

# Unit 1: Legal Problem Solving and Building a Persuasive Argument

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## Department of Curriculum and Instruction



Belleville Public Schools

Curriculum Guide

## Law & Advocacy

# Unit 1-Legal Problem Solving and Building a Persuasive Argument

Grades 10-12

## **Belleville Board of Education**

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Board Approved:

### **Unit Overview**

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In this Unit students will analyze various aspects of the American Legal System. The unit begins with a review of critical thinking and legal reasoning skills utilized in the legal services industry. Students will utilize mock trial skills learned and developed in Law I & Law II. Students will prep a case for trial. Students will work in co-operative groups to gather, organize and present information during a mock trial. Students will develop questioning techniques and public speaking strategies to advocate for opposing sides of a legal dispute. Students will analyze legislation and case law on women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities and how these groups have contributed to the American economy, politics and society. Students will assess the responses of the United States and other nations to the violations of human rights throughout history and comprehend the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens. Students will evaluate the government response to climate change and the effects of global warming on environment.

### **Enduring Understanding**

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Critical thinking and legal reasoning problem solving skills are transferable to other learning disciplines. The importance of problem solving skills and making the most persuasive argument within a given factual scenario will enhance a person's marketability and lead to career success. Writing, speaking, and listening skills are constantly being developed through practice and observation. All

people have the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens. Appreciation for the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society. Recognize the responsibilities of the United States and other nations to respond to the violation of human rights that occurred during the Holocaust and other genocides. Recognize the origins of the antislavery movement and the impact of particular events, such as the Amistad decision, on the movement. Evaluate the government response to climate change and the effects of global warming on environment.

## **Essential Questions**

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- What are the elements of effective writing, speaking, and listening skills?
- How can we discern facts from fabrication?
- What are the elements of a persuasive argument?
- How can information technology tools aid in the gathering, organizing, and presentation of a persuasive argument?
- What is the personal and legal responsibility that each citizen bears to fight racism?
- How have women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities contributed to the American economy, politics and society?
- How have the United States and other nations responded to the violation of human rights that occurred during the Holocaust and other genocides?
- What are the origins of the antislavery movement and what has been the impact of particular events, such as the Amistad decision, on the movement?
- What is and has been the government's response to climate change and the effects of global warming on environment?

## **Exit Skills**

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By the end of this Unit students will be able to:

- Define Legal Reasoning and use it as a problem solving method.
- Use Direct and Cross examination questioning techniques to illicit necessary information to develop a persuasive argument.
- Work co-operatively to gather, organize and present information using writing strategies applicable to the legal services environment.
- Demonstrate effective communication skills (e.g., writing, speaking, and listening) in the legal services environment.
- Comprehend the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens.
- Identify the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society.
- Discuss the responses of the United States and other nations to the violation of human rights that occurred during the Holocaust and other genocides.
- Comprehend the origins of the antislavery movement and the impact of particular events, such as the Amistad decision, on the movement.
- Evaluate the government response to climate change and the effects of global warming on environment.

LA.WHST.11-12.1	Write arguments focused on discipline-specific content.
LA.WHST.11-12.1.E	Provide a concluding paragraph or section that supports the argument presented.
LA.WHST.11-12.2	Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.
LA.WHST.11-12.2.E	Provide a concluding paragraph or section that supports the argument presented.  Civic and political institutions address social and political problems at the local, state, tribal, national, and/or international level.
SOC.6.1.12.CivicsDP.13.a	Analyze the effectiveness of national legislation, policies, and Supreme Court decisions in promoting civil liberties and equal opportunities (i.e., the Civil Rights Act, the Voting Rights Act, the Equal Rights Amendment, Title VII, Title IX, Affirmative Action, Brown v. Board of Education, and Roe v. Wade).
SOC.6.1.12.CivicsPI.14.c	Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights.

