

TEACHING TOOLS: NYS UNIFIED COURT SYSTEM ELEMENTARY SCHOOL LEVEL

Court Tours: Learning From a Visit to the New York Courts*

LEARNING CONTEXT

Purpose:

The purpose of this lesson is to provide a focal point for students taking a field trip to the New York State Courts and to maximize learning about our justice system.

Grade Level:

This lesson is intended for grades 4 and 5; however, it can be modified for use with other grades.

Learning Standard:

Social Studies Standards 1 and 5.

Core Curriculum (excerpted from the Social Studies Resource Guide with Core Curriculum):

These activities address the core curriculum concepts and themes that relate to civic values, government, citizenship and civic life. The in-depth study of local government will emphasize the structure and function of the different branches and the roles of civic leaders. By participating in school activities that teach democratic values, students develop a sense of political efficacy and a better understanding of the roles of supporters and leaders. They expand their civic concepts of power, equality, justice, and citizenship as they learn about local government (grade 4). Students then build on and reinforce civic values and historic and political content learned about the United States by comparing and contrasting their government to that of other nations. Concepts such as civic life, politics, and government can be used to answer questions about what governments can and should do, how people should live their lives together, and how citizens can support the proper use of authority or combat the abuse of political power (grade 5).

Concepts:

- Understanding how every citizen is entitled to participate in local, state and national government by voting and may be required to participate in other ways, such as through jury service.
- Understanding the role of government in meeting the needs and wants of communities.
- Understanding how elected and appointed leaders make, enforce and interpret the law.
- Understanding and examining how rules and laws are developed to govern conflicts.
- Examining how government protects the rights of individuals and promotes the common good.

*Developed with the assistance of Paula Bienia, Elementary Social Studies Coordinator, Northport-East Northport School District

Prior Knowledge:

Students should know that there are three branches of government and that the judiciary is one branch.

Procedure:

The teacher should devote adequate time to preparing the students for their field trip. The New York State Unified Court System Activity Book may be used to provide basic information to students. Information in the Appendix may also help students understand what they will see on the trip.

Special Message to Teachers

The activities within each Teaching Tool are designed to build on each other to, first, develop students' knowledge of basic law-related concepts; then, show students how the concepts are utilized or implemented in the court system; and, finally, demonstrate how students should apply the concepts in their everyday lives. However, the various activities that comprise each tool may also be used as stand-alone exercises. For example, you may choose to incorporate only Day 1 or Day 3 into your course work. Or, you may choose to use Day 1 in connection with one unit and then use Day 2 in a later unit.

There is more than one way to utilize the Teaching Tools – the proper use is the use that is beneficial to your classroom.

Helpful Information:

- Schedule your field trip date and time with the court you will visit, and reserve buses for your trip; don't forget to make arrangements for any students with disabilities or limited English proficiency.
- Obtain a copy of the Juror's Handbook and Structure of the Courts and familiarize your students with the structure of New York State Courts and what occurs at trial.
Call the Office of Court Administration at (212) 428-2500 or see the Office of Public Affairs website, at www.courts.state.ny.us
- Send a copy of the Questionnaire and list of Activity Topics to the person at the court who will be conducting the field trip.
- Ask the person conducting the tour to assist in making an appointment for a judge to speak with your students while they are on the field trip.
- Obtain a copy of "Your Turn," the New York State Unified Court System's video on jury duty, from your Superintendent of Schools and show it to the students.
- Make copies of all worksheets -- if possible, students should have completed the New York State Unified Court System Activity Book prior to the field trip.
- Teach the proper vocabulary to your students – see the Appendix.
- Discuss the various careers in the courts -- see the Appendix.

- Simulate what your students will see on the field trip; if possible, complete the “Virtual Courthouse Tour” on the Office of Public Affairs Web Page.

Assessment:

Students should complete their New York State Unified Court System Activity Books before the field trip and share their results. A debriefing after the trip should help them process the new information learned on the trip.

For assessment purposes, students should spend time writing a thank you letter to one of the court employees they met on the trip and completing the questionnaire (attached). Students may also be assigned an activity idea (attached) to complete.

Assessment may be based on enthusiasm for what was learned on the trip, as well as on the amount of correct answers given on the questionnaire and in the activity selected.

14. What is the name of the highest Court in New York State?

15. Describe something that you learned on your trip to the court that you did not know before.

**ACTIVITY TOPICS:
NEW YORK STATE COURTS**

Please choose one of the following activities to help show what you learned on your field trip to a New York State court.

