

LAWYERS AND TEACHERS: A PARTNERSHIP

Recent national events have shaken our faith in the law and our support of legal processes. Law-related education may serve to restore our faith in constitutional democracy as an enviable and salutary way of life.

THE American Bar Association is sending its members back to school. Instead of going to law schools, however, they are going into public schools. Lawyers are engaged in a new and important educational activity known as "law-related education." It is a partnership between teachers and attorneys to help young people understand and appreciate the law.

Joel F. Henning, former Chairman of the ABA's Committee on Youth Education for Citizenship (YEFC), states that "Instruction in law is as important as instruction in mathematics or science. Legal matters are involved in all major issues confronting our nation. Young people need to know about the law." As a result hundreds of lawyers each day enter the classrooms of the nation to discuss legal concepts, some of which are quite controversial.

"If you're going to teach law," Henning says, "you have to teach controversial issues." Thus students study the free press-fair trial

issue as it applied to the well known Dr. Sam Shepherd case. In 1966 the Supreme Court reversed his conviction, saying media coverage of the trial had prejudiced the jury. The students also study abortion laws, legislation dealing with student rights, and laws which deal with due process and criminal prosecution.

Law-related education programs have been implemented in many schools across the nation. A recent law-related education conference in Salt Lake City, Utah, attracted over 500 interested teachers and lawyers. The movement has formed a new and vital partnership between educators and the legal profession. The lawyers provide in-service education for teachers, and the educators welcome the attorneys to their classrooms. In tandem they help students to understand the law and clarify legal issues. Joseph Novak, former president of the Utah State Bar Association, calls the partnership "the best thing that has happened to the Utah Bar for many years. We are excited and pleased to work so closely with teachers."

In some states, law-related education has been mandated by state legislation. The California Senate Bill 1426 requires "instruction in our American legal system, the operation of the juvenile and adult criminal justice

DONALD THOMAS*

systems, and the rights and duties of citizens under the criminal and civil law and the State and Federal Constitution."

Why is the American Bar Association in law-related education? The ABA's Committee on Youth Education for Citizenship (YEFC) bases its interest on the statement made by James Wilson, signer of the Declaration of Independence and the Constitution. Mr. Wilson, who was also one of the original Supreme Court justices, said, "The science of law should be the study of every free citizen and of every free man," YEFC believes that there is a need for our young people to better understand the legal concepts under which we live. Law must be understood as "a positive means for social regulation and reform." The Committee believes that "people who understand the law will support legal process." Dr. Edward Parker, director of the Utah Law Related Education project, writes that "an understanding of the law helps students to develop faith in the law."

Isidore Starr, Professor of Education at Queens College, New York, and a consultant to YEFC, believes that law-related education can help "to make this world a little more

civil, a little more dignified, a little more sensitive to liberty, justice, and equality, and hopefully, a little more honest." The basic position of the American Bar Association is that a democratic society is a society of laws and that such a society functions best when citizens understand and appreciate the legal system and legal processes.

Law-related education is also looked upon as a way of having educators, lawyers, justice officials, police, the community, students at law schools, and public school youth work together in understanding the law and resolving the clash of values and ideas which tear apart our society. The study of law seeks to reconcile differences and helps produce citizens who understand the nature of the law and its proper role in our nation.

How widespread is law-related education? In only a few years the movement toward law-related education has made notable advances. It is now incorporated in the schools of at least 40 states from California to Vermont. It is also in the schools of the District of Columbia. Progress has been especially rapid in California, Illinois, Michigan, Utah, Pennsylvania, Missouri, New York, and Washington. In each case the program has been developed by the local schools in cooperation with the state bar association.

It is now estimated that several million students are in law-related education, instruction being provided by teachers and local lawyers. The American Bar Association has produced a directory which contains information on over 250 law-related education projects. The goal of YEFC is to "see that law is taught systematically in our schools at all levels. Soon, we hope an elementary or secondary school without courses in law will be as rare as a school without courses in mathematics."

Just what is law-related education? Law-related education is an attempt to teach our young people to live effectively and successfully within our legal system. It provides them with skills to utilize the democratic process to improve our society. The students study basic concepts of law such as authority,

*Donald Thomas, Superintendent of Schools, Salt Lake City School District, Utah

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justice, responsibility, due process, and property. They discuss questions such as: "What are the limits of authority?"; "What is responsibility?"; "What is justice?"; and "Are students entitled to due process?"

