Teaching Law-Related Education

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by

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Introduction

The orange flew from a parked car and smashed the windshield of a passing state highway patrol car. The officer pulled over immediately, and several younger teens got out of the parked car and walked toward him. One of the teens quickly said that he didn’t know the orange would hit the window and he certainly did not mean to hit a highway patrol car. The officer quickly understood the embarrassing situation, gave the teenagers warnings, and ordered them to return to school.

This happened in the 1950s, and I was one of those teens. This encounter probably was not so unusual. Most teens experience the law and law-enforcement for the first time because they do something by mistake or through poor judgment. What was unusual was how that incident reflected principles of law-related education that I would use in my teaching career.

According to at least one study, the more that young persons come in contact with the police, the more their attitudes toward the law and law enforcement become negative (Palonsky and Jacobson 1982). However, good role models and a chance to think seriously about the
importance of law in everyday life can make a difference. They did in my case.

Law-related education (LRE) is the most effective way to get young persons to value the law in everyday life. Reasoning about the importance of law, analyzing its application in life's events, contact with role models, and reinforcement of good citizenship behavior in schools are the most effective and lasting ways to help young people develop positive attitudes about the law (Hunter 1991; Pereira and Rodriguez 1997).

LRE has been an important part of the social studies curriculum since the 1960s. It involves deliberate instruction about the justice system and respect for the law, and it also includes providing good role models and reinforcing good citizenship behavior in schools and communities. It uses role playing, discussion, simulation, value analysis, and debate about how the law works in one's life. It brings students together with properly trained resource persons, including lawyers and law-enforcement personnel. And it helps students resolve moral questions about the law and see the law's value to themselves and society.

Most persons stay out of trouble with the law and follow society's norms. Usually this is true because of the bonds they form with others in their society, at home and at work, in school, etc. However, when these bonds fail for students, other bonds can form, perhaps leading to alienation and delinquent acts.

Schools can provide the positive experiences that students need. Hunter (1991) and Pereira and Rodriguez (1997) show that when taught correctly, law-related ed-
ucation helps students to value the law and reduces delinquent behavior.
Teaching About the Law

The purpose of LRE is not just to provide knowledge of the justice system. LRE also should build positive attitudes toward that system. Thus LRE teachers need a repertoire of interactive teaching methods to fit a variety of situations.

Arlene Gallagher (1983) put together a list of effective interactive techniques for use in the LRE classroom. Those techniques are the Case Study Method, Values Analysis, Role Play, Simulations, Mock Trials, and Community-Based Education. Indeed, Gallagher’s book is a superior collection of articles describing effective and typical LRE techniques and should be read by anyone who is serious about including LRE in the classroom.

The Case Study Method

The case study method began when law professor Christopher Columbus Langdell thought his students would benefit from the deeper understanding of law that is gained by reading actual cases (Taylor 1983). The intent was to force students to become problem-solvers of the law as they learned both its general principles and appli-
cations. In addition, students would gain an understanding of the historic conflicts that made the law and would learn how the law resolves conflicts peaceably.

The case method is used in a number of social sciences, including sociology, political science, psychology, and economics (Taylor 1983). It is used to isolate social, economic, political, and psychological factors that affect a social situation and to draw conclusions about their importance. The case study method should be used only as a supplement to other instruction (Taylor 1983).

A law case often builds on the precedent (ruling and principles) of a previous case. If previous cases are not used, the insights gained about the subtle changes in law over time are lost. For example, the public sometimes questions why prayers in public schools were declared unconstitutional because they have no idea of the previous cases and principles that the Supreme Court used to help decide the case.

A law case should be used to explain a legal situation or conflict because it allows younger students to gain an understanding of complex cases. For my high school classes, I use major cases of the Supreme Court, as well as the cases that led to them and those that followed, to help students understand questions of civil liberties. With enough of this background, students soon learn to predict what the Supreme Court would decide in subsequent situations with similar facts.

