



Judicial Systems - Federal & VA Civil & Criminal Cases

Middle School/ Junior High Civics & Economics

Objectives: Students will be able to:

- gather and classify information and sequence events;
- use and create charts and pictures to determine characteristics of events;
- summarize points and evidence to answer a question;
- develop fluency in content vocabulary, and comprehension of verbal, written, and visual sources;
- access a variety of media, including online resources;
- investigate and research to develop products orally and in writing.

Standards

Virginia SOL: CE.9c The student will apply social science skills to understand the judicial systems established by the Constitution of Virginia and the Constitution of the United States by comparing and contrasting civil and criminal cases

National: NSS-C.9-12.3 Principles of Democracy

Approx. Time: One and a half 90 minute blocks or three 45 minute blocks

Hook: Start the lesson by mentioning that you saw an interesting news story recently involving a student who was arrested while he was in school. First, have the class try to guess why the student was arrested. Make a list on the board of their different suggestions and then show them the following video:

Video: <https://www.youtube.com/watch?v=ZvrZggD7m8A>

The video is a news story about the 10th Circuit Court of Appeals upholding the arrest of a student for **burping** in class. Allow the students to discuss the case to see what their reaction is. Wrap up the discussion by explaining that the 7th grade student was arrested and charged with a misdemeanor for interfering with the educational process in violation of New Mexico law. In the end, the U.S. Supreme Court refused to hear his mother's appeal and upheld the arrest. Ask students if they know what the difference is between a misdemeanor and a felony.

Explain that today they will learn the difference between (i) civil and criminal cases, (ii) the procedures for them, and (iii) the laws in Virginia that specifically apply to teenagers and juveniles. They will work together to teach the class about these subjects.

First, students need to know some important terms to be able to understand the procedures for criminal and civil cases.

Distribute the list of "Need-to-Know" words and ask the students if there are any words they may already know. Start with those, and define the on the board together.

As you get to the more difficult words, have students guess what those terms mean, then guide them to the correct definition.



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Once all the words have been defined, as a class, come up with simple pictures or symbols for each one.

Now that students are familiar with the important vocabulary, they can move on to learning the procedures for criminal and civil cases.

1. Start by cutting up the different steps on the Procedure for Criminal and Civil Cases Cut Ups.
2. Next, give students the Differences Between Criminal & Civil Cases and Procedures Student Handout.
3. Project or write the definitions of criminal and civil cases using the explanations below.
4. Once students have written the definitions and briefly discussed the differences, divide them into two groups, one for criminal and one for civil cases. The criminal group should be about twice as large as the civil group.
5. Distribute the 7 cut up steps for criminal cases to that group and the 4 cut up steps for civil cases for that group. Students should pair up and pick a step from the assigned group.
6. Students should use the Brainstorming Template below to brainstorm and record their information.
7. Using poster paper, have the students write the step they are assigned with an explanation, including definitions of any words with which they are not familiar.
8. Each poster should include a simple picture or diagram that helps explain that particular step.
9. Once all posters are completed, have the students present them in order, from the first step to the last step of the procedure. Begin with the criminal steps, then do civil to avoid confusion. Students can either post them on a wall or stand with them to arrange the steps in the correct order.
10. Students should write down each step presented on the Differences Between Criminal & Civil Cases and Procedures Student Handout.



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Terms to Know:

Felony: A serious crime.

Misdemeanor: A less serious crime.

Incarceration: Being held in prison.

Probable Cause: Reasonable basis that a crime has been committed.

Arraignment: A court hearing in a criminal case where charges against the accused are read to them and they may plead guilty or not guilty.

Defendant: A person accused of a crime.

Plaintiff: A person who brings a case against another in a court of law.

Plea: A formal statement by a defendant where they state they are guilty or not guilty.

Preliminary Hearing: A hearing where a judge decides if there is enough evidence to proceed with a criminal trial.

Grand Jury: A group of citizens selected randomly from the community who must be called to determine if there is enough evidence to proceed with trial of a person for a serious crime.

Indict: To formally accuse or charge someone with a crime (used by grand juries).

Compensation: Something, typically money, awarded to someone in recognition of loss, suffering, or injury.

Criminal Case Definition (Virginia SOL): In a criminal case, a court determines whether a person accused of breaking the law is guilty or not guilty of a misdemeanor or a felony.

A further explanation of a criminal case: In a criminal case, a court determines whether a person accused of breaking the law is guilty or not guilty of a misdemeanor or a felony. Both may be punishable by incarceration and/or a fine paid to the government.

