Unit 1: Legal Problem Solving and Building a Persuasive Argument

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Department of Curriculum and Instruction

Belleville Public Schools

Curriculum Guide

Business Law & Advocacy

Grades 10-12

Legal Problem Solving and Building a Persuasive Argument

Belleville Board of Education

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Unit Overview

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.

Enduring Understanding

Students will realize that critical thinking and legal reasoning problem solving skills are transferable to other learning disciplines. Students will comprehend the importance of problem solving skills and making the most persuasive argument within a given factual scenario. Writing, speaking, and listening skills are constantly being developed through practice and observation.

Essential Questions

- 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?

Exit Skills

What are the skills that the students should have obtained by the end of this unit?

- 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.

New Jersey Student Learning Standards (NJSLS)

9.3.LW.1	Analyze the nature and scope of the Law, Public Safety, Corrections & Security Career Cluster and the role law, public safety, corrections and security play in society and the economy.
9.3.LW.2	Formulate ideas, proposals and solutions to ensure effective and efficient delivery of law, public safety, corrections and/or security services.
9.3.LW.5	Analyze the various laws, ordinances, regulations and organizational rules that apply to careers in law, public safety, corrections and security.
9.3.LW-LEG	Legal Services
9.3.LW-LEG.1	Demonstrate effective communication skills (e.g., writing, speaking, listening and nonverbal communication) in the legal services environment.
9.3.LW-LEG.2	Interpret nonverbal communication cues in order to discern facts from fabrication.
9.3.LW-LEG.3	Produce written legal materials using writing strategies applicable to the legal services environment.
9.3.LW-LEG.4	Apply information technology tools to perform daily tasks assigned to legal services professionals.
9.3.LW-LEG.5	Analyze the role forensics plays in preventing and solving crimes.
9.3.LW-LEG.6	Use legal terminology to communicate within the legal services community.
9.3.LW-LEG.8	Analyze the influence of the three branches of the U.S. Government (judicial, legislative and executive) on the legal services.

Interdisciplinary Connections

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]").
SOC.6.1.12.A.1	Civics, Government, and Human Rights
SOC.6.1.12.A.2	Civics, Government, and Human Rights
SOC.6.1.12.A.3	Civics, Government, and Human Rights

