

High School Age Field Trip
United States Courthouse, Indianapolis

Total time: 2-3 hours*

*Please note that each of these activities can be shortened, eliminated, or extended depending on the amount of time a group has available to visit.

Orientation (15 minutes)

All visits by groups to the courthouse will begin with an orientation session. Students will be told the ground rules of the courthouse: no running; voices must be kept down at all times; keep to one side of the hallways; be silent when asked in order to avoid disturbing any trials in session. The facilitator will then give general information about the federal court system (courts in the Constitution, what a district court is, what types of cases are heard here, how cases progress to the Supreme Court, how many judges our district has) and a brief history of the building (date of construction, what preceded this building, the post office and other government agencies that have operated in the building, etc.) These discussions will include photographs and other images to engage the students.

Tour (45-60 minutes)

Students will be guided on a tour of the building. Topics covered will include more specific details on the role of the federal courts; the art and architecture of the building; symbols that reflect justice and government; features of courtrooms; early Indiana history; 20th Century American history; and some legends and stories about the courthouse.

Visit with a Judge (30 minutes)

Whenever possible, students will visit with a judge in a courtroom, depending on the judges' availability. Each judge generally chooses what he or she will talk about, but common themes include explaining what judges do; how one becomes a judge; what types of cases a judge hears at the federal level; exciting or interesting cases he or she has heard; the federal judiciary and the Constitution; the importance of good citizenship; and jury service. Judges are also receptive to questions by the students and enjoy engaging them in discussions. Generally speaking, if you book your field trip well in advance, you will have a better chance of meeting with a judge.

Activity/Lesson (45-60 minutes)

Students will complete one of the following activities, selected by their teacher or leader beforehand.

Activity 1: Students in the Federal Courts: Students' Rights and Responsibilities

A surprising number of federal court cases involve the rights of children and students. This activity will demonstrate what rights students have on and off school property. Terms like plaintiff, defendant, civil rights, civil trial, and settlement will be discussed before the activity begins.

Students will be divided into groups of 4-5. Each group will receive a U. S. Constitution and a set of basic facts about a case involving students' rights that was heard in the U. S. District Court for the Southern District of Indiana or the United States Supreme Court. After assessing the facts, students will be asked to record on a provided sheet, in complete sentences:

- 1) their guess at what the court decided;
- 2) 2 reasons why the decision could have gone in favor of the plaintiff;
- 3) 2 reasons why the decision could have gone in favor of the defendant.

3 representatives from each group will then have 2-3 minutes to tell the rest of their class 1) the basic issue that their case was about (free speech, freedom of religion, search and seizure, etc.); 2) what they think the outcome was; and 3) why they think that was the outcome.

As each group presents their findings, the facilitator will reveal what the court actually decided and why.

The activity will conclude with a group discussion on the rights and privileges that young people have and how they can protect and exercise those rights responsibly.

Activity 2: Finding a Fair and Impartial Jury

This activity is a simulation of voir dire, or jury selection. The facilitator will begin by asking the students what they know about the jury system in the United States. The facilitator will guide this discussion so that the students understand how juries are called in different courts and in the Southern District of Indiana; who can serve on a jury; various terms and vocabulary of relevance to jury selection and service; and the importance of jury service as a civic duty.

Three students will then be assigned as defense attorneys, three as prosecutors, and the remainder will each receive a short biography of a prospective juror.

The attorneys for both sides will confer with their teammates as they read a short description of the case for which they are selecting jurors. After reading this description, the attorneys will peruse a prepared list of thirty questions which they can ask the jurors. They should mark the questions they think will help them find jurors most and least favorable to their side. The attorneys will also be reminded that it is their sworn duty to impanel a *fair and impartial jury*.

Meanwhile, the prospective jurors will take on the identities of the name and biography they have been assigned (each prospective juror will wear a large card around his or her neck stating name, race, gender, and age. It will be up to the students to use the rest of the biographical information to formulate their characters' answers to the attorneys' questions). Some of these characters will have clear traits or backgrounds that make them unsuitable jurors; others will have no clear bias to either side. The prospective will be

told by the judge (played by the facilitator) some limited facts about the case: the individuals involved (defense attorneys, prosecutors, the defendant, the judges, etc); what type of crime was involved; the law under which the defendant has been charged; and the type of punishment that could be meted out for the type of crime. The students will be reminded by the judge that they are to act and answer questions as his or her alter ego would. The jurors will then be assembled, starting with the first twelve, in the “jury box”.

Once the prospective jurors are lined up and the attorneys for both sides are ready to proceed, the judge will explain that each side has four peremptory challenges (they can strike a juror for no given cause); unlimited challenges for cause (tell the judge specifically why a person should not serve on the jury, and have the judge rule on that challenge- this can be done after either side has a question answered by a juror); or can accept the juror.

The attorneys, starting with the prosecution and alternating thereafter with the defense, will take turns asking the jurors the prepared questions they previously looked at. Whenever a prospective juror is struck, a new juror will file into the box. This process will continue until twelve jurors have been agreed upon by the prosecution and the defense.