Supreme Court cases have high reading levels and are 10 to 30 pages in length, so I use a worksheet that students fill out as I cover the facts, arguments, decision, and rule. Sometimes, short parts of the case are printed
(Supreme Court cases are public domain) and used to help explain the items as the students read and discuss them. Usually I present the facts and try to isolate the question in the case after students read about it in their textbooks. Then I call for arguments on both sides in the case. As students discuss the case, they try to determine the real issues and important facts. Finally, the class votes on the way the case will be decided. After the class decides the case, we examine how the Court actually decided it. This part of the class process is supplemented with various readings. If possible, the class examines previous cases to agree on a precedent and then considers subsequent cases. There often are dissenting opinions, just as there are in the Supreme Court.

Taylor (1983) urges the teacher to use the Socratic method, that is, to ask probing questions so that students express what they already believe and justify their reasons for those beliefs. It often happens that students realize that their beliefs about the law are incorrect. In addition, students begin to see the vague outlines of what the law is and how it is developed. Most important, this method helps students to see the law as a living and growing body of rules that society uses to govern itself; and many students develop a sense of obligation to follow the law.

Teachers who use the Socratic method with case studies need to be careful not to dominate the discussion. The teacher must be neutral, but with serious questions about all the positions expressed in order to lead students to discuss such aspects as consequences, relationships to former cases, and constitutionality.
The teacher needs to provide as much background (historical, social, economic, etc.) as is possible for each case used in class. Taylor suggests having the students prepare a “brief” that lists facts, arguments, precedents, and conclusions about the case.

The website for Street Law and the U.S. Supreme Court Historical Society (www.landmarkcases.org/casestudy.html) lists the landmark cases that can be downloaded as PDF files with detailed instructions on how to use the cases in class. They are available in three reading levels, emphasizing appropriate vocabulary for case-related activities. The website also includes a “Time” section that describes appropriate activities to fit the amount of time a teacher has to spend on a case. The site even includes recordings of the oral arguments. This website is an excellent source for teachers, and the activities are appropriate for middle school and high school students.

Another important source is Great Trials in American History by Arbetman and Roe. Written in a short-story format, this book is one of the best sources for famous legal cases and is appropriate for grades eight to 12.

Resources for younger students can be found in the annual list of trade books for younger readers, published in the National Council for the Social Studies journal, Social Education.

There are many ways to expand the case-study approach. In my own classes, I have had students “appeal” the case to a mock court. The student judges were dressed in choir robes, and the student attorneys prepared petitioner and respondent arguments. Videotaping gave an
added dimension to the proceedings and allowed students to critique their performances.

Some advantages to using case studies include high student interest, the development of critical-thinking skills, reflection about moral issues, and increased knowledge about legal and constitutional issues. In addition, case studies can be used in classes with a wide range of ability levels. Because students are actively involved in preparing materials and studying them, the students have a purpose for figuring things out for themselves. They often teach themselves about the issues, facts, and principal precedents of the case involved. The class discussion brings new ideas forward and perhaps new insights into the law and how it functions.

In addition, because the case study method is a process, teachers obtain early feedback on students’ progress. Teachers will recognize a student’s superficial answer or question and can assist the student to delve deeper into the questions, facts, and reasoning.

There are some disadvantages to the case study method. First, it cannot provide a general overview of the justice system: its structure, courts, kinds of cases, or types of laws. Students will have to learn that from textbook and lecture classes. The case study method is a valuable supplement, but it is only a supplement.

A second disadvantage is the time needed for teacher preparation. There are a number of materials that need to be prepared, and the teacher also must prepare the class for using this method. Also, because students are expected to read individual cases, write “briefings,” and discuss the cases, three to five hours per case will be spent on these activities.
In order to use this method, the teacher needs training in discussion techniques and LRE teaching techniques for controversial issues. Otherwise, students might emerge from arguments with hurt feelings and be afraid to enter into discussions again. There are ways to rehabilitate students who "lose" in class discussions, and teachers will need the skills to do this.

Values Analysis

To understand a culture, you first must understand the values that are the basis of that culture. In the same way, to understand the law, it is important to understand the underlying values of the society in which the laws work. Murphy and Coleman (1990) argue that all law has some type of moral justification based on the values of society.