## **Interdisciplinary Connections**

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LA.RL.11-12.1	Cite strong and thorough textual evidence and make relevant connections to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.
LA.RL.11-12.2	Determine two or more themes or central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to produce a complex account; provide an objective summary of the text.
LA.RL.11-12.3	Analyze the impact of the author's choices regarding how to develop and relate elements of a story or drama (e.g., where a story is set, how the action is ordered, how the characters are introduced and developed).
LA.RL.11-12.4	Determine the meaning of words and phrases as they are used in the text, including figurative and connotative meanings; analyze the impact of specific word choices on meaning and tone, including words with multiple meanings or language that is particularly fresh, engaging, or beautiful. (e.g., Shakespeare as well as other authors.)
LA.RI.11-12.3	Analyze a complex set of ideas or sequence of events and explain how specific individuals, ideas, or events interact and develop over the course of the text.
LA.W.11-12.1.A	Introduce precise, knowledgeable claim(s), establish the significance of the claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that logically sequences claim(s), counterclaims, reasons, and evidence.
LA.W.11-12.1.B	Develop claim(s) and counterclaims avoiding common logical fallacies and using sound reasoning and thoroughly, supplying the most relevant evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the audience's knowledge level, concerns, values, and possible biases.
LA.W.11-12.1.C	Use transitions (e.g., words, phrases, clauses) to link the major sections of the text, create cohesion, and clarify the relationships between claim(s) and reasons, between reasons and evidence, and between claim(s) and counterclaims.
LA.W.11-12.2.A	Introduce a topic; organize complex ideas, concepts, and information so that each new element builds on that which precedes it to create a unified whole; include formatting

(e.g., headings), graphics (e.g., figures, tables), and multimedia when useful to aiding comprehension.

- LA.W.11-12.2.D Use precise language, domain-specific vocabulary, and techniques such as metaphor, simile, and analogy to manage the complexity of the topic.
- LA.W.11-12.3.D Use precise words and phrases, telling details, and sensory language to convey a vivid picture of the experiences, events, setting, and/or characters.
- LA.W.11-12.3.E Provide a conclusion that follows from and reflects on what is experienced, observed, or resolved over the course of the narrative.
- LA.W.11-12.9.B Apply grades 11–12 Reading standards to literary nonfiction (e.g., “Delineate and evaluate the reasoning in seminal texts, including the application of constitutional principles and use of legal reasoning [e.g., in U.S. Supreme Court Case majority opinions and dissents] and the premises, purposes, and arguments in works of public advocacy [e.g., The Federalist, presidential addresses]”).

## Learning Objectives

- Define Legal Reasoning and use it as a problem solving method.
- Develop Direct and Cross examination questioning techniques to illicit necessary information to develop a persuasive argument.
- Organize and present information using writing strategies to defend a cause or position
- Demonstrate effective writing, speaking, and listening skills.

**Action Verbs:** Below are examples of action verbs associated with each level of the Revised Bloom's Taxonomy.

Remember	Understand	Apply	Analyze	Evaluate	Create
Choose	Classify	Choose	Categorize	Appraise	Combine
Describe	Defend	Dramatize	Classify	Judge	Compose
Define	Demonstrate	Explain	Compare	Criticize	Construct
Label	Distinguish	Generalize	Differentiate	Defend	Design
List	Explain	Judge	Distinguish	Compare	Develop
Locate	Express	Organize	Identify	Assess	Formulate
Match	Extend	Paint	Infer	Conclude	Hypothesize
Memorize	Give Examples	Prepare	Point out	Contrast	Invent
Name	Illustrate	Produce	Select	Critique	Make
Omit	Indicate	Select	Subdivide	Determine	Originate
Recite	Interrelate	Show	Survey	Grade	Organize
Select	Interpret	Sketch	Arrange	Justify	Plan
State	Infer	Solve	Breakdown	Measure	Produce
Count	Match	Use	Combine	Rank	Role Play
Draw	Paraphrase	Add	Detect	Rate	Drive
Outline	Represent	Calculate	Diagram	Support	Devise
Point	Restate	Change	Discriminate	Test	Generate
Quote	Rewrite	Classify	Illustrate		Integrate
Recall	Select	Complete	Outline		Prescribe
Recognize	Show	Compute	Point out		Propose
Repeat	Summarize	Discover	Separate		Reconstruct
Reproduce	Tell	Divide			Revise
	Translate	Examine			Rewrite
	Associate	Graph			Transform
	Compute	Interpolate			
	Convert	Manipulate			
	Discuss	Modify			
	Estimate	Operate			
	Extrapolate	Subtract			
	Generalize				
	Predict				



## Suggested Activities & Best Practices

- Use of the e-learning platform using web based services for classroom management and lesson delivery
- Reading and outlining text and other e-material
- Using outline templates and PowerPoint presentations to reinforce student outlines
- Teacher oriented class discussion
- Reaction Papers addressing legal topics and current event issues
- Answering Discussion Questions and Unit/Lesson assessment questions
- Legal Vocabulary Review
- Unit specific Case Study exercises such as;
  - *The New Jersey State Bar Foundation Mock Trial case*
- Analyze and discuss legislation, policy making, case law, and current event issues addressing;
  - The effects of global warming on the environment
  - The political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people
  - The Holocaust and genocides and the personal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens

