

NEW HAMPSHIRE COURT CURRICULUM FOR FOURTH GRADE

The future of our democracy depends on young learners developing into responsible, educated citizens who understand and respect our justice system. The sad reality is that currently, many, if not most, early impressions about the justice system come from television and the mass media or from family members. These impressions are often inaccurate and unfavorable. The key to changing these inaccurate impressions is early education. This is an issue of national importance. As recently as February 24, 2008, Justice Sandra Day O'Connor wrote in a national publication about the importance of education in preserving the rule of law in our nation. She stated: "Children, voters, policymakers and lawyers all should be informed about the importance of a fair, impartial judiciary." ("How To Save Our Courts", by Sandra Day O'Connor, Parade Magazine, February 24, 2008.)

There is a substantial need for an elementary school curriculum which focuses on the justice system. Currently, there is little available formalized curriculum at the elementary school level that is specific to the New Hampshire court or justice system. Most students have limited knowledge about our Constitution, laws and courts and the roles of judges and lawyers. Without a formalized elementary curriculum available, it is more difficult for elementary school teachers to teach these topics which are so important to preserving our democratic society.

New Hampshire public school teachers are obligated to teach New Hampshire civics. Unfortunately, there is little information about the New Hampshire courts available in a usable format at the fourth grade level. New Hampshire Supreme Court Chief Justice Broderick has also recognized the need for increased civic education about the court system and is supportive of this project. The need is substantial for a curriculum of this type at all levels of education.

This curriculum project will address these issues. The hope is that the foundation that will be built in fourth grade will only enhance the understanding and importance of our justice system when it is built upon in later grades. Young children are learners who grasp ideals of fairness and justice with enthusiasm. Elementary school is the appropriate time to introduce these concepts and allow them to be an important part of a child's moral development.

"The fate of empires depends upon the education of the youth." Aristotle

New Hampshire Court System Curriculum and The State Social Studies Curriculum Framework

What the law requires:

State laws RSA 186:13 and RSA 189:11 "require specific instruction in the privileges, duties, and responsibilities of citizenship and the history, government, and constitutions of the United States and New Hampshire".

The New Hampshire State Curriculum states:

"The study of Social Studies provides:

- ~the knowledge and skills needed to participate intelligently and responsibly in our ongoing democratic experiment and in an interdependent world.
- ~a foundation for citizens providing them an understanding of the legacy of our republic and its enduring themes enriched by the study of the full human experience.
- ~insights into the political process and the rule of law.
- ~an appreciation of the environment and the restrictions it places on choices, a concept essential to a full appreciation of the responsibilities of citizenship."

New Hampshire Department of Education Framework Themes Which Support the Court System Curriculum

Theme A: Conflict and Cooperation

"This theme explores such essential questions as: What is legitimate authority? How are rules and laws made?"

Theme B: Civic Ideals, Practices and Engagement

"This theme would include an investigation of the core values of the individual, community, state, and nation and the ways in which these values are expressed and practiced.

This theme explores such essential questions as: What is civic participation and how can I be involved? What is the role of the citizen in the community and in the nation and as a member of the world community? How has the meaning of citizenship evolved over time?"

New Hampshire Department of Education Framework Essential Skills Which Support the Court Curriculum

Skill 2:1 - Acquiring Information

- B. "Students will be able to comprehend the wide range of social studies related materials by using skills:
 - 7. Utilize various types of sources such as documents, charts, images, artifacts and maps
- C. "Students will be able to find information:
 - 1. Use appropriate sources to gain meaning of essential terms and vocabulary, glossary, dictionary, texts, word lists
 - 2. Recognize and understand relevant social studies terms"

Skill 2:2 - Organizing and Communicating Information

- G. "Students will be able to interpret information:
 - 2. Recognize that more than one reasoned interpretation of factual material is valid
 - 3. Compare and contrast credibility of differing accounts of the same event
 - 4. Form opinion based on critical examination of relevant information
- H. Students will be able to present information in a variety of ways:
 - 1. Present visually (chart, graph, diagram, model, etc.)
 - 2. Present orally (group discussion, simulation, etc.)
 - 3. Present in writing (short answers, written response etc.)"

Skill 2:3 - Real World Applications of Social Studies Skills

- J. "Students will develop personal skills:
 - 1. Communicate and defend one's own belief, feelings and convictions
 - 2. Participate in persuading, compromising, debating, and negotiating the resolution of conflicts and differences"
- K: Students will develop civic participation skills:
 - 3. Identify situations in which civic action is required
 - 5. Accept and fulfill responsibilities associated with citizenship in a free society"

Proposal Activities To Support And Achieve The Concord School District's And The Department of Education's Enduring Understandings and Essential Questions

*Note: SS refers to Social Studies; CV refers to Civics, the number refers to the standard. Enduring Understandings are in bold.

1. Civic participation is vital to the functioning of a democratic society.

- SS:CV:1, SS:CV:2, SS:CV:4

Essential Questions:

- Why is civic participation vital to the functioning of democratic society?
- How do New Hampshire citizens participate in a democratic society?

Proposed Activities:

- Children will write and discuss various scenarios that allow them to think about what society would be like if we didn't participate.
- Children will have mock trials in the classroom based on known stories from children's literature (example: fairy tales)
- Whenever possible, children will have the opportunity to interact directly with representatives of the legal profession.

2. The core values of a community, state, and nation shape and define the nature of law.

- SS:CV:1, SS:CV:2, SS:CV:3

Essential Question:

- Why is law needed?

Proposed Activities:

- Using real life situations, children will discuss what life would be like without laws. For example: If people were allowed to rob each other and there were no laws to stop that, what would society be like? If graffiti was ok? If hitting in school was ok? Etc.

3. Solutions need to be found when conflicts based on beliefs, needs, or wants arise.

- SS:CV:1

Essential Questions:

- Why do solutions need to be found for conflicts?
- When do solutions need to be found through the courts?
- Who will solve the problem in the courts?

Proposed Activities:

- Children will write about conflicts. What is a conflict? How are they settled at home, at school? Why would you need a court?
- Children will debate both sides of a conflict. They will take the opposite side of what they believe and try to understand and defend the other side.
- If funding is available children will take a virtual tour of the New Hampshire court system.

State Standards Used In the Court Curriculum

"The goal of Civics is to educate students to understand the purpose, structure, and functions of government: the political process: the rule of law; and world affairs. Civics builds on a foundation of history, geography, and economics to teach students to become responsible, knowledgeable citizens, committed to participation in public affairs."