Values analysis is an important part of LRE, especially in the upper grades. Rather than being wide and open-ended, it is the analysis of principles and practices in our constitutional republic concerning the nature of what law is and how it works in our society.

Values analysis is important because, as Nelson (1991) argues, studying law brings ethical and operational questions to issues of conflict and controversy in social studies. Often these are poorly taught, or ignored in a traditional teaching situation, or presented as a "sermon" in a social studies classroom. Civic competency can be improved using LRE as students learn to examine conflicting claims, different loyalties, and decision making in a democracy.
For example, lining up for a drink at the water fountain on a warm day becomes a moral act for children. With the pressures of high temperatures, activity of youth, and friendly pushing and shoving, it is an activity that easily escalates to more than just getting to the front of the line. Who is to go first: Those who are the most thirsty? The one who was there first? The oldest and biggest? The person who can’t run? Morals and ethics are taught in schools because they are necessary for survival and the functioning of the schools. Thus teaching values is a fundamental part of a public school education, whether it is recognized as such or not.

The real question is which values should be taught, the ones that are most intense — patriotism, for example — or ones with less conflict or controversy?

Laws passed to protect the values of society ensure stability and security. But what do students value? What does our society value? Perhaps schools should do a values analysis as students attempt to understand what the society values. By finding their own values, students can start to see how their priorities and those of others change.

Gallagher (1983) urges a few simple, yet practical exercises in values analysis. The items suggested include a few decision-making processes, including consensus, compromise, and accommodation. As students try to come to an agreement, they will realize that making decisions becomes more difficult when conflicts occur between those with different values. Students also realize that while these conflicts may be dangerous, they
may have positive aspects. It is possible that when conflicts occur, a resolution of the differences may occur also. Sometimes it is better not to cover up differences but to deal with them openly and to see if resolution is possible.

The first thing to emerge from values analysis in the classroom is that there is a delicate balance between some values and those values as expressed in law. Equality is valued in America; but it does not mean everyone is equal, everywhere, every time, and always. Some of us have talent and abilities that no one else can match.

Equality often is based on equal opportunity under the law. Gallagher (1983) offers suggestions for activities that emphasize the conflicts inherent in the concept of equality in American life. The simple game, “Suspenders,” is a limited-discussion game with the goal of bringing out all opinions, attitudes, and ideas to support a point of view. Participants are encouraged to take a point of view and describe the reasons they support that view. Most of the issues are controversial and current. Gallagher lists the following examples:

1. Juveniles should receive the same punishment as adults for similar offenses.
2. Punishment should be more lenient for juveniles than for adults.
3. Imprisonment should be done away with because it is a cruel form of punishment that does not prevent criminal behavior.
4. Prisons are necessary institutions for the safety of law-abiding citizens.
5. Anyone who works, regardless of age or sex, should be able to have credit cards in his or her own name.
6. Participation in some sports should be limited to males (1983, pp. 32-33).

The teacher goes quickly from statement to statement. Little time is allowed for discussion, because merely stating the ideas, opinions, etc., that support each statement is sufficient to get students involved. Value conflicts stand out clearly to the students as this activity continues. “Suspenders” is a good beginning to show students that equality issues often are value-oriented. Gallagher suggests that if the teacher and students want to explore one area in more depth, it should be planned for a later time.

Social Studies School Service, a commercial resource company, has similar value activities (www.socialstudies.com). In addition, bar associations and LRE agencies also have a wide variety of value activities that deal with equality under the law.

While the teacher’s approach is linked to his or her values, the teacher cannot just express these values without realizing what effect such expression might have. When the teacher states his or her values, class discussion drops to a lower level and students are reluctant to participate. Successful LRE teachers answer questions about their opinions and values only after the lesson is over because they do not want to threaten the students who are thinking about their own values. My own experience is that once a teacher has created a fair
and open atmosphere of honest discussion, students do not mind a good "sermon" on right and wrong. They broaden their perspective, leave their fears about teacher intimidation, and come to believe that "the teacher has freedom of speech, also."