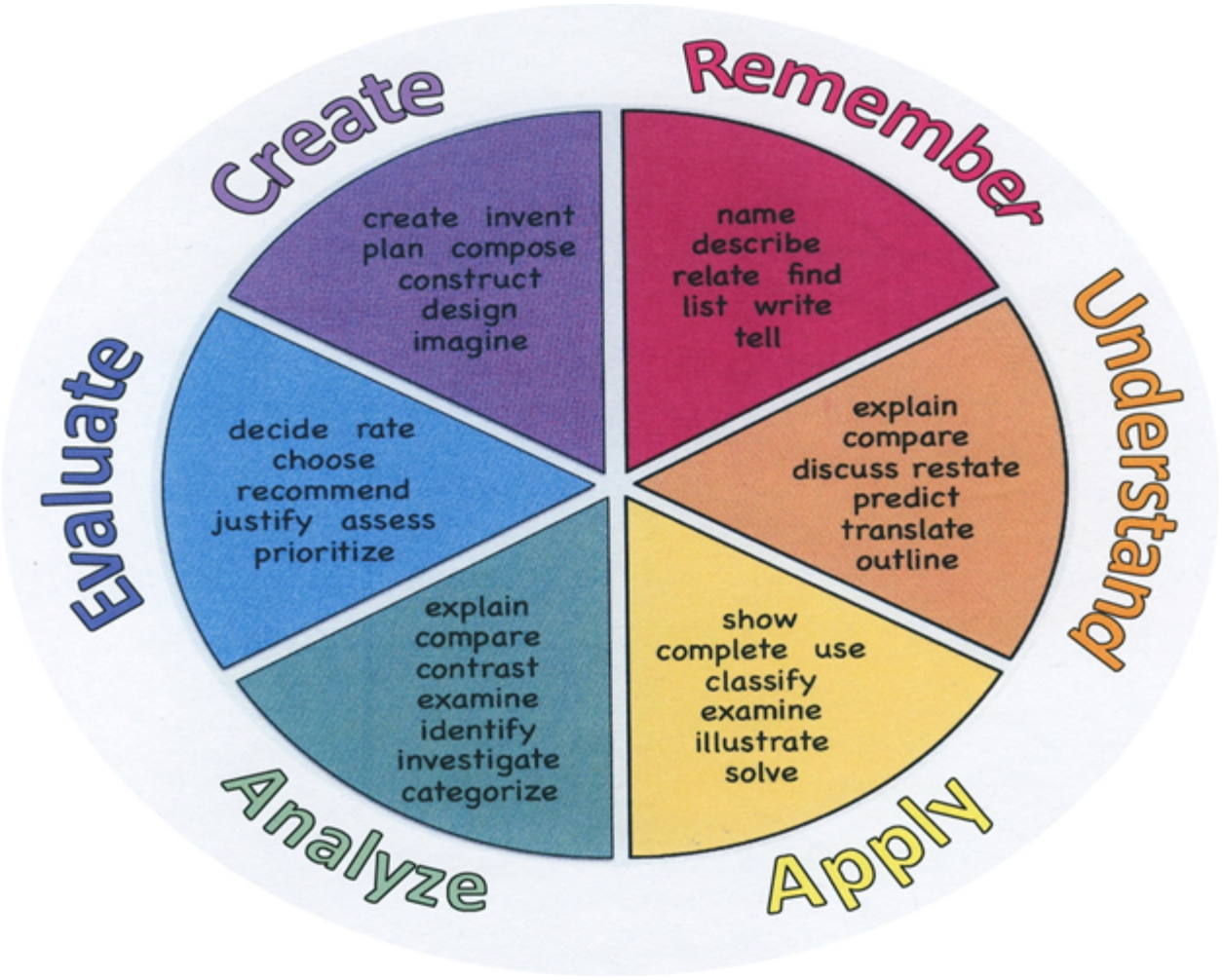
Learning Objectives

- 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

Guidelines for Suggested Activities:

- Reading and outlining text
- Teacher oriented class discussion
- Use of PowerPoint to reinforce outlines
- Reaction Papers
- Team debate
- Answering questions
- Mock Trial
- Analyze Real Cases

Assessment Evidence - Checking for Understanding (CFU)

- Unit tests including outline review-summative assessment
- Web-Based Assessments using Google Classroom-alternate assessment
- Written Reports including Reaction Papers of current event legal issues
- Teacher Observation Checklist
- Student prepared outlines
- Teacher/Student class discussion
- Oral Presentations/Mock Trial activities
- Think, pair, share-formative assessment
- Create a Multimedia poster-benchmark assessment

- 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

- Textbook
- Internet
- Lap-tops
- Mock Trial Materials

Ancillary Resources

- Legal research accessed through the use of the internet
- BHS Courtroom
- BHS Law Library