- The contributions of African-Americans to our country

## **Assessment Evidence - Checking for Understanding (CFU)**

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- Students will create outlines that will be reviewed and revised based on PowerPoint Presentation and class discussions-Alternate assessment
  - Checklists and the E-learning platform will be used to review student work for comprehension and understanding
  - Unit test-Summative Assessment
  - Evaluation rubrics for writing, oral presentations-Formative Assessment
  - Engage in Mock Trial debate of current event legal issues-Benchmark Assessment
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- Common Benchmarks
  - Compare & Contrast
  - Create a Multimedia Poster
  - Define
  - Describe
  - Evaluate
  - Evaluation rubrics
  - Exit Tickets
  - Explaining
  - Illustration
  - Learning Center Activities
  - Multimedia Reports
  - Newspaper Headline
  - Outline
  - Quickwrite
  - Quizzes
  - Self- assessments
  - Socratic Seminar
  - Study Guide
  - Teacher Observation Checklist
  - Think, Pair, Share
  - Think, Write, Pair, Share
  - Unit review/Test prep
  - Unit tests
  - Web-Based Assessments
  - Written Reports

## **Primary Resources & Materials**

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- Textbook: Mock Trials: Preparing, Presenting, and Winning Your Case
- Access to Legal periodicals such as NJSBF Legal Eagle and database resources such as Newsela, Mackin Educational Resources
- Internet access for legal research on current event issues
- Presentation tools such as a Smart T.V.
- E-Learning Platform (Student Information Systems i.e. Power School/Schoology)

## **Ancillary Resources**

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- BHS Courtroom
- BHS Law Library
- Video equipment for recording courtroom trials and activities

## **Technology Infusion**

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- Access to a cloud-based Student Information System (i.e. PowerSchool) and learning management system (i.e. Schoology)
- Presentation tools to aid in lesson delivery (i.e. Smart T.V.)
- Chromebooks for student use
- Video/Audio equipment for recording and reviewing courtroom presentations



## Alignment to 21st Century Skills & Technology

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Mastery and infusion of **21st Century Skills & Technology** and their Alignment to the core content areas is essential to student learning. The core content areas include:

- English Language Arts;
- Mathematics;
- Science and Scientific Inquiry (Next Generation);
- Social Studies, including American History, World History, Geography, Government and Civics, and Economics;
- World languages;
- Technology;
- Visual and Performing Arts.

SOC.6.1.12.CivicsPR.2.a	Use primary sources to explain how judicial review made the Supreme Court an influential branch of government and construct an argument regarding the continuing impact of the Supreme Court today.
LA.WHST.11-12.1	Write arguments focused on discipline-specific content.
LA.WHST.11-12.1.E	Provide a concluding paragraph or section that supports the argument presented.
LA.WHST.11-12.2	Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.
LA.WHST.11-12.2.E	Provide a concluding paragraph or section that supports the argument presented.
LA.WHST.11-12.6	Use technology, including the Internet, to produce, share, and update writing products in response to ongoing feedback, including new arguments or information.
SOC.6.1.12.HistoryCC.4.a	Analyze the extent of change in the relationship between the national and state governments as a result of the Civil War and the 13th, 14th, and 15th Amendments during the 19th century.
SOC.6.1.12.CivicsPD.14.a	Draw from multiple perspectives and cite evidence to explain the conflicting ideologies and actions of political parties regarding spending priorities, the role of government in the economy, and social reforms.
TECH.9.4.12.DC.5	Debate laws and regulations that impact the development and use of software.
TECH.9.4.12.IML.7	Develop an argument to support a claim regarding a current workplace or societal/ethical issue such as climate change (e.g., NJLSA.W1, 7.1.AL.PRSNT.4).  Laws govern many aspects of computing, such as privacy, data, property, information, and identity. These laws can have beneficial and harmful effects, such as expediting or delaying advancements in computing and protecting or infringing upon people's rights.

## 21st Century Skills/Interdisciplinary Themes

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- Critical Thinking and Problem Solving
- Communication and Collaboration
- Information Literacy
- Media Literacy

- Life and Career Skills
- Creativity and Innovation
- Communication and Collaboration
- Creativity and Innovation
- Critical thinking and Problem Solving
- ICT (Information, Communications and Technology) Literacy
- Information Literacy
- Life and Career Skills
- Media Literacy

## 21st Century Skills

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- Global Awareness
- Financial, Economic, Business and Entrepreneurial Literacy
- Civic Literacy
- Environmental Literacy
- Civic Literacy
- Environmental Literacy
- Financial, Economic, Business and Entrepreneurial Literacy
- Global Awareness