Gallagher is correct to emphasize that values are "relative" concepts. "They are relative to each other and to the context of society" (1983, p. 31). Thus some things that seem so important to the teacher and to the students in class that day may not seem very important a year from now.

Gallagher (1983) suggests emphasizing student activities that focus on obligations, ideals, consequences, and responsibility. For each of these activities, the teacher must help students clarify their values. What could be more responsible than a citizen who does that?

Playing a game that encourages class discussion, such as "Suspenders," gives students practice in supporting different points of view (Gallagher 1983, p. 32). This is especially effective when the classroom group is polarized on an issue or when the activities are just beginning and students are inexperienced in value activities related to LRE. It encourages the participants to take a stand on a controversial issue and tell what support they have for their viewpoint.

If the discussions become heated, and some do, it is wise to slow them down. Ask one of the arguing students a simple question, "Why do you think Susie feels the way that she says she does?" Then ask the other student, "Why does Bill feel the way he does?" This takes a lot of heat out of the discussion and helps students to
examine different points of view. Students often report that this procedure prompts them to develop a deeper understanding of others' points of view, as well as their own. In addition, this activity stimulates a great deal of diverse thinking, yet guided and centered on questions about good, bad, the U.S. Constitution, or rights. This type of practice helps students develop ideas about why they support certain types of law or lawful activities.

The prospective LRE teacher can gather good discussion topics from current events, school events, or personal experiences. The topics should be related to law or the school's rules, not to someone's lifestyle. The teacher must guide the values analysis to keep the discussion on law and related questions, as well as to help students reason about how and why they support certain points of view. Gallagher (1983) suggests moving quickly from one topic to another to develop the skill of producing reasons to support a point of view. This makes students think about dilemmas and law and then move to the more complex analysis of these situations.

Another activity that is somewhat simple, but good practice, is "Making Hard Choices" (Gallagher 1983). This involves analyzing discrimination and relating some controversial, hard choices to discrimination laws. As the activity progresses, the students begin to see the relationship between society's values and the development of law. For example, "A woman with five children is denied welfare because a man with an average-paying job is living with her" (1983, p. 33) is a good situation to use to make students think about justice issues.

Another activity is "Why Have Law?" The teacher gives students a handout with questions about compli-
cated laws and laws that involve a conflict of values. "Laws should protect only the rich or the poor" and "Laws are a good way to make certain property is protected" are just two examples. As the students choose a side on the issue, they move to the side of the room with other students who have taken their position. As each student explains the reasons for his or her position, other students will naturally start discussing those reasons. The teacher should ensure that the discussions remain polite, but also that they are carried on in such a way that all students can follow them. Afterward, the teacher asks if there are any students who would like to change sides; some will do so. This always is a shock to the students, who usually have the notion that no one would ever, ever find someone else's arguments better than theirs.

Now add a resource person, such as a judge, lawyer, or police officer, and have them take sides and explain what they think about the issue. They also frequently change their positions as they go through the list of statements about law. Some of the students are pleasantly surprised that a judge, lawyer, or police officer agrees with their position. In my own classes, I have used the list of students' statements to build a definition of the law. This activity can be used with almost any type of issue, but the teacher should realize that any issue can have several good answers.

Kohlberg (1981) and other theorists contend that including a resource person improves a student's level of moral reasoning and understanding of the implications of human actions in society. Earlier research indicated
that the use of trained resource persons is the most important factor in helping students' value and support the law with appropriate, subsequent behavior. It distinguishes rule- and law-breaking behavior in youth (Hunter 1991).

Many conflicts and dilemmas exist in human civilizations between behavior and their core values. Liberty versus equality and majority power versus minority interests are examples of the dilemmas that exist in American society. These need to be examined by its developing citizens. Teachers who do not deal with these issues do their students a disservice. Those students will not have the depth of understanding and the insight needed to make an intelligent decision on some of these controversies.

