

LESSON TITLE

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| The Importance of Precedents - Bowman |
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| LESSON GOAL(S) | ESSENTIAL QUESTION(S) |
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| Understand the importance of precedents and Supreme Court rulings. | How do precedents impact Supreme Court rulings? |

CIVICS STANDARDS ALIGNMENT (STATE STANDARDS & C3 FRAMEWORK)

What standards from the NH State Standards and/or from the C3 are emphasized in the lesson?

| STATE STANDARDS | | C3 STANDARDS | |
|-----------------------------------|----------|--------------------------------|----------|
| Nature and Purpose of Government | X | Civic & Political Institutions | X |
| Structure of NH & U.S. Government | X | Participation & Deliberation | X |
| World and U.S.'s place in it | | Process, Rules, and Laws | X |
| Rights & Responsibilities | X | | |

COMMON CORE LITERACY STANDARDS

What Common Core Literacy Standards are emphasized in the lesson?

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| KEY IDEAS AND DETAILS | X |
| CRAFT AND STRUCTURE | X |
| INTEGRATION OF KNOWLEDGE AND IDEAS | X |
| RANGE OF READING AND LEVEL OF TEXT COMPLEXITY | X |

LESSON PLAN

Identify the steps needed to successfully facilitate the lesson plan

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| <ol style="list-style-type: none"> 1) Provide students with a brief introduction on the process of bringing cases before the Supreme Court. 2) Divide students into teams of "lawyers," hired to argue cases before the Court. 4) Organize students into groups of four and have each group choose their Constitutional case. Each team should be given a short background reading on each of the current events/constitutional questions to help them decide which case to take: <ol style="list-style-type: none"> a. NSA wiretaps b. Fisher vs. University of Texas c. "Stand Your Ground" laws d. Wikileaks e. Abortion |
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- f. Gay Marriage
- g. Arizona SB 1070

5) Each group of four should work in two a pairs to prepare their case before the Court—one pair will argue each side of the case. (Option for larger classes: Three students will remain unassigned and will serve as the Supreme Court justices and will make the ruling. These students must research the cases as well so they make an informed decision after hearing the arguments.)

6) During research, students should take care to use primary sources, using the resources listed below.

Questions to guide research:

1. What historical cases establish precedents relevant to this case?
2. What new considerations have come about that make it important for the Court to hear this case?
3. What Constitutional questions are being addressed in this case? What articles/amendments are important to cite?
4. What are your most compelling reasons for your conclusion? How can you convince the Court to side with your argument?
5. What posture, language, practices, etc. must you maintain while arguing your case?
6. Each group should research the EXACT procedure used by the Court when arguing cases such as these. We will follow these procedures.

7) Have each group present their case. After each case the students will work as a class to function as the Supreme Court and decide the case - a majority and dissenting opinion should be identified.

ASSESSMENTS

What assessment tasks will students complete as the culmination of the lesson?

Students will then write a reflection on the activity. The reflection should address each of the following:

- 1) What new precedent would be established by the ruling in your case?
- 2) Is there a point when these Constitutional questions might be closed? In other words, when are these questions no longer a source of controversy and we can all agree?
- 3) In what way is the Supreme Court crucial in establishing precedents? To what extent is our legal system based on precedent?

SUPPORTING MATERIALS

Are there any other materials or outside resources that are needed to facilitate the lesson/assessment tasks?

Amar, Akhil. *America's Unwritten Constitution: the Precedents and Principles We Live By*. New York: Basic Books, 2012

Oyez U.S. Supreme Court Media. www.oyez.org.

The Supreme Court of the United States. www.supremecourt.gov.

Gale Opposing Viewpoints. <http://ic.galegroup.com/>

Defining Documents in American History. <http://online.salempress.com/home.do>