

# LAW WISE



KANSAS BAR ASSOCIATION

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Greetings from the Kansas Supreme Court and the Kansas Bar Association (KBA). Welcome to this edition of *Law Wise* and the fourth edition of the 2009-2010 school year. The theme of November's edition is "General Law" for educators.

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## WELCOME

By Sarah Shipman, *Law Wise* editor

Here at the KBA we decided to have a "general law" *Law Wise* for February. We have got so many exciting things coming up this spring. May 1, 2010 is Law Day and in honor of this special day the KBA's law related education committee will debut the latest of our educational DVDs. The latest DVD will focus on 4th Amendment rights and have great educational tools to go with the video. The DVD and educational tools will be free including shipping to any requesting KS educator.

February 2010's issue is an electronic only issue to test our electronic delivery system. Please share this information with colleagues or others who may be interested in receiving future issues of *Law Wise*.

## CALENDAR OF EVENTS

<b>March 6, 2010</b>	Kansas Bar Association YLSMock Trial Competition (Regional) Presented by Shook, Hardy & Bacon LLP
<b>March 27, 2010</b>	Kansas Bar Association YLSMock Trial Competition (State) Presented by Shook, Hardy & Bacon LLP
<b>May 1, 2010</b>	Debut of the KBA 4th Amendment Video
<b>May 1, 2010</b>	Law Day



## GOING GREEN



*This will be the last school year Law Wise will be printed for distribution. We will instead e-mail the publication. We will make exceptions to those who are unable to access a computer. Please e-mail to [mwickham@ksbar.org](mailto:mwickham@ksbar.org) the e-mail address where you would like to receive your copy of Law Wise. Thank you.*

*February 2010's Law Wise issue will be electronic only to test the electronic delivery system.*

*Law Wise* is a tool for educators statewide to find new avenues of presenting civics lessons and ideas. The KBA also feels a responsibility to educate through example by going green. We will continue to offer the printed mailed version for the 2009-2010 school year, but would like to present the choice of going paperless by providing the publication through e-mail. Please e-mail Meg Wickham, KBA manager of public services to receive your "green" issue of *Law Wise* and be taken off the paper mailing list. You can always access past *Law Wise* issues on our Web site at [http://www.ksbar.org/public/public\\_resources/lawwise](http://www.ksbar.org/public/public_resources/lawwise). Thank you for helping us "go green!"

## INTEREST GROUPS AND THE UNITED STATES SUPREME COURT

For lesson materials, go to <http://www.streetlaw.org/en/page.sclessons.aspx>

By **STREETLAW**<sup>INC</sup>

**OUTCOMES:**

As a result of this lesson, students will be able to:

- define the terms: interest group, writ of certiorari, and amicus brief
- explain how interest groups influence the United States Supreme Court at two stages: when the Court is granting cert and when the Court is deciding a case
- describe how at least one interest group attempted to influence the Court in a particular Supreme Court case
- evaluate whether the influence of interest groups on the Supreme Court is positive or negative

**TEACHING ACTIVITIES:****Day One:**

You need a computer lab at the end of this day, so you may decide to teach the whole lesson there.

1. Distribute **Handout #1: Initial Reflections on the Influence of Interest Groups**. Confirm students understand their task and write the ending time on the board.

2. When time is up, ask the following questions to review what students know about interest groups:

- What is an interest group?

*Interest groups are formal or informal organizations of people who share a point of view about an issue and work together to promote their beliefs.*

- Name an interest group that lobbies the local, state, or national government on an important issue. What policy might it like to influence?

*Answers will vary. Ex: California fruit growers may want government the government to pass tariffs to discourage consumers from importing fruits. Mothers Against Drunk Driving (MADD) wants the government to pass laws that will lower the legal blood alcohol limit to reduce alcohol-related crashes.*

- How do they try to influence government and policy?

*Answers will vary, but should include: lobbying policy makers, presenting expert testimony at legislative hearings, attempting to sway public opinion through media or through direct contact with voters, working to elect certain government officials, etc.*

- How might interest groups influence the Supreme Court?

*Answers will vary. Some interest groups work hard to elect a president and senators who are likely to nominate and confirm justices sympathetic to their concerns.*

- Do you think interest groups should influence the Court?