1. If you could choose a career in the New York State court system, which job would you choose and why would you choose it? Please give several reasons for your answer.
2. Use a flowchart to describe the New York State civil court system. Describe what the courts at different levels do.
3. Name three different reasons why a person would have contact with the court system. Describe the different processes involved with each reason.
4. Draw a cartoon depicting your visit to the Court.
5. Write an acrostic poem using the words "New York State Courts".
6. Write or create a rap about how the courts help the citizens of New York.
7. Research the current Chief Judge of the State of New York. Describe five important facts about the Chief Judge.
8. Describe the education and experience needed to become a judge. Be sure to specify the type of judge you are discussing.
9. Give an oral presentation on the various careers in the New York State court system.
10. Present a skit about something you learned on your field trip.

APPENDIX

The following information may help students understand what they will see during their visit to a court:

Context:

- (1) the court may be a civil court or a criminal court -- civil cases involve private citizens or companies suing each other, and the result is usually that the losing party has to pay an amount of money to the winning party; criminal court involves the People of the State (through the prosecutor's office) accusing a person of breaking a law, and if that person is found guilty, the result usually is a jail sentence
- (2) the court may be a trial level court or an appellate court -- both civil and criminal cases may be heard at the trial level or at the appellate level; the appellate courts have the power to overturn the trial courts' decisions if those decisions are found to be wrong and the losing party from the trial appeals the decision;
- (3) the court may have more than one judge -- appellate courts utilize multiple judges;
- (4) the court may or may not use a jury -- typically, small claims courts do not use juries; even if you appear in a court that usually utilizes juries, you may choose to use only the judge instead (called a bench trial).

Vocabulary:

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| attorney | In any criminal or civil trial, a person is usually represented by an attorney. In a criminal trial, the <u>prosecutor</u> represents the interests of the People of the State of New York; the <u>defense attorney</u> represents the criminal defendant, the person accused of committing a crime. Attorneys are also called lawyers. |
| complaint | In a civil trial, the filing of the complaint begins the action. In the complaint, the plaintiff (the person bringing a civil suit) lists all the improper acts allegedly committed by the defendant. |
| damages | In a civil trial, the usual result is an award of money to the winner. This amount is termed the damages award. |
| defendant | The person accused of breaking the law in a criminal trial or of committing improper acts that caused damages in a civil trial. |
| defense | The defendant is permitted to demonstrate that he or she did not break the law or perform the acts alleged. |
| deliberation | The process where the jury considers all the evidence presented to it in order to determine who wins the case. |

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| evidence | The facts about a case that are discussed during the trial. |
| gavel | The wooden object a judge holds in his or her hand to help maintain order. |
| jury | Several people selected by the attorneys to decide issues of fact. They must pay close attention to the evidence presented by both sides and decide on a verdict, which is the decision of whether the defendant is guilty or not guilty. |
| oath | The oath is administered by a court clerk or officer to each witness before the witness testifies. “Place your left hand on the Bible and raise your right hand. Do you solemnly swear or affirm that the testimony you are about to give is the truth, and nothing but the truth?” |
| plaintiff | The person who files a civil suit. |
| prosecutor | In a criminal trial, the attorney who represents the People of the State of New York and conducts the trial against the criminal defendant. |
| sentencing | In a criminal trial, if the defendant is found guilty, the judge will pronounce the sentence, which indicates how much jail time (or probation) the defendant will serve and/or how much of a fine the defendant must pay. |
| trial | The legal process by which civil or criminal cases are resolved. |
| verdict | The decision of the jury regarding who wins the case. The jury presents the verdict when they are asked by the judge. |
| voir dire | The process by which the attorneys select the jurors who will serve on the jury for a particular case. |
| witness | Witnesses assist attorneys by testifying and providing evidence about the case. The information is used by the jury to determine whether the defendant is guilty. |

Careers in the Courts:

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| Judge | The person who presides over the Court, decides issues of law, and ensures that justice is carried out in the courtroom. |
| Court Officer | Makes sure the courthouse is safe for everyone, including visitors to the court. |
| Court Reporter/ Stenographer | Records all proceedings that take place in the courtroom. |
| Court Clerk | Gives the oath to witnesses and assists the judge in keeping order in the court. |

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| Court Interpreter | Assists people who appear in court if English is not their primary language. |
| Law Clerk | Works very closely with one judge on cases that are at the court and performs legal research for the judge regarding the cases. |
| Secretary to Judge | Assists the judge by typing the judge's decisions and performing other related functions. |
| Court Attorney | Assists many judges in a courthouse by performing legal research. |
| Law Librarian | Assists the judges, law clerks and court attorneys with legal research and keeps the court's law books in order. |
| Court Analyst | Assists the court clerk with paperwork regarding the various cases filed at the court. |

Structure of the Courts:

(Appellate Courts)

Court of Appeals

Appellate Division
of the Supreme Court

Appellate Term
of the Supreme Court

(Trial Courts)

Supreme Court

Court of Claims

Family Court

Surrogate's Court

Courts of local jurisdiction in NYC:

Criminal Court
Civil Court

Courts of local jurisdiction outside NYC:

County Court
City Court
District Court
Town & Village Court