

JUDGES IN THE CLASSROOM—LESSON PLANS

This lesson introduces students to a judge’s role as an interpreter of law. Students will examine a fictional law and its legislative history, and apply the law in different scenarios. They will learn that laws are not always clear and are subject to different interpretations.

The King Kamehameha V—Judiciary History Center wishes to acknowledge the Washington State Office of the Administrator (OAC), Olympia, Washington. This lesson was adapted from *Judges in the Classroom*, OAC Judicial Education.

Grade Level:

Grades 7—12

answering a student’s question, repeat the question loudly so that all of the students can hear it.

Objectives:

- Students will identify the purpose and function of a law.
- Students will discuss the intent of lawmakers.
- Students will interpret a law.
- Students will recognize that laws may be subject to different interpretations.

3. Tell students that a new law recently passed by the legislature has prompted questions regarding its interpretation. Today they will be judges and interpret the law.
4. Pass out Handout 1 if students do not already have it. Have students read Handout 1 even if they have done so before your visit. Students can read to themselves or you may ask for volunteers to read paragraphs aloud while the others follow.

Materials:

Handout 1—No Weapons At School
(Have students read before class.)
Handout 2—Breaking the Law?

Procedure:

1. Ideally, students should read Handout 1 before the judge’s visit to the classroom. Teachers can download the handout or can request it through the King Kamehameha V—Judiciary History Center.
2. Introduce yourself and briefly explain your job and the variety of functions you perform. Conclude by explaining your role as an interpreter of law. Remember to adapt your language for a school age audience and to repeat key points. Before

5. Make sure that students understand the law, its history, and intent. Check by asking questions such as:
 - What is the law we will interpret?
 - What exactly does the law say?
 - Why was the law made?
 - What is the law designed to do?
 - What is the purpose of the law?
6. Review the definition of a weapon: A real or toy instrument of combat; something with which to fight.

7. Break students into groups of 3-5. Assign each group a number and give them instructions before you distribute Handout 2. Tell the class they will work in groups to discuss the issues and problems presented by the cases in Handout 2. They must answer the three questions on Handout 2 for each of the cases. They will be expected to give reasons for each of their answers. They should develop and discuss arguments for each point of view.

Each group will appoint a reporter to share their decision with the entire class (or they may take turns reporting). Ask students if they understand the group assignment. Pass out Handout 2 and allow ten to fifteen minutes for group work.

8. Circulate while the groups are working and encourage them to think about both sides. Which arguments are the most persuasive and least persuasive? Why? What might be the consequences of each course of action? To the parties? To society? Are there any alternatives? Then draw a grid on the board to record group opinions. The grid should list the hypothetical case letters (A. through H.) along one side and the group number along the top.

	Group 1	Group 2	Group 3
A.			
B.			
C.			
etc.			

9. Read each situation and have the groups report what they decided. You, the teacher,

or a student can record the responses on the grid. To encourage discussion, you may ask some of the questions related to each situation as suggested below.

Questions for Handout 2:

- A. Nani brought a 1-inch gun with no moving parts from her Power Ranger collection to school. She says she put the gun in her money purse and forgot she had it. Another student saw it when she was getting out her lunch money.
 - Has Nani violated the law?
 - Should there be a requirement in the rule that toy weapons look like real weapons?
 - What will students think if Nani is expelled for a year, when students who bring a real gun to school are also punished by one year’s expulsion?

- B. Keith was making a video for his media class. The video was going to show a crime scene so Keith brought his little brother’s toy gun to school to use as a prop.
 - Has Keith violated the law?
 - Does the reason Keith brought the gun to school make a difference in whether or not the law should be applied in this case?

- C. Mark’s mother came to school for a parent teacher conference. She parked her car in the school parking lot. While the conference was taking place, Mark showed several students a 38 caliber pistol in the trunk of his mother’s car. The gun was in the car because the mother was taking it to a

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gun shop after the parent teacher meeting.

- Has Mark violated the law?
- Should the fact that his mother was transporting the gun make a difference?

D. Glenna went fishing with her uncle the weekend before and put her Swiss army knife on her key ring. She brought the key ring with her to school.