SS:CV:1: The Nature and Purpose of Government

Students will demonstrate an understanding of the nature of governments, and the fundamental ideals of government of the United States.

SS:CV:2: Structure and Function of United States and New Hampshire Government

Students will demonstrate an understanding of major provisions of the United States and New Hampshire Constitutions, and the organization and operation of government at all levels including the legislative, executive, and judicial branches.

SS:CV:3: The World and the United States' Place In It

Students will demonstrate an understanding of the relationship of the United States to other countries, and the role of the United States in world affairs.

SS:CV:4: Rights and Responsibilities

Students will demonstrate an understanding of the rights and responsibilities of citizenship, and the ability to apply their knowledge of local, state, and national government through the political process and citizen involvement.

In addition the following Language Arts Standards and Theatre Standards will be met in the New Hampshire Court System Project:

Language Arts

Standard 1.0

Students will listen actively in order to comprehend, interpret, and evaluate what is heard in both formal and informal contexts.

Rationale: Effective communicators understand that active listening is essential to learning and to interpersonal communication. Actively listening allows students to recognize and evaluate different points of view and to follow a line of reasoning.

Standard 2.0

Students use oral language effectively to communicate a wide range of ideas, feelings, and facts (both formally and informally) for a variety of audiences and for different purposes.

Rationale: Speaking is an essential tool for learning, for success in the workplace, for responsible citizenship, for constructive interpersonal relations.

Theatre Arts

Standard 2

Act by assuming roles and interacting in improvisations.

2C- Students will be able to assume roles that exhibit concentration and contribute to the action of classroom performances based on personal experience and heritage, imagination, literature and history.

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NH ELEMENTARY CURRICULUM ON THE JUSTICE SYSTEM

By: Susan Robichaud, M.Ed.

1. **Congratulations, You've Been Admitted to "Law School"**
 - *Letters of Admission to each student*
 - *Letters of Admission to each family*
 - *Admission ceremony to the NH Supreme Court Society Law School*
 - *Students and parents can learn more on the NHSCS's website*
2. **You Will Learn About Your Rights and Your Responsibilities**
 - *Students will learn about the justice system*
 - *Students will learn why rights and responsibilities are important to good citizenship*
 - *Students will become better citizens*
 - *Successful students will receive a diploma at a ceremony to which parents will be invited*
3. **Keeping Track: Your Legal Journal**
 - *Each student will have a legal journal to use for note taking and writing/response assignments*
 - *The journal will begin with a writing lesson called "What do you think justice is?"*
4. **Learn To Speak Like a Lawyer: the "Dictionary of Legal Terms"**
 - *Students will learn a new legal terms each lesson*
 - *Students will each have their own legal dictionary to use for reference*
 - *Students will be encouraged to use the new words in their writing and conversation*
5. **It's Your Constitution; Don't Take It For Granted**
 - *The history and importance of The Constitution of The United States*
 - *The role of New Hampshire in the Revolutionary War*
 - *The importance of a justice system to protect the rights of citizens*
 - *Resources for additional information and activities in New Hampshire will be provided*
6. **Let's Get Started: The Preamble to the Constitution**
 - *The meaning and importance of the concepts in the Preamble*
 - *Why the first action listed in the Preamble was to "establish Justice"*
 - *Resources for additional information will be provided*
7. **Who needs rules? I/We need rules.**
 - *Why we have rules*
 - *The importance of rules with their families/schools*
 - *Why we have laws*
 - *The importance of laws with their families/schools/towns*
8. **Courts Are Important**
 - *The significance of the three branches of government*
 - *The balance of powers between the three branches of government*
 - *The importance of an independent judiciary*
 - *Resources for additional information will be provided*
9. **Getting to Know New Hampshire's Courts**
 - *District and Family Courts*
 - *Superior Courts*
 - *Probate Courts*
 - *The New Hampshire Supreme Court*
 - *Opportunities for visits by judges and court personnel will be provided*
 - *Students will be assigned specific homework to explain the types of courts to their families*
 - *Resources for additional information and court tours will be provided*
10. **You've Been Selected For Jury Duty; The System Depends On You**
 - *Learning To Be A Juror*
 - *Students will receive notices that they have been selected for jury duty*
 - *Students will be given a pamphlet which explains what it means to sit as a juror*
 - *Students will be assigned specific homework to explain the importance of being a juror to their families*

11. Learning Basic Rights

- *The right to a jury trial*
- *The burden of proof is on the State in criminal trial*
- *The standard of proof is beyond a reasonable doubt in criminal trials*
- *A jury can only convict if the verdict is unanimous*

12. Preparing to Observe a Mock Juvenile Trial

- *Students will be assigned various roles prior to watching the video of the mock trial*
- *Some students will be selected to sit on one of two juries*
- *One jury will decide whether the accused youth is guilty or not guilty*
- *A second jury will determine punishment*
- *There will be a student clerk and a student bailiff*
- *Three students will act as newspaper reporters; 2 photographers*

13. Observing A Mock Trial For Criminal Mischief (Vandalism)

- *The jurors will be sworn in and instructed of their duty and the law*
- *The reporters will be instructed to write accounts of the important testimony*
- *The video will have multiple pauses for questions to the class*
- *Questions will encourage discussion about key rights*

14. You Be The Judge: Determining Responsibility

- *The first jury will be instructed on how to deliberate*
- *Children will write their verdict secretly before deliberations (eliminating peer pressure and encouraging discussion)*
- *The class will silently observe the deliberations*
- *The first jury will render a verdict*

15. You Be The Judge: Determining Consequences

- *Options include: restitution; detention; community Service*
- *The second jury will be instructed to assume guilt and asked to determine an appropriate disposition*
- *The class will silently observe the deliberations*
- *Resources for inviting lawyers to the class will be available*

16. It's In the News; Read All About It

- *The three reporters will "publish" their accounts*
- *The class will discuss any inconsistencies in the accounts*
- *The class will discuss the reliability of eyewitness testimony*
- *All students will be expected to report on the trial to their families; reports will be written assignments*

17. Take Your Family To Court

- *Students will take a field trip to a local court*
- *Resources will be provided to encourage law students, lawyers or court personnel to attend and assist the students*
- *Students will learn in advance what to look for, what to expect and what to teach their families*
- *Students will act as "tour guides" for parents who will be invited to attend*