Procedure for criminal cases

1. A person suspected of a crime may be arrested if the police have probable cause to believe the person has broken a law.
2. After an arrest, the accused is brought to court for an arraignment. This could be for both felonies or misdemeanors.
3. At the arraignment the accused is advised of the right to have an attorney and to have one appointed if they cannot afford one.
4. At the arraignment probable cause may be addressed and a plea may be entered.
5. At the arraignment the accused may be committed to jail or released on bail.
6. In a felony case, a preliminary hearing is conducted to hear evidence to determine if there is probable cause.
7. If probable cause is found, the charges are sent to a grand jury, which will determine if there is enough evidence to indict the accused.
8. For a felony, if the grand jury indicts, then a trial is conducted by a judge or a jury.
9. In a misdemeanor case, the accused is tried by a judge without a preliminary hearing or grand jury.
10. In both a misdemeanor and felony case, a guilty verdict may be appealed to a higher court. A not guilty verdict may not be appealed.



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Civil Case Definition (Virginia SOL): In a civil case, a court settles a disagreement between two parties to recover damages or receive compensation.

A further explanation of a civil case: In a civil case, a court decides a disagreement between two parties where generally the court (i) orders one party to pay the other money, damages, or compensation, or (ii) declares which one is right under law, or (iii) orders a party to do something or stop doing something.

Procedure for civil cases

1. The plaintiff files a complaint to obtain relief or receive compensation.
2. Cases may be heard by a judge or a jury, depending on the issue or amount of damages sought.
3. A ruling (decision) is issued by the judge or a verdict by the jury.
4. The judge's decision or the jury's verdict (the final judgment) may be appealed to a higher court by either party.

Now that students are familiar with the procedures for criminal and civil cases, they will complete a webquest using the Virginia Rules website to learn about specific laws and rights in Virginia pertaining to teenagers.

Suggestion: The webquest contains 25 questions concerning various topics relevant to teenagers. As the teacher, use your discretion to pick and choose questions and topics you feel are best suited for your students.

Suggestion: If available, have the school resource officer participate in the discussion when reviewing the answers to the webquest!

Struggling Learners: Students should work in pairs to complete the webquest if they are having difficulty finding the answers.

Advanced Learners: For even more examples of rights of teenagers in school, students should

- review the online article (below) about Supreme Court cases every teenager should know,
- select a case,
- create a poster for that case, and
- explain how it is an example of judicial review.

Have them share with the class and allow sufficient discussion about the cases. (This is great for class discussion!)

https://archive.nytimes.com/www.nytimes.com/learning/teachers/featured_articles/20080915monday.html



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Name _____ Date _____

Need-to-Know Words for Criminal & Civil Cases

TERM	DEFINITION	PICTURE/SYMBOL
1. Felony		
2. Misdemeanor		
3. Incarceration		
4. Probable Cause		
5. Arraignment		
6. Defendant		
7. Plaintiff		
8. Plea		
9. Preliminary Hearing		
10. Grand Jury		
11. Indict		
12. Compensation		



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Name _____ Date _____

Criminal & Civil Cases Vocabulary Review

Now that you are familiar with the definitions of the “need-to-know” words for criminal and civil cases, it is time to put your knowledge to the test! Using the word bank, fill in the correct words in the blank to complete the statement.

1. A _____ (a) _____ refused to _____ (b) _____ a man charged with stealing money from his business.

a. _____

b. _____

2. The police did not have enough evidence for _____ (a) _____ in order to search the suspect's apartment.

a. _____

3. The _____ (a) _____ in the case sued the _____ (b) _____ for damages after the accident.

a. _____

b. _____

4. The student was charged with a _____ (a) _____ for spray-painting graffiti on the school doors.

a. _____

5. At the _____ (a) _____ hearing, the defendant entered a _____ (b) _____ of not guilty for the misdemeanor charge of vandalism.

a. _____

b. _____

6. If you are caught stealing a car, you will be charged with a _____ (a) _____ and may result in _____ (b) _____ for a year or two.

a. _____

b. _____



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7. The judge at the _____ (a) _____ decided there was enough evidence that the defendant should be charged for stealing a car and go to trial.

a. _____

8. After winning the case, the plaintiff was awarded _____ (a) _____ for his injuries in the car accident.

a. _____

Word Bank

Felony

Probable Cause

Plaintiff

Grand Jury

Misdemeanor

Arraignment

Plea

Indict

Incarceration

Defendant

Preliminary Hearing

Compensation



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TEACHER KEY

Criminal & Civil Cases Vocabulary Review

Now that you are familiar with the definitions of the “need-to-know” words for criminal and civil cases, it is time to put your knowledge to the test! Using the word bank, fill in the correct words in the blank to complete the statement.