*Answers will vary. Be sure to ask students to explain their opinions. Encourage a few volunteers to share their reflections from Handout #1. (Note that the students will reflect on the same question later in the lesson.)*

3. Distribute **Handout #2: Background Notes About Interest Groups and the Supreme Court**. Ask students to volunteer reading sections of it aloud as other students read it silently. As you review the handout with students, pay particular attention to important vocabulary. Confirm that students understand the concepts in the handout.

4. (Unless you have pre-assigned partners,) ask students to pick a partner to conduct research with. Ask students to sit next to their partners.

Distribute **Handout #3: Summary of Research Cases and Interest Groups**. Project the companion transparency on the overhead projector.

Briefly review each case and ask students to suggest which interest groups may want to get involved in each case. Record students' answers as they brainstorm.

NOTE: Try not to suggest answers for them, but if they are struggling to think of any interest groups, you may mention one or two that are listed below.

- *D.C. v. Heller* – Brady Campaign to Prevent Gun Violence or the National Rifle Association
- *Gratz v. Bollinger, Grutter v. Bollinger* – National Urban League or the Center for Equal Opportunity
- *Santa Fe v. Doe* – Christian Legal Society or The Rutherford Institute (for civil rights)
- *Morse v. Frederick* – DARE America or National Coalition Against Censorship

5. (Unless you decided to pre-assign pairs of students to research particular cases,) ask each pair of students to choose two cases they would like to learn more about.

NOTE: Pairs should pick their first and second choice cases because you will want to be sure there are at least two pairs for each case.

Once the students have selected their research cases, distribute the version of **Handout #4 (A-D): Research Questions** that refers to their case. Explain that the directions for each case are the same, but the web sites to research are different. Ask a volunteer to read the directions and confirm that students understand the assignment.

6. Tell students to begin their Internet research and to fill in their handout as they work. Write the ending time on board and circulate around the room to help and observe student work.

**Day Two**

This part of the lesson also depends on the computer lab.

7. Students spend this day completing their research assignments as directed in Handout #4. Remind students they will be asked to discuss their research on Day Three. (Alternatively, this might be done out of class.)

**Day Three**

Prepare the classroom by hanging the “agree” and “disagree” signs on opposite ends of one wall or chalkboard. Choose a wall that is long enough for students to stand and to move along.

8. As students get settled into class, ask them to take out all four handouts related to this lesson and to stand next to their research partner.

*(Continued on next page)*

Ask everyone who studied the first case (about gun control) to raise their hands. You should then form a group of four by combining one research pair with another pair who studied the same case. (If possible, the pairs should have researched different interest groups.) Follow the same steps to form groups of four for the rest of the cases.

9. Project **Transparency #2: Directions for Sharing Research.** Review the directions for students and leave the transparency up throughout the activity so students can check it periodically. Ask the students to share their information as directed. Announce the ending time.

10. NOTE: You may want to add a step for students to learn about the outcome of the cases they studied. At the time this lesson plan was printed, some of the cases were not decided. Either you or your students can go to [www.oyez.org](http://www.oyez.org) and search based on the title of the case.

11. Ask and discuss the following summary questions:

- How would you define the term interest group in your own words?
  - *Writ of certiorari*?
  - *Amicus* brief?
- How do interest groups attempt to influence the Court at two particular stages in the review process?
- In your opinion, what motivates interest groups to be involved in Supreme Court litigation?
- Why would a party to a Supreme Court case want one or more interest groups to submit briefs for her or his side of the case?

12. Ask students to take out **Handout #1: Initial Reflection About The Influence of Interest Groups.**

Ask students to answer the following question on the back of the handout:

*Do you think interest group involvement in the Supreme Court cases is harmful or helpful for the cause of justice? Explain your answer.*

13. Call students' attention to the "agree" and "disagree" signs you have pre-placed on the wall or chalkboard.

Ask all students to listen carefully to the following statement: **The Supreme Court is isolated from the world of politics.**

Ask students to move to the sign that best reflects their thinking about that statement. Tell students they should be prepared to explain their reasons for why they chose to stand where they did.