The classes are conducted by trained teachers and cooperating lawyers. The attorneys act as resource people to explain legal points and to clarify the law. Students are taught to use the law in responding to conflict, rather than becoming confused, frustrated, or violent.

Classes are conducted so that students learn analytical skills and the ability to think clearly. They are taught the legal issues involved in purchasing, marriage, crime, traffic violations, freedom, and similar areas which they will confront in their daily living. An understanding of the law may make them better citizens.

How does law-related education differ from traditional citizenship education? Instead of reading about good citizenship, law instruction forces the students to live the law. It engages students in mock trials, in role-playing people who deal with the law, in questioning others about the law, and in using the law when dealing with everyday problems.

In addition to regular classroom activities, students have opportunities to discuss legal issues with attorneys and judges, attend conferences on law-related education, and observe the legal machinery which exists in the community. Each student participates actively in being a part of the legal process of the community.

Much of the curriculum is built around actual court cases. Students study *Tinker v. Des Moines Independent School District* to learn about student rights and responsibilities. They study *Goss et al. v. Lopez et al.* to learn about due process. Rights of privacy are illustrated by *Meniken v. Cressman*. Extracting basic legal concepts from live cases with cooperating attorneys assisting the teachers produces a powerful learning experience.

An important aspect of the program is the intensive in-service education received

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by the teachers. Through conferences, workshops, reading materials, and one-to-one interviews the teachers are trained to teach legal concepts and the legal system. Nearby is always a practicing lawyer to help should the help be needed.

What help is available to schools wishing to begin law-related education? Schools or parents interested in implementing law instruction may begin by contacting the local or state bar association. Most state bar associations are familiar with the work of YEFC and would be delighted to assist local school districts. The Committee on Youth Education for Citizenship may be contacted directly at the American Bar Association, 1155 East 60th Street, Chicago, Illinois 60637. Letters should be addressed to Norman Gross, Staff Director.

Additional help may be obtained by writing to Charles N. Quigley, Director, Law in a Free Society, 606 Wilshire Blvd., Santa Monica, California 90401 or Edward Parker, Director, Law Related Education, 440 East First South, Salt Lake City, Utah 84111.

The American Bar Association has available a *Directory of Law-Related Education Activities*, a *Bibliography of Law-Related Curriculum Materials*, and other explanatory information. ABA has also prepared a series of papers, *Working Notes*, "containing practical information on how to initiate, sustain, and improve law-related education programs." Especially helpful is an excellent film, *To Reason Why*, designed to introduce law instruction to lawyers and teachers.

Most projects in law-related education are successful to the extent to which they include active participation of lawyers, justice agencies, and police officers. Teachers working in cooperation with these groups can create and implement local programs or introduce projects which have already been developed in other school districts. Communities which have already implemented law-related education are eager to help others do the same. Several conferences on the topic are held each year in the major cities and persons may obtain information by writing to YEFC.

What are the potential benefits of law-related education? It is believed that when people understand the law, they will use it to solve their personal problems and the problems of society. Rather than becoming angry and violent, those who have had instruction in law will utilize the principles of law to resolve conflict. If successful, law-related education should reduce much of the confusion, frustration, and conflict which now exist in our society.

Further, the study of law should increase one's faith and support of the law. As by-products, it is hoped that the study of law will eventually reduce petty crimes, reduce vandalism, reduce juvenile delinquency, reduce shoplifting, and reduce extremism. Such instruction aims at making each person responsible while at the same time exercising his or her personal rights. It is also believed that law-related education will improve the discipline of the school. At a recent conference, George Gallup said, "In the minds of parents, discipline is the number one problem of the schools." If law instruction can assist schools in this area, it can also restore public confidence in the schools.

Law-related education aims at developing people who will know what it means to be responsible citizens, who will understand the tension between liberty and order, and who will use the law as a positive force in their lives. People educated in the law will seek to reconcile our society rather than tear it apart.

Recent national events have shaken our faith in the law and our support of legal processes. Many have questioned the ability of all persons to obtain justice in the courts. Others are concerned with the proper assumption of responsibility by young people. All of us are struggling to produce greater social stability and to seek orderly nonviolent means of solving our problems through the resource of a constitutional democracy. Law-related education may be an effective and worthwhile way to achieve that goal. It may be as Dr. Starr said, a way of making this world "a little more sensitive to liberty, justice, and equality." □

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