1. A ____ (a) ____ refused to ____ (b) ____ a man charged with stealing money from his business.

a. Grand jury

b. Indict

2. The police did not have enough evidence for ____ (a) ____ in order to search the suspect's apartment.

a. Probable Cause

3. The ____ (a) ____ in the case sued the ____ (b) ____ for damages after the accident.

a. Plaintiff

b. Defendant

4. The student was charged with a ____ (a) ____ for spray-painting graffiti on the school doors.

a. Misdemeanor

5. At the ____ (a) ____ hearing, the defendant entered a ____ (b) ____ of not guilty for the misdemeanor charge of vandalism.

a. Arraignment

b. Plea

6. If you are caught stealing a car, you will be charged with a ____ (a) ____ and may result in ____ (b) ____ for a year or two.

a. Felony

b. Incarceration



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TEACHER KEY

7. The judge at the _____ (a) _____ decided there was enough evidence that the defendant should be charged for stealing a car and go to trial.
- a. **Preliminary Hearing**
8. After winning the case, the plaintiff was awarded _____ (a) _____ for his injuries in the car accident.
- a. **Compensation**

Word Bank

Felony	Misdemeanor	Incarceration
Probable Cause	Arraignment	Defendant
Plaintiff	Plea	Preliminary Hearing
Grand Jury	Indict	Compensation



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Procedure for Criminal Cases Cut Ups

1. A person suspected of a crime may be arrested if the police have probable cause to believe the person has broken a law. **Criminal Cases**
2. After an arrest, the accused is brought to court for an arraignment. This could be for both felonies or misdemeanors. **Criminal Cases**
3. At the arraignment the accused is advised of the right to have an attorney and to have one appointed if they cannot afford one. **Criminal Cases**
4. At the arraignment probable cause may be addressed and a plea may be entered. **Criminal Cases**
5. At the arraignment the accused may be committed to jail or released on bail. **Criminal Cases**
6. In a felony case, a preliminary hearing is conducted to hear evidence to determine if there is probable cause. **Criminal Cases**
7. If probable cause is found, the charges are sent to a grand jury, which will determine if there is enough evidence to indict the accused. **Criminal Cases**
8. For a felony, if the grand jury indicts, then a trial is conducted by a judge or a jury. **Criminal Cases**
9. In a misdemeanor case, the accused is tried by a judge without a preliminary hearing or grand jury. **Criminal Cases**
10. In both a misdemeanor and felony case, a guilty verdict may be appealed to a higher court. A not guilty verdict may not be appealed. **Criminal Cases**



Judicial Systems - Federal & VA Civil & Criminal Cases

Procedure for Civil Cases Cut Ups

1. The plaintiff files a complaint to recover damages or receive compensation. **Civil Cases**
2. Cases may be heard by a judge or a jury, depending on the issue or amount of damages sought. **Civil Cases**
3. A ruling (decision) is issued by the judge or a verdict by the jury. **Civil Cases**
4. The judge's decision or the jury's verdict (the final judgment) may be appealed to a higher court by either party. **Civil Cases**



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Name _____ Date _____

Brainstorming Template

Step:
(In Big Block Letters)

Explanation:
(complete sentence)

Colorful Picture or Diagram

Unknown words with definitions:

•

•

•

•

STUDENT HANDOUT



Judicial Systems - Federal & VA Civil & Criminal Cases

Name _____ Date _____

Differences Between Criminal & Civil Cases and Procedures

CRIMINAL CASES	CIVIL CASES
DEFINITION: <div></div>	DEFINITION: <div></div>
PROCEDURES: <div></div>	PROCEDURES: <div></div>

STUDENT HANDOUT



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Name _____ Date _____

Virginia RULES Webquest

Answer the following questions using the Virginia Rules website. Look on the left side of the website for topics addressed in each question!