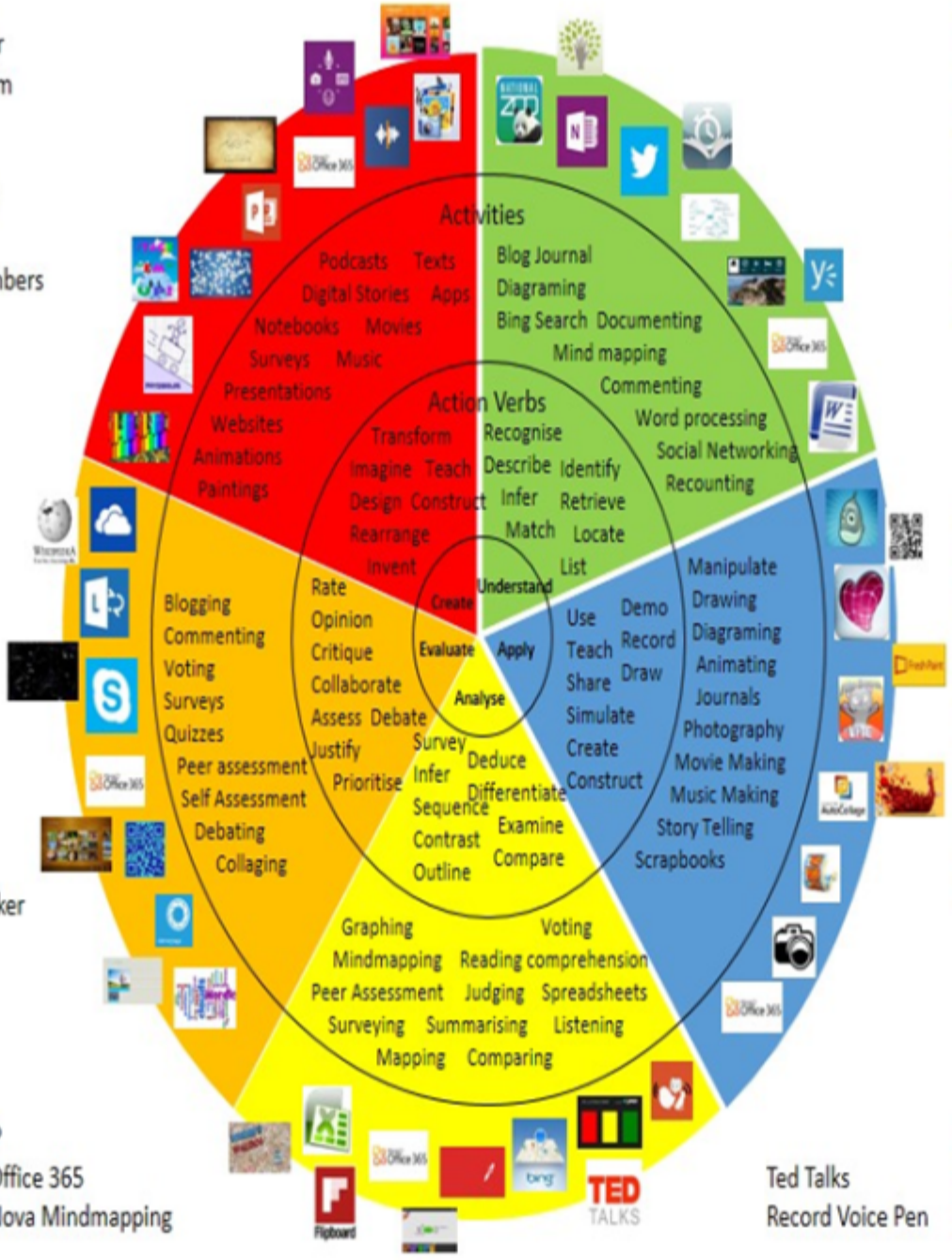
Technology Infusion

- Internet research of New Jersey State Bar Foundation Mock Trial cases
- PowerPoint presentations used for lesson delivery
- Smart T.V.
- Chromebooks
- E-Learning Platform (Google Classroom)
- Video/Audio equipment for recording and reviewing courtroom presentations

Win 8.1 Apps/Tools Pedagogy Wheel

Podcasts
Photostory 3
Kid Story Builder
Music Maker Jam
Paint A Story
Office 365
MS PowerPoint
Stack 'Em Up
NqSquared Numbers
Physamajig
Xylophone 8

Wikipedia
Skydrive
Lync
SkyMap
Skype
Office 365
Puzzle Touch
Easy QR
Memorylage
Life Moments
Word Cloud Maker



Where's Waldo?
MS Excel Office 365
Flipboard Nova Mindmapping

Ted Talks
Record Voice Pen

Originally taken from http://www.coetail.com/vzimmer/files/2013/02/iPadagogy-Wheel.001.jpg
And adapted for Windows 8.1 devices by Charlotte Beckhurst @CharBeckhurst

Alignment to 21st Century Skills & Technology

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.