Those who argue that values should not be taught to students are misleading themselves and society. Educators already are teaching values and cannot help but do so. Values are a part of developing good citizens who can make judgments about issues dealing with law and conflicts in society. LRE uses such teaching to develop a moral understanding of political and social behavior in American society's justice system.

**Role-Play**

When considering values analysis, role-play and simulation are natural, complementary teaching techniques that can be used with varying effectiveness. Role-play is informal and participatory, whereas simulation actually puts the person into a realistic situation and the person responds using methods that are being learned.
Klausmeier (1961) cites several studies that indicate that role-playing can be effective in changing college students' opinions. The effect of role-play on school children is not as clearly established, but some studies suggest that the technique can be useful. Klausmeier makes a number of suggestions for using role-playing with children in school:

- Use role-playing to develop new, positive attitudes, rather than to change older ones.
- Do not put a student in a role that is embarrassing.
- Make certain a positive experience occurs for the student in the role-play.
- Present an overview of the role-play before the activity so that students understand the experience before they do it.
- Provide desirable mentors or persons for the students in the classroom to model.
- Cultivate the desired behavior in the activity (Klausmeier 1961).

I have used "Democracy," a commercial simulation of the U.S. Congress, with high school juniors and seniors in classes on government. Few of the students knew much about Congress' day-to-day procedures, but many of the students expressed a mistrust of "politics." Every student in the classes participated as a senator, reporter, editorial page writer, or other role in the simulation. After the simulation, students indicated that they now saw the advantage to some forms of "politics" with which they had disagreed earlier.
Role-play within LRE is a primary teaching technique. A number of very effective role-plays and simulations are available from commercial publishers and bar associations. Several of the most popular simulations are "Police Patrol," "The Sentencing Game," and "No Vehicles in the Park." In "Police Patrol," for example, students become police officers and respond to violations of the law. In "The Sentencing Game," students become the judge, prosecuting attorney, defense attorney, or social worker. This allows students to get a firsthand taste of the issues involved in sentencing.

Some of these activities can be found in a collection of simulations, called "Youth and Police," from the Social Studies School Service (www.socialstudies.com). The company’s catalog also includes congressional simulations and "You Are the Judge," a role-play for grades four and five that involves 12 court cases and provides a variety of opportunities for students to express their opinions after considering the facts.

"The Sentencing Game" and "No Vehicles in the Park" are older role-plays and are available from many bar associations and LRE agencies for a modest cost.

The discussion that follows the role-play or simulation is an important activity. The teacher needs to plan some higher-level questions in advance so that the resulting discussions are challenging for both the teacher and the students. If the simulation involves a resource person from the legal community, he or she also must be involved in the debriefing. Students need some time to settle down after an activity such as this, and sharing their feelings and ideas about the experience helps. A
calm discussion, led by a lawyer, is often a good approach.

Mock Trials

Mock trials are the most popular simulations in LRE. They are excellent for developing interest, ideas, insights, and knowledge about the American court system and the Bill of Rights.

There are several factors to be considered before mock trials are used. First, the teacher needs to consider whether students are mature enough to perform in the mock trial. The teacher also needs to have the support of an administrator, who may be invited to the trial to observe. Another consideration is the amount of class time a mock trial will require. This will vary from grade to grade.

The most successful mock trials involve a resource person, such as a lawyer or judge who has volunteered to help students in their study about the law. Some sources for finding resource persons are discussed later in this fastback.

There are two types of mock trials, scripted and non-scripted. A scripted trial has lines that are written for each person: the judge, the prosecuting attorney, the defense, the bailiff, and witnesses. These lines usually are memorized by each person and used in the trial as it proceeds. The jury is the only group in the role-play without a script. It decides the facts of the case and returns verdicts or settlements when fault is determined.

If a teacher has never worked with a mock trial in class, the scripted mock trial should be used. It is easy
to control, and the students often appreciate that their roles are predetermined. A resource person still can be used to critique the trial, perhaps pointing out constitutional protections in the proceedings or telling how trials they had participated in had been similar or different.

Scripted trials are available commercially from many social studies supplies outlets, mail order companies, and on the Internet. The best-priced source may be a local bar association or LRE agency that will have scripted trials for use in appropriate grade levels. Lawyers have written these mock trials to help students learn about the law.