Virginia RULES website: <https://virginiarules.org/varules-topics/>

Legal Rights of Juveniles

1. Who is considered a juvenile in Virginia?

2. List the four basic legal rights of juveniles.

3. Is it possible to have juvenile court records destroyed? How?

4. What type of crime is made public for everyone to see?

Property Crimes

5. What is larceny?

6. Is stealing more than \$5 from a person petit larceny or grand larceny?

7. How is graffiti or "tagging" prosecuted in Virginia?

8. What is the punishment for trespassing on school property at nighttime?

9. What is the punishment if you use a computer to change a grade?

STUDENT HANDOUT



Judicial Systems - Federal & VA Civil & Criminal Cases

Name _____ Date _____

Shoplifting

10. List 3 possible consequences of being convicted of shoplifting.

Student Responsibilities

11. Do students have to attend school in Virginia by law?

12. Who is authorized to bring you to school if you are skipping?

Give It, Get It: Trust and Respect Between Teens and Law Enforcement

13. If you are stopped by police while driving, where should your hands be?

14. If you need to reach for something what should you do?

15. Signing a ticket is not admitting you are guilty, however, what happens if you refuse to sign the ticket?

16. If an officer is unprofessional, or treats you disrespectfully what should you do?

Teens & Employment

17. At what age can you work in Virginia with an employment certificate?

Family Relationships & the Law

18. Can your parents open mail addressed to you as a teenager?

19. Can you get a tattoo without your parents' permission?



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Name _____ Date _____

Bullying

20. Bullying is not a crime in Virginia, but acts involved in bullying are criminal offenses. List three acts that are considered criminal that are associated with bullying.

21. What are some things you should do if you experience cyberbullying?

Alcohol & Tobacco

22. What is the penalty for someone under 21 to purchase or possess alcohol?

23. Can you legally drink at home with your parents present and with their permission if you are under 21?

24. What happens if you bring alcohol to school?

25. What is the penalty if you are under age and caught with tobacco or vaping products?



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TEACHER KEY

Virginia RULES Webquest

Answer the following questions using the Virginia Rules website. Look on the left side of the website for topics addressed in each question!

Virginia RULES website: <https://virginiarules.org/virginia-rules/>

Legal Rights of Juveniles

1. Who is considered a juvenile in Virginia?

Anyone under 18 years of age

2. List the four basic legal rights of juveniles.

1. to be informed of their rights and of the charges against them, 2. to be represented by an attorney, 3. to confront their accuser and cross-examine witnesses, 4. to refuse to testify against themselves

3. Is it possible to have juvenile court records destroyed? How?

Yes, if you are found not guilty or the case is dismissed you can request the record be destroyed

4. What type of crime is made public for everyone to see?

A felony

Property Crimes

5. What is larceny?

Theft

6. Is stealing more than \$5 from a person petit larceny or grand larceny?

Grand Larceny

7. How is graffiti or "tagging" prosecuted in Virginia?

If the damage is more than \$1000 Class 6 felony, less than \$1000 Class 1 misdemeanor

8. What is the punishment for trespassing on school property at nighttime?

Class 3 misdemeanor

9. What is the punishment if you use a computer to change a grade?

Class 1 misdemeanor



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TEACHER KEY

Shoplifting

10. List 3 possible consequences of being convicted of shoplifting.

Jail time, court costs and fees, attorney fees, civil liability, being banned from premises, negative effects on future job or college prospects

Student Responsibilities

11. Do students have to attend school in Virginia by law?

Yes

12. Who is authorized to bring you to school if you are skipping?

Law enforcement officers

Give It, Get It: Trust and Respect Between Teens and Law Enforcement

13. If you are stopped by police while driving, where should your hands be?

On the steering wheel where the officer can see them

14. If you need to reach for something what should you do?

Ask the officer if it is okay to reach for something

15. Signing a ticket is not admitting you are guilty, however, what happens if you refuse to sign the ticket?

You can be arrested

16. If an officer is unprofessional, or treats you disrespectfully what should you do?

File a complaint after the incident is over—never argue, curse, physically confront, or act disrespectful

Teens & Employment

17. At what age can you work in Virginia with an employment certificate?

14 or 15



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Family Relationships & the Law

18. Can your parents open mail addressed to you as a teenager?

Yes

19. Can you get a tattoo without your parents' permission?

Not if you are under 18

Bullying

20. Bullying is not a crime in Virginia, but acts involved in bullying are criminal offenses. List three acts that are considered criminal that are associated with bullying.

Threat, harassment, extortion, assault & battery, robbery, and hazing

21. What are some things you should do if you experience cyberbullying?

Walk away, report it to your service provider, block the bully, or save the evidence to show to your parents

Alcohol & Tobacco

22. What is the penalty for someone under 21 to purchase or possess alcohol?

Class 1 misdemeanor and, face a fine of up to \$2,500 and/or a year in jail if convicted. At a minimum, the court will order a mandatory minimum fine of \$500 or a mandatory 50 hours of community service and suspend the driver's license or deny driving privileges for not less than six months. The court may also order substance abuse education, counseling and treatment.

23. Can you legally drink at home with your parents present and with their permission if you are under 21?

Yes

24. What happens if you bring alcohol to school?

You will face school discipline and criminal charges including possible fines and jail time

25. What is the penalty if you are under age and caught with tobacco or vaping products?

Class 4 misdemeanor, possible fines, and community service