## Differentiation

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- Students will be given additional time for completion of assignments or assessments
- Cooperative grouping to enhance and elevate student productivity during legal research projects such as mock trial hearings
- Use of visual and auditory presentations to introduce and support lesson delivery
- Use of web based resources and databases that provide structured reading levels and read aloud options
- **Differentiations:**
  - Small group instruction
  - Small group assignments
  - Extra time to complete assignments
  - Pairing oral instruction with visuals
  - Repeat directions
  - Use manipulatives
  - Center-based instruction
  - Token economy
  - Study guides
  - Teacher reads assessments allowed
  - Scheduled breaks
  - Rephrase written directions
  - Multisensory approaches
  - Additional time
  - Preview vocabulary

- Preview content & concepts
- Story guides
- Behavior management plan
- Highlight text
- Student(s) work with assigned partner
- Visual presentation
- Assistive technology
- Auditory presentations
- Large print edition
- Dictation to scribe
- Small group setting

● **Hi-Prep Differentiations:**

- Alternative formative and summative assessments
- Choice boards
- Games and tournaments
- Group investigations
- Guided Reading
- Independent research and projects
- Interest groups
- Learning contracts
- Leveled rubrics
- Literature circles
- Multiple intelligence options
- Multiple texts
- Personal agendas
- Project-based learning
- Problem-based learning
- Stations/centers
- Think-Tac-Toes
- Tiered activities/assignments
- Tiered products
- Varying organizers for instructions

● **Lo-Prep Differentiations**

- Choice of books or activities
- Cubing activities
- Exploration by interest
- Flexible grouping
- Goal setting with students
- Jigsaw
- Mini workshops to re-teach or extend skills
- Open-ended activities
- Think-Pair-Share
- Reading buddies
- Varied journal prompts
- Varied supplemental materials

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## Special Education Learning (IEP's & 504's)

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- Students will work in cooperative groups to prepare Unit outline
  - Students will use Unit outline to complete Unit assignments and assessments
  - Students will work cooperatively to resolve legal disputes using Legal Reasoning problem solving skills
  - Provide modifications as dictated in the student's IEP/504 plan
  - Additional time for skill mastery
  - Preview of content
  - Behavior management plan
  - Student working with assigned partner
  - Modified test length
  - Modified assignment format
  - Assistive technology
  - Check work frequently for understanding
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- printed copy of board work/notes provided
  - additional time for skill mastery
  - assistive technology
  - behavior management plan
  - Center-Based Instruction
  - check work frequently for understanding
  - computer or electronic device utilizes
  - extended time on tests/ quizzes
  - have student repeat directions to check for understanding
  - highlighted text visual presentation
  - modified assignment format
  - modified test content
  - modified test format
  - modified test length
  - multi-sensory presentation
  - multiple test sessions
  - preferential seating
  - preview of content, concepts, and vocabulary
  - Provide modifications as dictated in the student's IEP/504 plan
  - reduced/shortened reading assignments
  - Reduced/shortened written assignments
  - secure attention before giving instruction/directions
  - shortened assignments
  - student working with an assigned partner
  - teacher initiated weekly assignment sheet

- Use open book, study guides, test prototypes

## **English Language Learning (ELL)**

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- Students will work with a peer tutor on Unit assignments and assessments
  - Assignments will be modified to enable students to focus on selected objectives such as legal vocabulary by providing a glossary
  - Providing study guides
  - Using word processing, spell check and grammar check features
  - Modifying tests and assignments
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- teaching key aspects of a topic. Eliminate nonessential information
  - using videos, illustrations, pictures, and drawings to explain or clarify
  - allowing products (projects, timelines, demonstrations, models, drawings, dioramas, poster boards, charts, graphs, slide shows, videos, etc.) to demonstrate student's learning;
  - allowing students to correct errors (looking for understanding)
  - allowing the use of note cards or open-book during testing
  - decreasing the amount of work presented or required
  - having peers take notes or providing a copy of the teacher's notes
  - modifying tests to reflect selected objectives
  - providing study guides
  - reducing or omitting lengthy outside reading assignments
  - reducing the number of answer choices on a multiple choice test
  - tutoring by peers
  - using computer word processing spell check and grammar check features
  - using true/false, matching, or fill in the blank tests in lieu of essay tests

## **At Risk**

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- Students will be provided with Unit PowerPoint and Study Guide
  - Students will be allowed to use Study Guide/outline on Unit assessments
  - Modifying tests and assignments
  - Tutoring by peers
  - Allowing students to select from given choices
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- allowing students to correct errors (looking for understanding)
  - teaching key aspects of a topic. Eliminate nonessential information
  - allowing products (projects, timelines, demonstrations, models, drawings, dioramas, poster boards, charts, graphs, slide shows, videos, etc.) to demonstrate student's learning
  - allowing students to select from given choices
  - allowing the use of note cards or open-book during testing
  - collaborating (general education teacher and specialist) to modify vocabulary, omit or modify items to reflect objectives for the student, eliminate sections of the test, and determine how the grade will be determined prior to giving the test.