This activity is designed to impress upon students how hard it is to obtain an impartial jury, and to help them understand one way that a jury can be impaneled and also give all students the chance to role play. The activity will conclude with a discussion session, with students analyzing the jury selection process and the objectivity of it: whether things like race, gender, career, age, socio-economic status, etc. influenced who was selected for the case. They will also discuss the pluses and minuses of the American jury system and be briefly introduced to the ways trials are handled in other nations.

Activity 3: Taking a Stand: Drug Testing in Schools

In 2002, the Supreme Court ruled in *Board of Education, Pottawatomie County v. Lindsay Earls, et. al* that middle and high school students participating in extracurricular activities can legally be subjected to random urinalysis drug testing. This activity will require students to literally take a stand on the issue of random drug testing in schools and conclude by teaching them about privacy and search and seizure cases of import to students.

The activity will commence by presenting the students with this statement: “Drug testing should be allowed in schools.” One end of the room will be designated as “Strongly in favor” and the other as “Strongly against.” Students will think for a few minutes about where their opinion about the statement falls along the spectrum, and to come up with two reasons why they feel the way they do.

Students will then be asked to stand at the spot along the “Strongly in favor/Strongly against” spectrum where their opinion best fits. The facilitator will then ask students to clarify their positions; for example, those who are strongly in favor might be asked whether they think everyone should be tested, or only specific groups or those who act

suspiciously. For those who are strongly against, do they feel that no one should ever be tested, in any circumstance? Students along the middle of the spectrum will also be asked to clarify their reasons for being in the middle.

As students begin to delve into more specific reasoning, places along the spectrum will be filled in with more descriptive phrases: Test everyone; Random testing of everyone; Random testing of general extracurricular participants; Test suspicious only; Never test.

As students begin to debate, they will be free to move their positions along the spectrum. They will also be asked what opinion opposite theirs they find most compelling or makes them think twice.

Students will then return to their seats, and the facilitator will teach them about recent Supreme Court cases dealing with these issues, explaining the legal reasoning behind the decisions and how the decisions affect the students.

Indiana High School Standards

U.S. Government

- USG.3.6 Explain the functions of the courts of law in the governments of the United States and the state of Indiana with emphasis on the principles of judicial review and an independent judiciary.
- USG.3.17 Analyze and evaluate decisions by the United States Supreme Court about the constitutional principles of separation of powers and checks and balances in such landmark cases as *Marbury v. Madison* (1803), *Baker v. Carr* (1962), *United States v. Nixon* (1974), *City of Boerne, Texas v. Flores* (1997), and *Clinton v. City of New York*
- USG.3.18 Analyze and evaluate decisions by the United States Supreme Court about the constitutional principle of federalism in cases such as *McCulloch v. Maryland* (1819), *Texas v. White* (1869), *Alden v. Maine* (1999)
- USG.5.1 Explain the meaning of citizenship in the United States and Indiana.
- USG.5.2 Describe roles of citizens in Indiana and the United States, including voting in public elections, participating in voluntary associations of civil society to promote the common good, and participating in political activities to influence public policy decisions of government. (Individuals, Society, and Culture)
- USG.5.3 Describe the political, personal, and economic rights of citizens embedded in the United States Constitution and in constitutional law developed through decisions of the United States Supreme Court. (Economics; Individuals, Society, and Culture)
- USG.5.8 Analyze and evaluate decisions about rights of individuals in landmark cases of the United States Supreme Court, such as *Whitney v. California* (1927), *Stromberg v. California* (1931), *Near v. Minnesota* (1931), *Brandenburg v. Ohio* (1969), *Texas v. Johnson* (1989), and *Reno v. American Civil Liberties Union* (1997).

USG.5.9 Evaluate, take, and defend positions on criteria used for the attainment of the status of citizen through naturalization and research Indiana's record in working with immigrants. (Individuals, Society, and Culture)

USG.5.13 Practice civic skills and dispositions by participating in a group of activities, such as simulated public hearings, mock trials, and debates. (Individuals, Society, and Culture)

Language Arts

12.1.2 Apply knowledge of roots and word parts from Greek and Latin to draw inferences about the meaning of vocabulary in literature or other subject areas.

12.2.3 Verify and clarify facts presented in several types of expository texts by using a variety of public or historical documents, such as government, consumer, or workplace documents, and others.

12.2.6 Critique the power, validity, and truthfulness of arguments set forth in public documents; their appeal to both friendly and hostile audiences; and the extent to which the arguments anticipate and address reader concerns and counterclaims.

12.4.4 Structure ideas and arguments in a sustained and persuasive way and support them with precise and relevant examples.

12.7.1 Summarize a speaker's purpose and point of view, discuss, and ask questions to draw interpretations of the speaker's content and attitude toward the subject.

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SPC.1.2 Use rhetorical questions (questions asked for effect without an expected answer), parallel structure, concrete images, figurative language, characterization, irony, and dialogue to achieve clarity, force, and artistic effect.

SPC.1.4 Use logical, (*ad hominem*, arguing from a personal perspective; *ad populum*, appealing to the people) ethical, and emotional appeals that enhance a specific tone and purpose.