers to the worksheet.
- What can you do before you are able to vote to affect the courts?
- Would you consider becoming an attorney, lawyer, or judge? Why or why not?
- What is something you learned from the video that you didn't know before?
- What surprised you?
- Do you have any additional questions?



EVALUATION:

Step 1:




Meet with your teacher within one week of leading your class through the Judicial System template to evaluate how the exercise went.

Revisit your Student Facilitator Worksheet and discuss the following questions:

- What outcomes did you accomplish? If you weren't able to accomplish an outcome, why?
- What went well?
- What would you have done differently?

Step 2:

Fill out the Forward Montana Foundation evaluation form(s) below:

Educator Evaluation	Student Leader Evaluation	Student Participant Evaluation
https://docs.google.com/forms/d/e/1FAIpQLScN_-0POyMt9Ro_NYDwSsBXGOBaHfRsyvkJ-D-Vkn_d3Yys3xg/viewform	https://docs.google.com/forms/d/e/1FAIpQLSeBMDxURHj_YaR9D12EejaQkBwuzxg6ZXiVL3g9gc_m2_Lv4nA/viewform	https://docs.google.com/forms/d/e/1FAIpQLSc97YB8k5uYxTLMgJkTIC1TuM59N_3THxZPGRV_h-V_M562uiA/viewform
		

Step 3:

Celebrate! It can be hard leading our peers and you've done a great job!



STUDENT FACILITATOR WORKSHEET

Purpose:

- Why should your peers care about the federal court system?

- Why are you interested in leading this exercise?

Outcomes:

- What three things do you hope your peers take away from this exercise?

- What two skills do you hope you develop by leading this exercise?

Process:

- What part of the exercise are you most excited to lead? Why?

- What part of the exercise are you most nervous to lead? Why?

- What do you need to make this exercise successful?

- If you're working in a group, what parts of the exercise will you lead?



JUDICIAL SYSTEM WORKBOOK

Name: _____

Video #1: What Even Are the Courts?

- Draw the “branches” of the US Federal Government “tree”

- Sketch the Federal Court Hierarchy + Process for Appeals

- Illustrate a few reasons why a case might be selected



JUDICIAL SYSTEM WORKBOOK

Video #2: How Do You Join the Courts?

Draw a character sketch or write out a description of the ideal judge candidate. Remember to include some kind of description of their values.

Super-Supreme Court Justice



JUDICIAL SYSTEM WORKBOOK

Video #3: Who is on the Federal Courts?

Case: _____

→ In your own words, what is this case about?

Your Opinion:

→ How do you think this case should be decided?

→ Why?



JUDICIAL SYSTEM WORKBOOK

Video #4: Why Do Courts Even Matter?

“Interpret” your own values and priorities for the United States of America. You may draw and/or write, using the whole page below:



JUDICIAL SYSTEM WORKBOOK

Video #5: How Can You Affect the Courts?

Head to the website listed below and answer the questions:

<https://www.mtd.uscourts.gov/>

- 1) **Where are Federal Courts located in Montana?**

- 2) **How far is the closest in miles and hours from where you are?**

- 3) **Where did most of the current judges attend law school?**

- 4) **How are jurors selected for the courts?**

- 5) **What is the mission of the United States District Court for the District of Montana? Write it in your own words:**



RESOURCES

Video Series:

<https://bit.ly/2OnSg8e>

Constitution:

<http://constitutionus.com/>

Selected Cases:

<http://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks>

More Perfect Podcast:

<https://www.wnycstudios.org/shows/radiolabmoreperfect>

United States District Court of Montana

<https://www.mtd.uscourts.gov/>