CRP.K-12.CRP1	Act as a responsible and contributing citizen and employee.
CRP.K-12.CRP2	Apply appropriate academic and technical skills.
CRP.K-12.CRP4	Communicate clearly and effectively and with reason.
CRP.K-12.CRP5	Consider the environmental, social and economic impacts of decisions.
CRP.K-12.CRP6	Demonstrate creativity and innovation.
CRP.K-12.CRP7	Employ valid and reliable research strategies.
CRP.K-12.CRP8	Utilize critical thinking to make sense of problems and persevere in solving them.
CRP.K-12.CRP9	Model integrity, ethical leadership and effective management.
CRP.K-12.CRP10	Plan education and career paths aligned to personal goals.
CRP.K-12.CRP11	Use technology to enhance productivity.
CRP.K-12.CRP12	Work productively in teams while using cultural global competence.
CAEP.9.2.12.C.2	Modify Personalized Student Learning Plans to support declared career goals.
CAEP.9.2.12.C.3	Identify transferable career skills and design alternate career plans.
CAEP.9.2.12.C.4	Analyze how economic conditions and societal changes influence employment trends and future education.
CAEP.9.2.12.C.5	Research career opportunities in the United States and abroad that require knowledge of world languages and diverse cultures.
TECH.8.1.12	Educational Technology: All students will use digital tools to access, manage, evaluate, and synthesize information in order to solve problems individually and collaborate and to create and communicate knowledge.
TECH.8.1.12.A	Technology Operations and Concepts: Students demonstrate a sound understanding of technology concepts, systems and operations.
TECH.8.1.12.A.3	Collaborate in online courses, learning communities, social networks or virtual worlds to discuss a resolution to a problem or issue.
TECH.8.1.12.A.CS2	Select and use applications effectively and productively.
TECH.8.1.12.B.CS2	Create original works as a means of personal or group expression.

TECH.8.1.12.C	Communication and Collaboration: Students use digital media and environments to communicate and work collaboratively, including at a distance, to support individual learning and contribute to the learning of others.
TECH.8.1.12.D	Digital Citizenship: Students understand human, cultural, and societal issues related to technology and practice legal and ethical behavior.
TECH.8.1.12.E	Research and Information Fluency: Students apply digital tools to gather, evaluate, and use information.
TECH.8.1.12.F	Critical thinking, problem solving, and decision making: Students use critical thinking skills to plan and conduct research, manage projects, solve problems, and make informed decisions using appropriate digital tools and resources.

21st Century Skills/Interdisciplinary Themes

- 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

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

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 trials
- Use of visual and auditory presentations (i.e. PowerPoint, video clips, pictures) to introduce and support lesson delivery

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

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

- 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

- 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)

- 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
- Students and teacher will use translation apps to enable students to focus on selected objectives such as legal vocabulary

- teaching key aspects of a topic. Eliminate nonessential information
- using videos, illustrations, pictures, and drawings to explain or clarif
- 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 workpresented 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

- Students will be provided with Unit PowerPoint study guide

- Students will be allowed to use study guide/outline on Unit assessments
- Alternate assessments will be used such as Reaction Papers focusing on current events

- 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 workpresented 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)

- Students will use Legal Reasoning problem solving skills to resolve legal disputes
- Students will work in groups to represent each side of legal dispute and present arguments to student jurors
- Students will identify a current legal issue and present the issue and arguments on class web page for other students to participate in a threaded discussion

- 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

Unit Name: Legal Problem Solving and Building a Persuasive Argument

Mock Trial (State v. Jackson)
NJSLS:

See Link 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:

See Link Below

Materials:
Mock Trial materials
Computer/Internet
PowerPoint

21st Century Themes and Skills:
See Link Below

Differentiation:
See Link Below

Integration of Technology:
Computer/Internet
Lap-Tops
PowerPoint
SmartBoard