The non-scripted mock trial is a more complex and realistic trial. All the evidence (documents, warrants, depositions, etc.) is put in a packet that is given to the student attorneys on each side. The teacher may tell the attorneys about the case and describe some things about it, but the attorneys must draw their own conclusions about how to handle the case. The student attorneys write the opening statements and closing arguments, as well as the questions asked of witnesses. Student attorneys also take depositions of witnesses before the trial and use that information in the trial.

A resource person is invaluable in this situation. Before the trial, he or she can show students how to organize and present the case. I use a local prosecuting attorney to talk to the class about what goes into the preparation of a case for both sides before each mock trial. That attorney also views a videotape made of the class trial and returns to critique it. I also used a local judge for almost
18 years in the classroom for this project. This judge was invaluable in discussing the processes and constitutional issues of procedures in the trial. While one would not expect students to become talented lawyers in such a short time, the judge often would tell the students that some of the student attorneys were better than the attorneys who appeared before the judge’s court.

The process took about five class periods, with students using some outside meetings with attorneys and other resource persons to help them prepare their cases and to help them practice. The law-related homework that week was about courtroom procedures. I assisted the students by providing role cards with some hints about their roles as witnesses. However, the student attorneys prepared all statements and prepared all questions for their witnesses. The old trial rule of “never ask a witness a question for which you don’t know the answer” came home soundly when, more frequently than some desired, student attorneys had no idea how to handle the answers to poorly thought-out questions.

The non-scripted trial is complex, yet I have seen it performed by fifth-grade students with very positive results. One fifth-grade defense attorney, when denied the right to cross-examine a witness, rose to ask the judge if it wasn’t her right to cross-examine, adding, “That’s in the Constitution!” The judge, a real one, apologized for the error and allowed the cross-examination. I believe this student learned more about the Constitution and its protections for persons charged with crime through a mock trial than from merely memorizing the Bill of Rights and parroting back its provisions.
Another important consideration is the amount of time a mock trial will require. This varies from grade to grade. A rule of thumb for secondary students is that a scripted trial will take from two to four days. The students must have time to memorize and practice the lines. For unscripted trials, five days may be necessary because students must have time to interview the witnesses and the attorneys need time to prepare their opening and closing arguments.

For middle school students, a scripted case might need a day to read it aloud and four days to memorize and practice the lines. A non-scripted case can require another day or two. Scripted trials for first- to fourth-graders can require six days. Non-scripted trials might be too difficult for these students to complete.

For all grade levels some time should be reserved for a resource person, an attorney or judge, to talk to students about courtroom procedure and the Constitution and Bill of Rights protections in court.

The most challenging mock trials occur at statewide competitions for high school students. These are sponsored by bar associations and LRE agencies in dozens of states. Usually a state or local bar or LRE organization will write a case for the competition. The case usually is realistic and written by experienced trial attorneys. Schools field a group of student witnesses and attorneys. One school will be the plaintiff; the other the defendant. The jury is made up of experienced lawyers. Volunteer attorneys at the competition determine the winning school. Students reverse roles as they meet other schools at later competitions across the state, so that a school
team will reverse roles several times. Finally, the top schools compete at a national competition, this time with a new case written specifically for that competition. Hundreds of students participate in national mock trial competitions. Those who participate often indicate they will never forget what they have learned about the American system of justice.
Finding and Using Resource Persons

There are many sources for LRE resource persons, including a student's family member who may be a lawyer, a police officer, or even a judge. The best source is often the local bar association or an LRE agency. Lawyers often volunteer through these organizations to go into schools to talk to classes.

An LRE trainer gave me one of the best suggestions about using a resource person in a classroom that I can recall: “Don’t let the lawyers talk too much; let the students talk.” It is through their discussion that students see conflicts and dilemmas. But the teacher and resource person should guide the students as they think through their choice to follow the law. An immature young person needs that kind of guidance and challenge. But both the teacher and resource person must remember that the goal for LRE students is to become thinking citizens, not just indoctrinated robots afraid to discuss issues and unable to distinguish consequences. They learn to correct their own law-related behavior by using their reasoning powers.