18. Going To Trial

- *Materials will be provided for two trials based on fairy tales*
- *Curriculum standards will be met in language arts, math, art, theater, and social studies*
- *Students will be assigned various roles*
- *Resources will be provided for inviting lawyers and judges to participate*

19. You Did It; You Are A "Juris Discipulus"

- *Graduation Ceremony With Diplomas*
- *A graduation ceremony will be held and parents will be invited*
- *Students who successfully participated will receive diplomas*
- *Classes will be recognized on the Supreme Court Society website*

NEW HAMPSHIRE SUPREME COURT SOCIETY

New Hampshire Supreme Court Society
School of Law
Concord, New Hampshire

Re: Admission of (Student's Name)

Dear Parent or Guardian,

I am pleased to inform you that your child has been admitted to the prestigious New Hampshire Supreme Court Society School of Law. This unique law school offers fourth grade students in New Hampshire an opportunity to learn about the law, the courts, lawyers and judges. Students participating in the curriculum will learn important information about our justice system. This curriculum will help them become more informed citizens and better prepare them for being productive members of our democratic society.

The curriculum will include lessons on the following topics:

- ~Understanding Laws
- ~Fundamental Concepts of the Constitution
- ~The Separation of Powers
- ~The Three Branches of Government
- ~Practical Trial Skills
- ~The Importance of an Independent Judiciary

Activities will include:

- ~Meeting members of the legal profession
- ~Conducting a mock trial
- ~Observing a mock trial
- ~Visiting a courthouse

An important aspect of the curriculum is for students to teach an adult about what they have learned. It is our hope that you will assist your child with this part of the program. We believe it will be enjoyable and informative for you.

Students who successfully complete the curriculum will receive recognition from the NHSCS School of Law in the form a diploma.

Once again, congratulations on your child's enrollment.

Very Truly Yours,

(Teacher's Name)

NHSCS School of Law

(Representative of NHSCS Signature)

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What is a Judge To Do?

Prepared for: The Fourth Graders of New Hampshire

Let's Judge Vocabulary

<i>Judge</i>	<i>justice</i>	<i>civil</i>	<i>criminal</i>
<i>judicial</i>	<i>Supreme</i>	<i>Superior</i>	<i>District</i>
<i>court</i>	<i>Probate</i>	<i>Municipal</i>	<i>courtroom</i>

Research

Choose 3 words from the list that you would like to understand better. Look up the definitions in your dictionary. Write the definition in your legal pad. Then write a sentence that describes why you think this word is important for a judge.

Write your Brief

Write the definition in your legal pad. Write a sentence (or a few sentences) that describes why you think this word is important for a judge to know.

Present the Facts

Share your definitions and opinions with your classmates. Are you in agreement with others who chose the same words? If not, discuss your reasoning. See if you can compromise and agree.

The Classroom "Judge"

Join your teacher (judge) for a discussion of the vocabulary. You will need to know and understand these important words for your law education. These words will enable you to understand the importance of a judge and the courts.

- Using your legal pad, write the words and the definitions that you, your classmates and your teacher agree on.
- Highlight each vocabulary word.
- Your assignment is to choose one word from each column, write it on homework paper, take it home and explain to your parents or a family member what each word means. Tell them to listen carefully to your explanation because they will have an assignment when you finish.
- Have your family member write at least 3 sentences about what you have taught them. (If they get confused, you can re-teach them as often as you need to!) Have them sign the paper. You should tell them that they will be "judged" on their ability to be good listeners. Tell them that they need to write "briefly" and present their "facts" thoroughly.

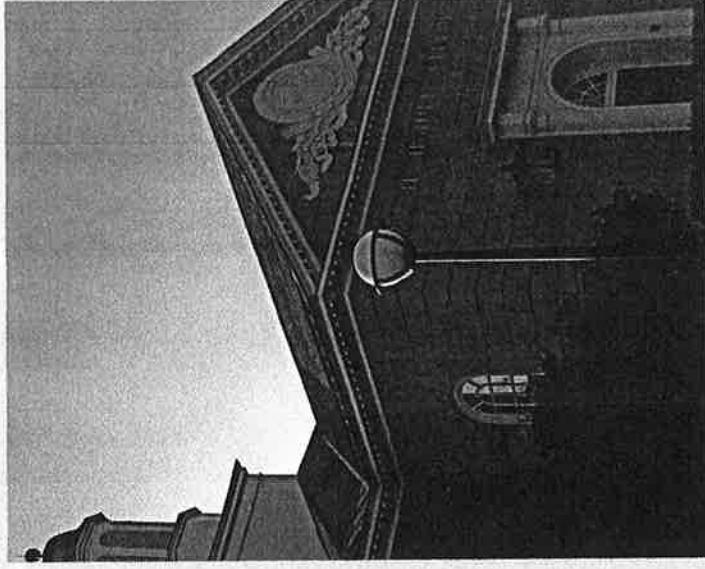
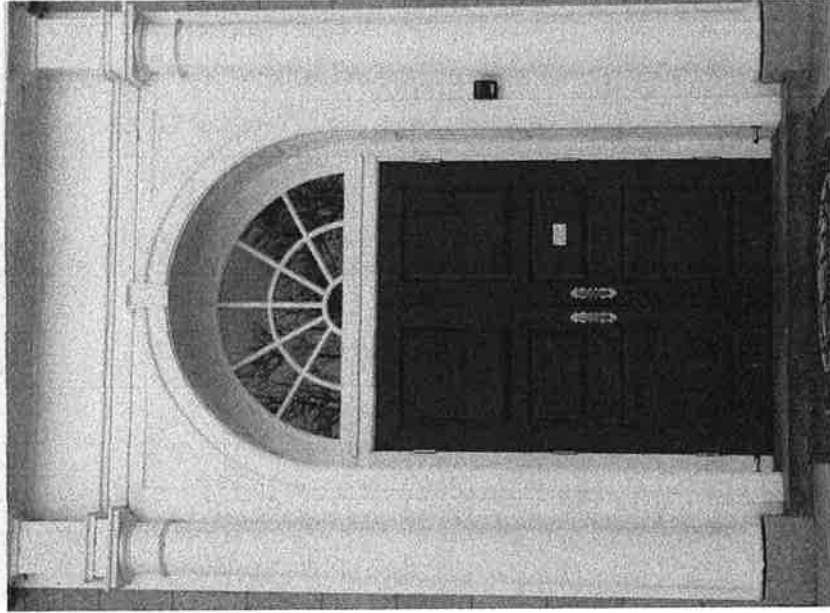
*The jury represents the common sense of
the common man.*

Abraham Lincoln

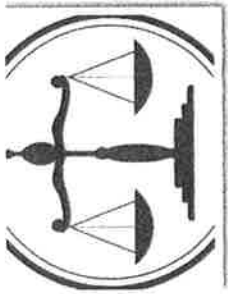
The jury is one of the most important parts of the American Legal System. Both the United States Constitution and the New Hampshire Constitution guarantee everyone the right to a jury trial. Our justice system depends on jurors to serve and make important decisions.