Ask two or three student volunteers to explain the reasons for their "stance" on the question. Then invite two or three student reflecting the opposite view to give their reasons. Ask students if they wish to move based on the arguments their fellow students have just made.

Follow the above pattern (statement, move, explain one side, explain the other side, move) with this statement, too: **Interest groups represent specific concerns of various groups of people so their involvement in Supreme Court cases is good for democracy.**

After sufficient discussion, thank students for their input to this lesson.

#### RESOURCES:

"Granting Cert: How Does the Supreme Court Decide Which Cases to Decide?" by Diana Hess and Louis Gambler, 2006. <http://www.streetlaw.org/content.asp?ContentId=194>

## COURT EDUCATION VIDEO AVAILABLE

The Kansas Supreme Court has released a new educational video along with talking points on four court-related topics. The video, called *Justice in Kansas*, and the talking points may be accessed below.

**Justice in Kansas Video:** Published by the Kansas Supreme Court, produced in January 2009 and hosted by Chief Justice Robert E. Davis, the video provides information regarding the structure and function of the Kansas Judicial Branch. Copies of the video are available upon request to teachers or anyone interested in law-related education. Contact Ron Keefover, Education and Information Officer of the Office of Judicial Administration, Topeka, (785) 296-4872 to order. Video is approximately seven (7) minutes in length. Window Media Player 9.0 or above is required. [Free Download for WMP.](#)

#### Talking Points:

- Interesting facts regarding the Kansas Judicial System
- Types of courts
- Case statistics
- Jury service in Kansas
- About Kansas courts

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## TERRIFIC TECHNOLOGY FOR TEACHERS



### Check out these great websites ...

Lesson plans from the U.S. Court system  
<http://www.uscourts.gov/outreach/lessonplans/index.html>

Supreme Court lessons from PBS  
<http://www.pbs.org/wnet/supremecourt/educators/lp1.html>

A great resource for law related education websites put together by the Virginia Department of Education  
<http://civics.pwnet.org/resources.html>

Teaching with documents from the National Archives, *Brown v. Board*  
<http://www.archives.gov/education/lessons/brown-v-board/>

## Take a Field Trip!

Looking for a field trip idea? Interested in an interactive learning experience? Want to give your students a chance to meet with a federal judge? Need materials to help you teach about the courts?

Contact the U.S. District Court for the District of Kansas for help! We offer tours of our three courthouses and fun, timely, fun, interactive, EDUCATIONAL programs de-

signed for students of all ages.

Check out the program offerings at <http://www.uscourts.gov/outreach/index.html> and contact Neely Fedde, the Court's Public Outreach Specialist, at [neely\\_fedde@ksd.uscourts.gov](mailto:neely_fedde@ksd.uscourts.gov) or (913) 551-6692 for more information or to schedule a session in our Kansas City, Wichita, or Topeka courthouses or at your school.



## Resources at the Law-Related Education Inventory

**1. Democracy and Rights: One Citizen's Challenge HS DVD.** Hosted by Sandra Day O'Connor recounts the 1957 integration of Central High School in Little Rock, Arkansas. The video includes interviews with student Ernest Green, Supreme Court Justice William J. Brennan, and other major participants. 379.263/D397

**2. Dred Scott Decision HS DVD.** The Dred Scott decision involved slavery and states' rights. Ultimately, the course of this case led the country to civil war. Library number 348.04/Su76/III.

**3. Elie Wiesel: Facing Hate with Bill Moyers. H/S video.** As a survivor of the Nazi death camp at Auschwitz, Elie Wiesel examines the logic of hatred as expressed in books, religion, history and personal experience.

The Law-Related Education Inventory has many resources to help teach about law-related topics. The Kansas Bar Association and the lawyers in your community sponsor the Law-Related Education Inventory. To order a catalog, call Meg Wickham at the Kansas Bar Association, (785) 234-5696. The clearinghouse will mail free copies of law-related posters, games, mock trials, booklets, lesson plans, and other aids. It is open Monday through Thursday, 8 a.m. to 7 p.m., and Friday, 8 a.m. to 5 p.m. The director of the Teachers College Resource Center, which houses the Law-Related Education Inventory, Janice Romeiser, can be reached at [jromeise@emporia.edu](mailto:jromeise@emporia.edu).

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