- Has Glenna violated the law?
- Should her innocent use of the knife for fishing override the application of the law?

E. Celeste is a member of a religion that requires its members to carry a small knife, like a dagger, during its new years celebration. Celeste brings her knife to school, carried in a traditional cloth pack.

- Has Celeste violated the law?
- How should the school handle a conflict between religious practice and the law?

F. Gang members have threatened to mob Franklin because he refused to join their gang. Franklin brings a knife to school to protect himself from the gang members.

- Has Franklin violated the law?
- Does Franklin's need to protect himself override the application of the law?

G. Sung Ho's class is meeting at school and then going to the courthouse for a fieldtrip. All persons entering the courthouse must walk through a metal detector before they enter. The metal

detector beeps when Sung Ho walks through it and the security workers discover brass knuckles in his pocket.

- Has Sung Ho violated the law?
- Does the fact that the weapon was discovered at the courthouse and not at school make a difference?

H. Ikaika is going to Nathan's house after school for a birthday party in which all the kids are supposed to bring water guns. Ikaika brought his water gun to school in his backpack.

- Has Ikaika violated the law?
- Should Ikaika's plans to use the water gun at the birthday party override the application of the law?

10. Ask students what they think about the fact that some of their classmates had different opinions about the law. Explain to students that laws are not always clear and are subject to different interpretations. One aspect of a judge's work involves reviewing laws to determine their meaning. Interpreting law is not easy and sometimes different judges may interpret the same law differently.

11. If time permits, or as a follow up with the teacher, have students discuss alternatives or ways to rewrite this law.

Handout 1 - No Weapons At School

A state like Hawai‘i has adopted a “zero tolerance” law on weapons at schools. Lawmakers at the state capitol are concerned about the safety of students and teachers due to the recent shootings at schools in other states. The lawmakers are also concerned that the number of fights in local schools increased last year.

The new law states: “Weapons of any kind are prohibited at schools. For the purpose of this law, a weapon is defined as a real or toy instrument of combat, something with which to fight.”

At the beginning of the school year, all schools post signs at their campus entrances reading, “Weapons of any kind are prohibited.” Additionally, school principals visit each classroom and explain to students that no real or toy weapons can be brought to school, and that students who bring real or toy weapons to school will be expelled from school for one year.

The law seems clear, but some disputes have arisen over the interpretation of the law. By the middle of the school year, a number of students have been expelled for breaking the law. You are a judge. Parents and students will soon file a complaint in your court. You must decide if the law has been violated or not.



Handout 2 - Breaking the Law?

The new law: “Weapons of any kind are prohibited at schools. For the purpose of this law, a weapon is defined as a real or toy instrument of combat, something with which to fight.”

You are a judge. Parents and students have filed a complaint in your court. You must make the following decisions about the cases below:

1. Has the law been violated?
2. Was the law designed to cover this situation?
3. Will you interpret the law to allow an exception in this case?

Be prepared to explain your decisions.

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- B. Keith was making a video for his media class. The video was going to show a crime scene so Keith brought his little brother’s toy gun to school to use as a prop.
- C. Mark’s mother came to school for a parent teacher conference. She parked her car in the school parking lot. While the conference was taking place, Mark showed several students a 38 caliber pistol in the trunk of his mother’s car. The gun was in the car because the mother was taking it to a gun shop after the parent teacher meeting.
- D. Glenna went fishing with her uncle the weekend before and put her Swiss army knife on her key ring. She brought the key ring with her to school.
- E. Celeste is a member of a religion that requires its members to carry a small knife, like a dagger, during its new years celebration. Celeste brings her knife to school, carried in a traditional cloth pack.
- F. Gang members have threatened to mob Franklin because he refused to join their gang. Franklin brings a knife to school to protect himself from the gang members.
- G. Sung Ho’s class is meeting at school and then going to the courthouse for a fieldtrip. All persons entering the courthouse must walk through a metal detector before they enter. The metal detector beeps when Sung Ho walks through it and the security workers discover brass knuckles in his pocket.
- H. Ikaika is going to Nathan’s house after school for a birthday party in which all the kids are supposed to bring water guns. Ikaika brought his water gun to school in his back-pack.