A well-trained LRE resource person is probably the most important factor in lowering the delinquent be-
behavior of youth (Davis and Hunter 1984; Hunter 1991). However, if untrained resource persons are the only ones available, it is possible for the LRE teacher to train them. I found this to be effective; I used several in my classes for more than 10 years, and they always were glad to come back to the classroom to help.

Teachers often spend too little time in preparing resource persons to perform in their classrooms (Hardin 1991). Fortunately lawyers already have the skills on which minimal LRE training can be built. Training, both informal and formal, will show them how to use those specific skills in the LRE classroom. Lawyers already know the value of interactive questioning, and they are used to discussing laws as they apply to specific situations with their clients. When lawyers are given the materials for the law, case, and activity, a teacher can train the lawyer to use interactive discussion with the students, much as they do with their clients.

One problem faced by many new resource persons is that they feel overwhelmed when they first encounter the class. Anderson (1981) showed that, when entering an elementary school classroom, resource persons often are anxious because they do not know what kind of questions they will be asked. I can affirm that resource persons also have fears when entering the middle school, high school, and college classroom. They do not know what they are expected to do in some situations, they are afraid of the students, they are afraid they will be left alone with the students, and they are not sure what students can learn and at what level they can learn.

The teacher should first show the new resource person what the class is doing and the materials that the
class is working with. The teacher also should share some of his or her tips for success with the students, which will help the resource person feel less overwhelmed. In addition, the teacher should prepare some questions in advance and give them to the resource person so that the resource person will feel prepared.

There are several ways, both formal and informal, for training resource persons. If the teacher is fortunate, the lawyer asked to be a resource will have taken a course in law-related education. Several law schools offer these courses as electives. In these courses, the principles of LRE are taught and the role of a resource person is described and practiced.

However, few lawyers have taken LRE classes in law school, and some resource persons are not lawyers. In these cases, the teacher might be able to have the resource person attend a law-related education conference with the teacher. Many states have an LRE agency, such as the Constitutional Rights Foundation Chicago or the Missouri Bar Association, which sponsors these conferences. At these conferences, the resource person and the teacher are trained together to get the most benefit in the classroom. Teachers need to ask their own local or state bar associations about such programs. They also need to ask their school principals about support for attending. With the help of a school principal, I was able to have four resource persons attend a training session at a nearby conference, and the resource persons gained significant insights into the nature of LRE and their roles within it.

It is most likely that the teacher will need to train the LRE resource person by themselves. Most potential
resource persons will readily understand the need for "bonding" with the students and for engaging in interactive dialogue with the students.

In my own research, I have found that lawyers are involved in interactive dialogue on a daily basis with their respective clients. Lawyers truly teach the law to their clients in much the same way as occurs in the LRE classroom. By asking questions, seeking answers, developing generalizations, coming to conclusions, and speculating about future implications for behavior, the lawyers use almost exactly the same techniques with their clients as those that are used most effectively in the LRE classroom. Indeed, I have found that there is no significant difference between untrained LRE lawyers and trained LRE teachers in identifying effective LRE teaching techniques. Once lawyers are shown the materials they will be working with and how to use the interactive techniques they already know, they can help the students understand the law as readily as they help their clients.

Anderson (1981) provides some additional guidelines for using resource persons in the classroom:

- Decide how you will use the resource person and in what activity, that is, role-play, mock trial, explanation of the law, etc.
- Take care to balance age, ethnic, and gender characteristics of the resource persons used over a period of time.
- Choose the date and time with the resource person to lessen conflicts with court appearances or work,
and be careful about Monday and Friday afternoons, before or after assemblies or holidays, or other disruptive school activities.

- Prepare the children by telling information about the person, his or her background, and what the students can expect to hear or view.

