

Civil Discourse and Difficult Decisions

Legal Skills as Life Skills

Civil Discourse and Difficult Decisions is a national initiative of the federal courts that brings high school and college students into federal courthouses for legal proceedings that stem from situations that law-abiding young people can find themselves involved in. These court hearings are not mock trials, but are realistic simulations that showcase jury deliberations in which all students and participate in civil discourse.

Proceedings are conducted in courtrooms presided over by federal judges who are assisted by volunteer attorneys, including members of local chapters of the Federal Bar Association. Although student attorneys argue the case, student jurors and their deliberations are at the centerpiece of the courtroom event.

Learning Objectives – Benefits to Students

Students leave these three-hour programs with sharpened tools for civil discourse and decision making and a heightened awareness of situations they may not realize can have legal and long-term consequences. They also experience the differences between media portrayals of the court system and what happens in real life. Participants interact with the human face of the justice system – judges, attorneys, and other professionals – and their courtroom experience motivates them to serve willingly on juries in the event they are later called for jury duty.

Roles and Resources

The roles for the adults are presiding judge and volunteer attorneys who coach the student attorneys and work with the student jurors. Each role has an online folder with detailed guidance. The program facilitator manages the courtroom program and guides the jury deliberations. The judge presides over the simulation and talks with the students in the courtroom after the event.

- **Volunteer Attorney Coaches Who Work with the Two Student Attorney Teams** (*one volunteer per team or two per team, according to local preference*) They present the case information and prepare the student attorneys. Eight student attorneys – four on each side – present oral arguments before the judge and jury.
- **Volunteer Attorneys Who Work with the Student Jurors** (*one or two, according to local preference*) They prepare the jurors for the centerpiece of the program – analyzing all sides of the issues during jury deliberations. All students who are not attorneys serve as jurors.

What Happens in the Courtroom Program?

1. Reality Check Quiz and Civility Self Reflection Sheet

Students start by taking a Reality Check Quiz that tests their knowledge of situations that can put them in legal jeopardy. At the end of the program, they discuss the issues with the host judge and leave with insights that have practical applications in their lives. As part of the program icebreaker, they also fill out a civility self-reflection sheet.

2. Civil Discourse Skill Building

This activity has two parts: 1) Students discuss their own civil discourse attitudes, behaviors, and language. 2) Students establish their own ground rules and group norms for civil discussion.

3. Courtroom Simulation

Student jurors are featured in the program as they decide a contemporary U.S. Supreme Court case that is modified with a fictional scenario that is applied to their lives. The jurors base their verdict on arguments made by the student attorneys. Not a mock trial, this abbreviated hearing helps participants differentiate between what they see in the media and what they experience in a real courtroom.

4. Reality Check Discussion

The program concludes with a candid conversation with the host judge about the real-life scenarios in the Reality Check Quiz that can have legal and long-term consequences.

Time Commitment:

Teachers' Time Commitment: No classroom preparation or pre-reading for the students or teachers.

Courtroom Program: Three hours, from orientation to adjournment.