JUROR'S HANDBOOK

NEW HAMPSHIRE JUDICIAL
BRANCH



Visit the Court's Website:
www.courts.state.nh.us



What is your job as a juror?

A juror has the very important job of making decisions which will affect the lives of people in your community. You will take a juror's oath which is a promise that you will help to decide a case fairly and impartially. You must take this decision very seriously.

Did you know that jury service is an obligation in our democratic society? You are being asked to determine guilt or innocence. Your job is very important. It helps to uphold our system of justice. On the next page you will learn about rules for your job as a juror. You will also learn juror etiquette.

RULES AND ETIQUETTE FOR JURORS

There are many important responsibilities to remember when you are chosen to be a juror. The most important thing for you to do is to remember how vitally important your job is. Please remember to show respect for the process that you are about to take part in. Read the following information carefully and thoroughly. Thank you for paying close attention to the following.

JUROR ETIQUETTE

1. You should dress appropriately when coming to court. This means clothes that you would wear to an important event.
NO: shorts, beach shoes, tank tops, t-shirts, or clothing with offensive language or pictures. Your clothes should be neat, clean and comfortable. As a juror, you are representing the court system. Your dress shows your respect for the dignity of the court. Remember: the judge can send you home and make you change your clothes!
2. Do not bring cell phones into the courthouse. (or Game Boys or any other electronic device!)
3. Do not chew gum or eat snacks during the trial. Don't worry. You will get some breaks so that you can have a snack.
4. It is very important to be on time for jury duty. The case cannot begin until all of the jurors are seated. There are not many acceptable excuses for being late so be very diligent about being on time.
5. This is very important: do not talk to anyone about the case! The judge will tell you when it is okay to talk to other people. That means you cannot talk to your friends or family or even the other jurors.
6. When you enter the courthouse, everyone must be treated with equal respect. That means that no matter what gender, race, religion, disability, age or ability to speak or read English, every person will be treated equally and fairly.

Judicial Branch
State of New Hampshire



THE BEST ADMINISTRATION
OF JUSTICE MAY BE MOST
SAFELY SECURED BY ALLOWING
THE REPRESENTATION OF
ALL CLASSES OF THE PEOPLE
IN COURTS OF JUSTICE.

CELIA JOSEPHINE ROBINSON (188)

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JACK AND THE BEANSTALK

The Untold Story

The Untold Story of Jack- Is He a Criminal?

Suspects, Lawyers, Judges and Other Giant Characters



Jack



*Jack's Mom-
the widow*



*The Bag of
Gold*



The Giant



*The Golden
Hen*



*The Golden
Harp*



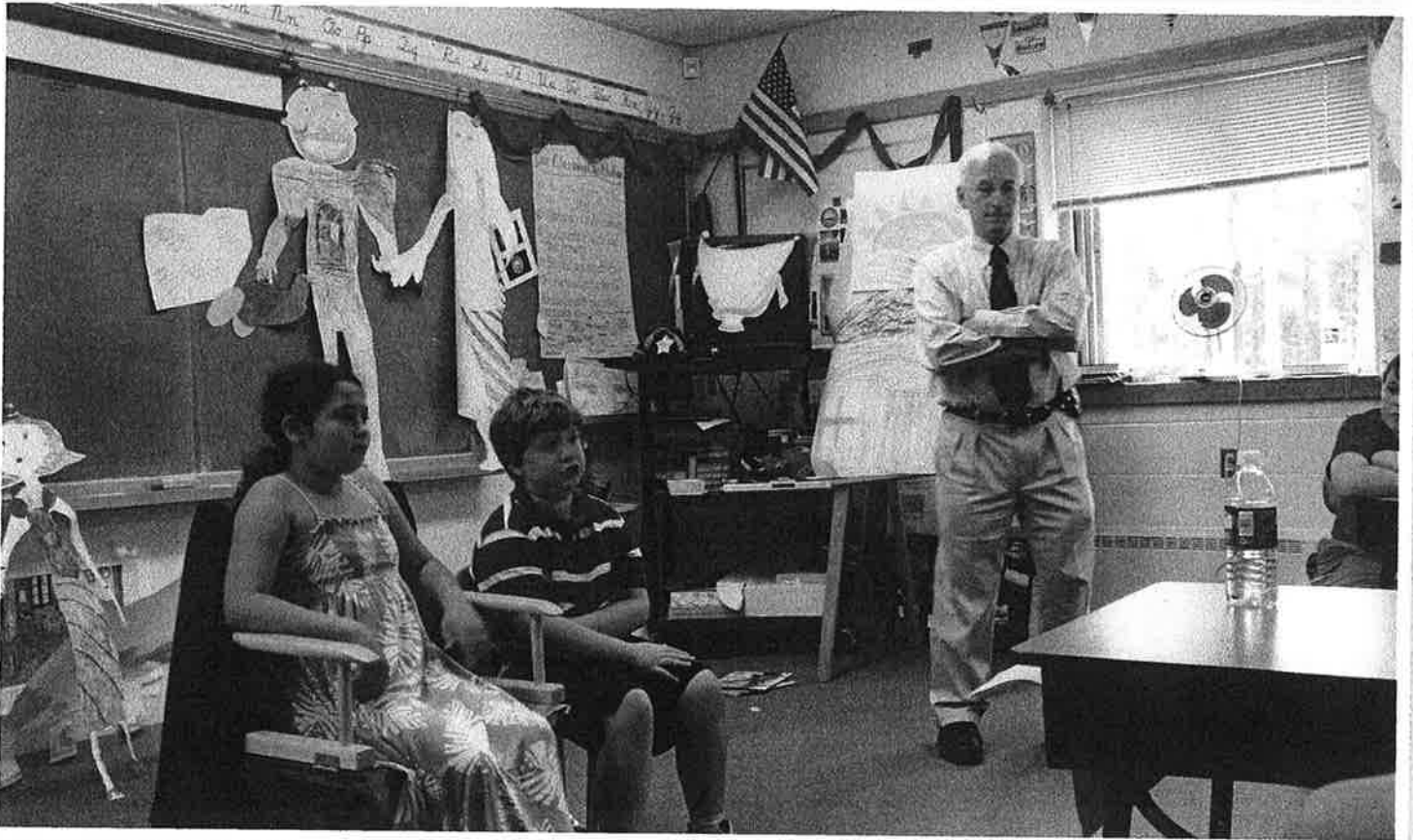
The Castle



The Beanstalk

The Untold Story of Jack- Is He a Criminal?