- decreasing the amount of work presented or required
- having peers take notes or providing a copy of the teacher's notes
- marking students' correct and acceptable work, not the mistakes
- modifying tests to reflect selected objectives
- providing study guides
- reducing or omitting lengthy outside reading assignments
- reducing the number of answer choices on a multiple choice test
- tutoring by peers
- using authentic assessments with real-life problem-solving
- using true/false, matching, or fill in the blank tests in lieu of essay tests
- using videos, illustrations, pictures, and drawings to explain or clarify

## **Talented and Gifted Learning (T&G)**

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- Create a plan to solve an issue presented in class or in a case
  - Students will use Legal Reasoning problem solving skills to resolve legal disputes
  - Demonstrate self-directed learning, thinking, research, and communication skills
  - Look for extension ideas that challenge the student to delve deeper into the subject
  - Students will identify current legal issues and debate both in favor of and opposed to the issue.
  - Students will lead threaded discussions on various legal topics
  - Students will work in groups to represent each side of legal dispute and present arguments to student jurors
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- Above grade level placement option for qualified students
  - Advanced problem-solving
  - Allow students to work at a faster pace
  - Cluster grouping
  - Complete activities aligned with above grade level text using Benchmark results
  - Create a blog or social media page about their unit
  - Create a plan to solve an issue presented in the class or in a text
  - Debate issues with research to support arguments
  - Flexible skill grouping within a class or across grade level for rigor
  - Higher order, critical & creative thinking skills, and discovery
  - Multi-disciplinary unit and/or project
  - Teacher-selected instructional strategies that are focused to provide challenge, engagement, and growth opportunities
  - Utilize exploratory connections to higher-grade concepts
  - Utilize project-based learning for greater depth of knowledge

## **Sample Lesson**

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**Unit Name:** Legal Problem Solving and Building a Persuasive Argument

Mock Trial (State v. Jackson)

**NJSLS:**

See Standards Linked Below

**Interdisciplinary Connection:**

Critical Thinking

Problem Solving

Persuasive speaking and writing

Listening and questioning

Reading- Informative text/vocabulary

Writing-analysis/evaluation

**Statement of Objective:**

SWDAT work independently to build a persuasive oral presentation by writing first draft of the Opening Statement, Direct and Cross Exam Questions and/or Closing Argument. Students will complete their respective part of Phase II of the mock trial with 90% accuracy.

**Anticipatory Set/Do Now:**

Review fact pattern and Witness Profiles.

**Learning Activity:**

T/O class discussion; Write Opening Statement, Direct and Cross Exam Questions and/or Closing Argument.

**Student Assessment/CFU's:**

Students will create outlines that will be reviewed and revised based on PowerPoint Presentation and class discussions-Alternate assessment

Checklists and the E-learning platform will be used to review student work for comprehension and understanding

Unit test-Summative Assessment

Evaluation rubrics for writing, oral presentations-Formative Assessment

Engage in Mock Trial debate of current event legal issues-Benchmark Assessment

**Materials:**

## Text-Mock Trials: Preparing, Presenting, and Winning Your Case

Mock Trial materials  
Computer/Internet  
PowerPoint

### **21st Century Themes and Skills:**

Global Awareness

Financial, Economic, Business and Entrepreneurial Literacy

Civic Literacy

Environmental Literacy

### **Differentiation:**

Students will be given additional time for completion of assignments or assessments

Cooperative grouping to enhance and elevate student productivity during legal research projects such as mock trial hearings

Use of visual and auditory presentations to introduce and support lesson delivery

Use of web based resources and databases that provide structured reading levels and read aloud options

### **Integration of Technology:**

Access to a cloud-based Student Information System (i.e. PowerSchool) and learning management system (i.e. Schoology)

Presentation tools to aid in lesson delivery (i.e. Smart T.V.)

Chromebooks for student use

Video/Audio equipment for recording and reviewing courtroom presentations

SOC.6.1.12.CivicsPR.2.a	Use primary sources to explain how judicial review made the Supreme Court an influential branch of government and construct an argument regarding the continuing impact of the Supreme Court today.
LA.WHST.11-12.2	Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.
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TECH.9.4.12.IML.7	Develop an argument to support a claim regarding a current workplace or societal/ethical issue such as climate change (e.g., NJLSA.W1, 7.1.AL.PRSNT.4).