



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 them 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.



Judicial Systems - Federal & VA Civil & Criminal Cases

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.



Judicial Systems - Federal & VA Civil & Criminal Cases

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