The Case of the State vs. Jack, the Alleged Giant Killer



In the case of the State vs. Jack, the alleged giant killer, you will hear evidence from both the prosecution and defense about the events that occurred the night of the Giant's untimely demise.



Both teams will present you with evidence regarding the events that occurred leading up to the death of the giant as well as how the giant met his early demise. (After all he was only 213 years old! Young for a giant.)



This version of the fable is read on day #2. (The original Fairy Tale is read on day #1 when opinions about right and wrong are discussed.)

The Real Story, the Real Truth.
The Whole Story of Jack,
the Giant and the Gargantuan Beanstalk

Once upon a time. Oh, stop with this once upon a time romantic stuff! This is no fairy tale to be taken lightly! This is the real story of Jack and the Beanstalk! The one you have never heard because adults don't want you to know what really happened during the summer of the bean famine. (Go look up that word!) It is an amazing story of strength, persistence (yup, another word to look up), foolishness, hope, trickery, thievery and eventually, yes, even DEATH.

Listen carefully, read carefully, think carefully as you learn the real story of "Jack and the Beanstalk". Or! Should it really be called "Jack, The Giant Killer"?! Put aside what you think you know about Jack and the incident which occurred that summer day and listen to the facts.

Not so long ago, in fact, very recently, an incident occurred right here in your town. You may be aware of some of the gossip and stories that center on this event but it is doubtful that you know the truth. You will now be told the facts of the fable of your neighbors Jack, his widowed mother, the giant and other various characters that sing, hide children in ovens, sell magical beans and more.

So, let us begin.

Once (thankfully this happened only once) upon a time, not so long ago, a young and lazy boy named Jack lived with his widowed mother on Tip-Toe Lane. You know the place. You follow the north star on a bright night. Take a left after it sparkles 3 times, then make an abrupt right when you hear the twinkle of the wood fairies. Anyway, Jack and his mother were very poor. All that they had was their cow, Bessie. Bessie provided them with milk which they sold at the local Farmer's Market on Saturday mornings alongside the vendors who sell fiddle-heads, crocheted toilet paper covers and the most delicious whoopie pies! They made enough to keep a roof over the heads (alas, no floor under their feet other than dirt) and for a meager amount of food.

Unfortunately, poor ole' Bessie was~ well, she was an old ole' cow! She could no longer provide them with milk. Jack's mother decided it was time to sell Bessie and use the money to live on. So, she sent her son Jack to sell Bessie at the farmer's market. Jack told his mother that it was "no problem" and that he would sell the cow for a kingly amount so that they could live comfortably! So, off he went to sell good old ole' Bessie.

So, here is what you need to know about Jack. He was, like most 9 and 10 year olds, very curious. Sometimes... well, honestly, more than sometimes, Jack would take a road that wasn't the direct road to where he was going. On this particular day, Jack was intrigued by a sound like this: creak, shuffle, shuffle, creak, shuffle, shuffle, rattle rattle etc. etc. Being a curious boy, he and Bessie (maybe she was curious too) took a detour down You Must Be Kidding Street. Yes, yes, he knew that he was supposed to take the direct route to the market, but he also knew that he was on a street full of principals, teachers, fiction writers and other people with wild imaginations. So, he knew he was in a safe neighborhood.

Jack followed the shuffle, shuffle, creak, rattle, rattle sound until he found it's source. It was a long journey but he enjoyed the rhythm of the sounds. Try it! Shuffle, shuffle, creak, rattle, rattle! Jack had quite a dance going. AND! You should have seen Bessie! Wow! What a jivin' 'ole old girl she was.

Anyway, Jack met up with the sounds and they were attached to a person. The person was a man who was hunched over and walking slowly. Hence, the reason for the shuffle, shuffle. He was using an old crooked cane to support himself (the source of the creak). The man heard Jack and Bessie approaching. In fact, he seemed to know that they were coming his way. Of course, that may have been because the sound they made was "skip, jump, clomp, clomp, clomp, clomp, bubble popping". So, he probably did know that they were nearby!

The old man had amazing eyes. When he met with Jack, he focused his bright lavender eyes on Jack. Jack felt like he had just had a spell cast on him. But then he realized that what he was feeling was the man's cane pushing on his big toe! The man smiled kindly and asked Jack where he was going. (It is important to know that Jack had many friends

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This version of the fable is read on day #2. (The original Fairy Tale is read on day #1 when opinions about right and wrong are discussed.)

in the neighborhood watching him. He was very safe.) Jack explained that he had to sell Bessie for money because they were so poor. Well, this man may have been old but he was no fool! He would love to have the cow. If he could ride the cow everywhere, it would do away with the shuffle, shuffle, creak problem! So, he pulled his hands out of his pocket and presented Jack with 5 beans. Hence, the rattle, rattle sound.

Well, Jack being like most 9 and 10 year olds, was gullible. (Yup, look it up!) The old man offered Jack a trade. The 5 beans for the cow. Even Jack knew that would be ridiculous! But! Well, like I've already told you, he was curious and like most 9 and 10 year olds. Then the old man told Jack an amazing thing! He claimed that the beans were MAGICAL!! No kidding! MAGICAL! As you can imagine, that is all it took for Jack to seal the deal with a handshake. He was a polite boy. He thanked the old man, helped him up onto old ole' Bessie's back, waved good-bye and excitedly ran home to tell his mother of their good fortune. It did cross his mind that he just might be in real big trouble when he told his mother. No way was she going to believe in magical beans.