Clark, Croddy, and Maxey (1981, p. 187) developed a list of "Do's and Don'ts" for resource persons in the LRE classroom:

**Don't**

- Lecture at the students.
- Use unnecessary multisyllabic words.
- Appear condescending or omniscient.
- Become angry at heckling or stubborn unresponsiveness.
- Speak in a monotone.

**Do**

- Prepare yourself adequately.
- Encourage student participation.
- Maintain eye contact with students.
- Maintain your enthusiasm.
- Remember the age of the students to whom you are talking.

Generally, I ask a trained resource person if he or she will participate about three to four weeks before an activity is scheduled. A written confirmation to the resource person listing the time, date, place, and topic should follow as soon as possible. A phone number where the teacher can be reached if it is necessary to cancel and
reschedule is imperative. It also is best to arrange parking at the school so that the resource person does not receive a parking ticket and staff members do not become angry about losing their parking places. Also, a thank-you note from a student or the entire class is not just courtesy, but a required activity if the teacher wants that resource person to return to his or her classroom again. Lawyers often frame those notes on their office walls, proudly telling clients about the lawyer’s role in explaining law to young people.

While it is important to remember that effective use of a resource person is very important, the teacher must remember that it is the teacher who is in charge. The resource person does not replace the teacher in the classroom, not even for a single class.
Training LRE Teachers

If schools or their teachers want to teach law-related education, the first thing to do is to plan some LRE training. This does not have to be very extensive. Solli-day (1983) surveyed LRE teachers in selected southern Illinois middle schools and high schools and found that many teachers, after attending an LRE awareness workshop, were able to further train themselves from their own reading and trial and error. However, these teachers did seek additional training whenever possible.

Perhaps the first place to start for LRE training is to attend a conference. Your state or local bar association or other LRE agency can tell you of conferences in your area. In addition, the Constitutional Rights Foundation Chicago website (http://www.crfc.org) lists many LRE sites, materials, and services available to the prospective LRE teacher.

Teachers interested in infusing LRE education into their classrooms also should acquire LRE materials and start reading them. A good place to start is the American Bar Association's website (http://www.abanet.org/publiced/home.html). It includes general information and lesson plans, as well as "Essentials of Law-Related
Education,” an online document that provides a good introduction to LRE. To sample interactive lesson plans for elementary, middle, and high school students, visit the website of the Constitutional Rights Foundation Chicago (http://www.crfc.org). In addition, almost every state bar association and LRE agency has a website that includes LRE lesson plans. A general online search using the keywords, “law-related education,” will reveal many such sites.

The textbook, *Street Law* (Arbetman and O’Brien 1999) also is an excellent source of information. The textbook covers general topics in criminal and civil law and includes dozens of activities for each chapter. In addition, there is a website (www.streetlaw.com) that includes a wealth of resources, including lesson plans and links to other sites, for each unit of the text. Although the textbook is written for the upper grades, it can provide an excellent overview of LRE for teachers at any level.

The new LRE teacher should be realistic about infusing LRE into the curriculum. It is best to start with two or three activities in one or two classes. Pickle (1983) found that teachers could infuse LRE topics into American history and economics classes with little difficulty.

Teachers must have encouragement throughout their training and as they begin to implement an LRE program. Often, it is best to work with another teacher, or even a team, when starting because the collegiality will provide much-needed support.
Y oung people must understand how the law works. They must understand how breaking the law will have consequences for them. But most of all, they must learn that having respect for the law will enrich them throughout their lives.

Students face a great number of choices in their lives. Because they are immature, students need guidance in making those choices. Teachers and resource persons in well-designed LRE programs can guide students in meeting those challenges successfully.

However, while LRE often results in reducing delinquent behavior among students, that is not its primary purpose. A well-run LRE program does not indoctrinate students into blindly following the law. Instead, such programs teach students to think critically about the law. Students come to understand the reasons for law, its principles, and their rights and responsibilities. They learn how the law, from the Constitution to their school rules, contributes to their lives and the quality of their society. They become thinking citizens of a participatory democracy. And that should be the goal of all education.
References


Pickle, C.C. “Teacher Ability to Implement Lesson Plan Components of a Law-Related Education Curriculum in In-


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