Jack's mother heard the approach of something. What she heard was run, run, run, rattle, rattle, skip, jump, kick a stone. She was surprised to see Jack home so soon without Bessie. And she was happy to know that Bessie had been sold and Jack must have a pocket of coins that were causing the rattle, rattle!

Imagine her absolute surprise (mixed with anger!) when he handed her 5 beans and told her that when they were planted that they would grow a huge beanstalk! Imagine the look on Jack's face when he realized that his mother was not happy with him at all! (Imagine the look on your mother's face if you brought home 5 beans to pay the bills and feed you! Imagine that!)

Jack's mother (by the way her name was Gertrude), threw the beans out the door, gave Jack her meanest "your in big trouble young man" look and pointed to his bed. Jack got the message. He was being banished to his bed with no dinner. All he could think of was that he was in major big trouble now.

The next morning was a bright and sunny one. Jack woke hoping that his mother would also be bright and sunny. He looked out his window. Guess what?! (Yes, you already know this part of the story!) A HUGE, HUMONGOUS beanstalk had grown up overnight. I mean HUGE. This beanstalk was so tall that it reached up right through the clouds. Jack yelled to his mother to take a look. He tried really hard not to say "I told you so" but it slipped out anyway. Another evil mother look.

Well, Jack being curious and like most 9 and 10 year olds made a decision to climb that beanstalk. As you can imagine, a beanstalk that big would take a while to climb; and it did. Jack finally made it to the top. As he looked around he saw an enormous castle. Wow! A castle in the clouds. Wow! He ran to the castle and politely knocked on the door. A rather large woman with a rather unusual face met him. He explained that he was so hungry and that he had traveled far. Couldn't she please feed him a little porridge. She took pity on him and allowed him to enter. She warned him to be quiet. She said that her husband, the giant, did not like little boys or children. Jack ate his porridge, said good-bye-- and didn't leave. Because, well you know why. He was a curious boy!

From a corner of the giant's playroom, Jack spotted the giant. Oh my goodness! What a face! That was truly a face only a mother could love! He was petting a hen. Yes, a hen. He would tell the hen to lay! Well, Jack expected the hen to lie down and sit like a pet dog. But, not this hen! This hen laid golden eggs! No kidding! Can you believe it? (neither can I- but remember this is once upon a time) The giant soon fell asleep and Jack being Jack and curious, took the hen and ran. He ran down the beanstalk and took the hen to his mother.

You can imagine what Gertrude thought when he told her that he had a hen that laid golden eggs. But, lo and behold, the hen did. Jack and his mother lived off the gold from the hen for many long months. It was wonderful. They didn't have to worry at all.

Jack, being curious again, decided to climb the beanstalk once more. Actually, you already know this story. He climbed it two times more. Let's cut to the chase and tell it quickly. The first time he found the giant counting his golden money. He waited for the giant to fall asleep and he took the gold and the sack that carried it. Gertrude was so happy with her son's behavior! The next time he made the climb, he found the giant listening to the strangest

This version of the fable is read on day #2. (The original Fairy Tale is read on day #1 when opinions about right and wrong are discussed.)

thing! What was even stranger is that the giant was singing along with this thing! It was a golden harp with woman attached to it. It seemed that the giant sang himself to sleep. Once again, Jack snuck in and took the harp! Of course, the problem this time was that the harp spoke up. She started screaming and crying for help. Oh, brother. Jack knew that he had to really scurry. He ran down the beanstalk as quickly as he could. He could hear the giant following him and muttering something about no one was going to take his American Idol harp from him!

Jack reached the bottom of the beanstalk. He handed the harp to his mother who couldn't believe that her son could bring home so many odd things!

Jack could see the giant's large foot coming through the clouds and he could feel the beanstalk shake from the weight. Jack suddenly realized that it was theoretically not out of the realm of possibility that the giant would make it down and Jack could be in major danger. Talk about stranger danger! This could be it!

Jack quickly grabbed the ax from the shed and began to chop at the thick beanstalk. The ax made a sound that was like a thud, thud. The giant made a sound of bang, bang. Jack's mother was screaming "hurry, hurry". With each chop Jack went grunt, grunt. Imagine. Thud, thud, bang, bang, hurry, hurry, grunt, grunt!

Then the biggest sound of all. If you can imagine the sound of a train hitting a forest, that is the sound of a giant falling from a high beanstalk. Got it? Not pleasant.

Jack and his mother rejoiced and danced and sang! The giant was dead. He could not hurt them. He could not take away the hen who laid the golden eggs, the gold coins or the singing golden harp. Jack and Gertrude knew that they were set for life!

Of course, now Jack was very rich. So, of course, there were many young women who wanted to be his wife. (Even in once upon a time, women liked to shop!) He eventually married and lived very happily ever after. Except when he became too curious or told tall tales about giants and beanstalks.

Now, here is the curious thing about this whole story. The giant, who was minding his own business before Jack climbed that beanstalk, is dead. Another thing: his wife is still somewhere up there in the clouds and some of her things are missing. She no longer has the hen, or the gold coins or the singing harp. Hmm. Interesting.

Think about that for a while. What really happened in this story?

Your Opinions Matter

Jack and The Beanstalk

(this is done after the original Fairy Tale)

Your Name _____

Date _____

Draw a small portrait of one of your favorite characters in the story of Jack in this space.

Jack and his mother were in need of money so that they could feed themselves and take care of their basic needs. Do you think that they did the right thing by selling their cow? Give a reason when you give your opinion.

Jack believed the man who told him that the beans were magical. If you are ever told something similar, would you believe the person? Would you be willing to take a chance and hope that something good would happen?

Why do you think that Jack took the things from the Giant's castle? Do you think he had a good reason for taking the items?

The story of Jack ends with him as the hero! He saved his mother and himself from certain death by the ferocious giant. What do you think about the end of the story? What do you think about what Jack did?

Just the Facts

Name		Time	
Date	(facts are written after the "Read" Jack vs The State story is read)		Jack and the Beanstalk

It's Time to Wonder

Jack and the Beanstalk

or

Perhaps a Different Title? (This is done after the fact sheet is completed after the rewritten story)

Your Name:

Date:

Teacher's Name:

Wonder. Think about Jack. Think about what he did. Jack appears to be a hero when he chops down the beanstalk and kills the giant. He has saved his mother and himself from a life of poverty. He has also kept the giant from hurting them. Interesting. Do you think that Jack was a hero? Did he do the right thing?

Wonder again. Jack entered someone's home and took things from them. Was Jack justified in taking things so that he and his mother would no longer have to suffer and worry?

Do you ever wonder how the giant would have responded if Jack had asked him for some help for him and his mother? What do you think he would have done?

Do you wonder if maybe the giant had a right to follow Jack down the beanstalk to try to get his things back? Do you think that the giant would have hurt Jack?

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Note- This is read by the children on the third day of the lesson when a lawyer visits the classroom. This is after the rewritten version of the Fairy Tale of Jack. Each child has a part to read aloud. Underlined parts are spoken or acted out by the entire class.

Welcome Attorney Wolowitz to our fourth grade classroom. We are looking forward to spending some time with you learning about the law and your job. We hope that you learn some new things from us too!

First, let us give you a brief synopsis of the story of Jack and the Beanstalk.

Jack and his mother lived in a shack and were very poor. Jack's father was dead. The only source of income that the family had was their cow, Bessie. Bessie soon became known as Bessie, the milkless cow- she could no longer produce milk needed to sell for the family's meager income.

Alas.

Jack was told by his mother to sell Bessie for money. So, Jack and Bessie set off for the Farmer's Market.

Skip, jump, clomp, clomp, clomp, clomp, bubble pop

Well, Jack being Jack and a rather lazy young man also, believed an old man with a cane

shuffle, shuffle, creak, rattle, rattle

who told him that he would buy Bessie for 5 magical beans.

Hence - the rattle, rattle sound.

When Jack arrived home with the beans, his mother was more than annoyed! Imagine the look on your mother's face if you sold your cow for 5 beans!

The "Look"

Susan M. Wolowitz - copyright

Jack's mother threw the beans out the window and sent him to bed without supper (not that they had anything to eat in the house)

Well, lo and behold, the next morning Jack looked out his window and what did he see? Yes! I know you know the answer, but let me tell you anyway! He saw an enormous, gargantuan, stupendous beanstalk! Yes, those beans were truly magical!

Jack, being Jack, had to climb that beanstalk. Wouldn't you have been curious too? I don't think most of us would have asked our mother's permission.

Once Jack broke through the clouds and reached the top, his eyes saw a wondrous sight! A huge, beautiful castle.

Once again, Jack being Jack, entered the castle. No, he didn't knock. He just went in without permission. Once in the castle, he was met by a very large woman with an unusual face. She fed him but warned him to stay away from her giant of a husband.

Well, wouldn't you know it?! This large, hungry child eating giant of a husband had a great sense of smell. (Of course, he did have a large nose) In a huge frightening voice he said:

Fee, Fi, Fo, Fun

I smell the blood of an Englishman

Be he alive or be he dead

I'll grind his bones to make my bread!

Well, you kind of know the rest of the story, don't you? Let's cut to the chase here.

After Jack got out of the oven, he saw the giant with his golden hen who laid golden eggs. The giant fell asleep, Jack stole the hen and he and his mother were happy- for a while.

Then Jack went back 2 more times. He took bags of gold the first time and the last time he took the singing harp. (This harp had a woman attached- no kidding- read the story if you don't believe me!) The harp wasn't happy and screamed for the giant. The giant wasn't happy and yelled:

No way are you going to steal my American Idol Harp!

So, see here is the thing about all of this. Jack never asked if he could have those things. He never even asked if he could borrow them! But, then again, would you have asked a giant anything?!

The giant had had enough. And this is the big problem. The giant chased Jack down the beanstalk. He did love his things and wanted them back. He was sick and tired of them being stolen!

His harp was kind of like his security blanket and he was determined to get it back.

Jack saw the giant coming after him. All kinds of excitement happened. He was a pretty clumsy giant so rather than scrambling down the beanstalk, he lumbered down, so to speak. He was afraid of heights so it took a while.

So!

This gave Jack time to grab the ax and chop down the beanstalk.

The Giant, he died. On the spot. It was a rather large spot.

We know that Jack went on to marry a princess and live in a castle. His mother lived with him. The castle was large enough that he was able to put her in another part of it.

So, here's the deal. Is Jack guilty of any crimes? Was this self-defense? What about the giant? I mean really. Eating children! Of course, maybe it's part of his culture. He was verbally assaultive. But-- Jack took things that were not his. Maybe the giant only wanted his things back and wouldn't have hurt Jack.

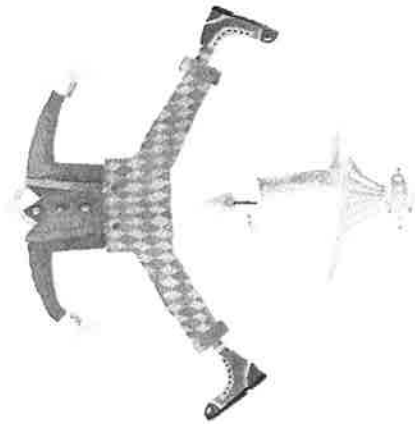
We need your help figuring out the legal aspects of this very intriguing and difficult case.

Line Up of Jacks

	??	Which Jack chopped down the beanstalk?	Look Carefully.
		Do you recognize any of these?	Pay attention to the details.



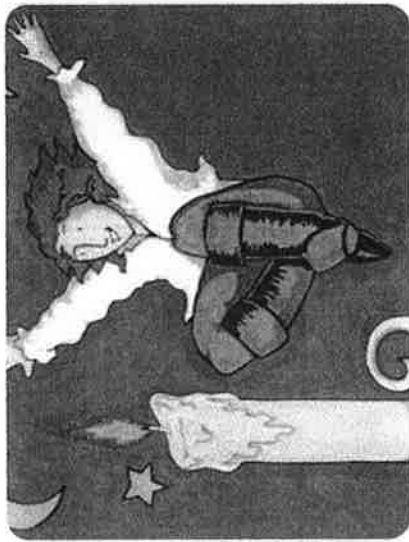
Jack #1



Jack #2



Jack #3



Jack #4



Jack #5



Jack #6

The New Hampshire Supreme Court Society

To all who may read these letters: Greetings

Hereby it is certified that upon the recommendation of the

Law School

The New Hampshire Supreme Court Society has conferred on

the degree of

Juris Discipulus

in recognition of the satisfactory fulfillment of the requirements pertaining to this degree

Dated this _____ day of _____.

Signed _____

LESSON: WHY DO WE HAVE RULES AND LAWS?

(Social Studies; Civics; Language Arts)

Many children assume life, including school, would be better and more fun if there were fewer or even no rules. This exercise is designed to have them consider what life would really be like without rules or laws.

1. Ask children to brainstorm as a class whether they think there is a difference between a rule and a law. What do they think the difference is?

2. Have the children look up "rule" and "law" using a dictionary.

3. Decide which of the following are rules and which are laws:

- a. Your parents tell you that you must brush your teeth before you go to bed.*
- b. The street sign says that cars must not go faster than 25 mph.*
- c. Your teacher says you must raise your hand before you talk.*
- d. The government requires that people pay certain taxes.*
- e. The school says that you should not run in the hallways.*
- f. The town says that dogs must have licenses.*

4. What happens when you break a rule made by your parents? Who decides whether you get in trouble? Who decides on the punishment? What can you do if you think the punishment is unfair?

5. What happens if break a law? Who decides whether you get in trouble? Who decides on the punishment? What can you do if you think the punishment is unfair?

6. Tonight, go home and ask your parents to help you make a list of three rules your family has and explain the reasons for them. Write the list in your legal notebook. Be prepared to read the read your list in class and to give the reasons for the rules.

7. Rules you don't like: List three rules you do not like and explain why.

8. Rules you like: List three rules that are important to you (that really bother you when others break them.)

9. (Ask the students what they think the "golden rule" is. Have them write it in their notebooks. Then have students answer the following questions):

- a.) What does the "golden rule" mean?*

- b.) Do you think it is important?*
- c.) Do you think others should follow it?*
- d.) Do you think you should follow it?*
- d.) Do you follow it?*

10. Tonight, go home and have your parents help you list three laws that make your life safer and explain why. Write the list in your legal notebook. Be prepared to read your list to the class.

11. List three laws you do not like and explain why.

12. What new law would you like and why?

13. Who makes rules?

14. Are rules the same for everyone?

a) (e.g., children who demonstrate they can be trusted are given more responsibility.)

15. What are the purposes of rules?

a) (E.g., rules encourage good behavior; without rules, other children could bully without consequences, etc.)

b.) [While the class is discussing the purposes of rules, have someone start taking away a student's belongings, one by one (e.g., pencil, paper, book, backpack, water, etc.) until the student complains. Then ask the student why the person shouldn't be able to take whatever he or she wants. Try to get the student to say it wrong because it is against the rules. Then ask whether that is an example of a good rule.]

16. Who makes laws?

17. Are laws the same everywhere?

a) (e.g., in some countries, you cannot criticize the government; you can be put in jail without a trial; etc.)

10. What are the purposes of laws?

a) (E.g., laws protect people; without laws, anyone could take the property of another, hurt another person, etc.)

New Hampshire Bar News - June 17, 2015

Opinion: 'Is That Illegal?' – Boiling Down the Law for My 5-Year-Old Son

By: Tony Sculimbrene

My 5-year-old son, Isaac, like most kids his age, has a penchant for asking questions. Whenever I say someone is tall, he invariably asks if said person is taller than Robert Wadlow (he happens to know that Wadlow was the tallest person ever at 8'11"). Whenever I mention that someone is old, he wants to know if he or she is older than Jean Calment (the oldest verified person at 122 years old). He is disappointed when I answer no.

His latest stock inquiry leads to more complex answers, ones that his little brain likes to mull over. As we ride down the road, go through the grocery store, or even while watching Loony Tunes, he asks me, "Is that illegal?" The answers get surprisingly complicated very quickly.

After I get cut off in traffic and grumble, he asks me if it was illegal to cut someone off and then if it was illegal for me to grumble at the person. Then he will ask me "what's the most illegal thing?" I tell him that killing someone is the worst thing a person could do. But then he pushes – What if you kill a bad guy? What if you kill someone as punishment? What about war? Each of these questions forces me to look deeper at the reasons for the rules I accept as true, without question, every day.

Certain things make sense to both of us. He understands immediately that it is worse to do something on purpose than by accident. He quickly sees why it is worse to hurt someone than steal something. And he knows why drunk driving is wrong.

But other things, even after 20 minutes of explaining, still make no sense to him. He can't wrap his little mind around the difference between "purposely" and "knowingly." He keeps coming back to the fact that if you did something after thinking about it, it was, no matter the legal jargon vainly attempting to distinguish between the two, done purposely. He has a hard time understanding the reasoning behind driving offenses like operating after suspension, especially when the license suspension was because of unpaid fines. This is mainly because money is mythical to kids. They see us go into stores and swipe these little pieces of plastic, and so the idea of money, in an age where people carry cash less, is something of a fiction. So the notion that someone couldn't just swipe a card and pay a fine baffles him. But he also has a hard time figuring out why someone would be punished for something that didn't involve hurting, threatening, or stealing. And after his relentless cross-examination, I am not so sure he's wrong.

The most difficult thing for Isaac to grasp is the difference between something being immoral and something being illegal. It seems, from his perspective, that everything illegal should be immoral and everything immoral should be illegal. And so, he asks me, is being mean to his little brother is illegal? When I answer no, he seems surprised and then a bit encouraged. When I hold open a door for a woman, he asked me whether it is illegal not to do so. I told him no, and then I explain that it is not enough to just avoid illegal things – that a good person goes above and beyond that. He still seems puzzled.

It's difficult to talk about discrimination with Isaac. To him, it absolutely should be illegal 100 percent of the time. And when I tell him that it is sometimes, but not others, he refuses to accept this answer. I tell him it is always wrong, but not always illegal. To him, equality is obvious. He is dumbfounded to learn that there aren't an equal number of men and women judges across the country (I did mention with pride how well New Hampshire does on this account), noting that, "Mommy is smarter than you," and he's correct about that.

My 5-year-old's conception of the law is primitive, but fascinating. Where the law is intuitive, he understands. When the concepts diverge from common sense, like the legal fictions that comprise criminal mental states, he doesn't. I'm glad he doesn't see why discrimination is allowed, even in limited instances. And it's interesting to have to explain and justify the rationale of legal concepts to someone in simple terms. It also underscores just how intricate our legal framework is – free thought versus bigotry, legal principles versus moral judgments, and responsibility and blameworthiness. Now, if I could just figure out how to explain to him the legality of Sylvester's pursuit of Tweety Bird.

Tony Sculimbrene is a public defender based in Nashua.

