

Learning Experience for Brave Curriculum: Lesson #3

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JH Health

Valley Stream Memorial Junior High School

I. Learning Context: "Mock Trials"

- Junior High Health (adapted from the BRAVE Instructor Manual North Shore/LIJ)
- NYS Learning Standards 1,2,3
- This lesson will be used as part of the BRAVE curriculum and will take approximately 3 class periods to complete. It should be the third lesson of the unit. The students should already have a basic knowledge of the concepts of BRAVE and the components of bullying/harassment. In the previous lesson, the students should have role played the baseball scenario, identified evidence, and assigned charges for our "Mock Trials".
- Lesson objective:
 - 1) Students will be able to demonstrate the ability to identify and describe bullying behaviors.
 - 2) Students will be able to demonstrate the ability to identify and describe the different degrees of bullying.
 - 3) Students will be able to begin to apply the BRAVE concepts to bullying situations.
 - 4) Students will be able to describe the physical, social, and emotional effects bullying has on victims and others.
 - 5) Students will be able to describe the differences between the bully, bystanders, and the BRAVE Leader bystander.
 - 6) Students will be able to describe the concept of shared responsibility of all community members when bullying/harassment occur.

II. Procedure:

DAY 1

- A. If possible before the class begins, the room should be set up in groups of 8. Four groups representing the 4 defense legal teams should be on one side of the room. The other four legal teams representing the prosecution should be on the opposite side of the room. Cards (5x8) with the name of each team should be on a desk in each group. The legal teams are:

Defense Team- For ALEXIS

Prosecution Team- Against ALEXIS

Defense Team- For BECKA

Prosecution Team- Against BECKA

Defense Team- For TIMMY

Prosecution Team- Against TIMMY

Defense Team- **For** LOUIS

Prosecution Team- **For** LOUIS

note: There will be four separate trials--one for each of the defendants. All of the prosecution teams represent Simon. Louis is on trial to demonstrate what a BRAVE Leader can do to make a bullying situation better for the victim. In the previous lesson, he was assigned a not guilty charge by the class. Therefore, both his defense team and prosecution team will be presenting evidence that supports his innocence. Though there will be separate trials, lawyers in each trial can call witnesses from the other teams.

- B. As the students enter the room, the teacher will hand each student a sheet with the list of names in each legal team. The teacher will direct the students to sit in the group of desks with the card that matches their legal team.

note: The teacher has selected the legal teams for the mock trials to be sure that the same students that played the parts of Simon, Alexis, Becka, Timmy, and Louis

(in the previous class baseball scenario) are in the legal team that will be representing them.

- C. As a Do Now students will be asked to review the legal charges assigned to each defendant in the previous lesson. Each team will be asked to explain the charges assigned to the character they are either defending or prosecuting.
- D. The teacher will ask students to define the words "defend" and "prosecute". Once these words are understood by the students, the teacher will announce that we will be participating in Mock Trials to determine the guilt or innocence of our four defendants..
- E. The teacher will distribute the BRAVE Mock Trial rubric to the students. A discussion will follow to be sure that all students know what their responsibilities are for this activity and how they will be graded.
- F. The teacher will now become the "judge" and will address the court to explain the proceedings.
- G. The judge will review with the court the definition of bullying. The judge will direct the prosecution to prepare evidence to present to the court that shows that the defendants acted in a way that clearly represents one or more of the forms of bullying/harassment described in the definition to prove the defendants guilty of bullying. The judge will then direct the defense teams to prepare evidence to present to the court that shows that the defendants did not act in a way that represents any of the forms of bullying/harassment described in the definition to prove the innocence of the defendants.
- H. The judge will also remind the legal teams that they have to present evidence to the court that will prove the defendants guilty or innocence of the degree of bullying that each defendant was charged with.
- I. The judge will remind the students to refer back to the comic strip scenario, the Evidence Identified Sheet, and the definition of bullying/harassment (handouts given to them in previous lessons) to help them prepare their legal strategies.
- J. The judge will distribute to each student a copy of the BRAVE "Mock Trial" Task Sheet and the BRAVE Courtroom Record Sheet.
- K. The judge will discuss the directions on the Task Sheet with the class. The students are to follow these directions to complete the Courtroom Record Sheet. All students in each group should complete a Courtroom Record Sheet. This sheet will contain each team's legal strategy (questions for witnesses, evidence to present to the court, opening and closing statements). If a student is absent the day of the trial, his/her classmates will still have the legal strategy to present during the trial.
- L. The judge will instruct the legal team to assign the roles each of them will be playing in the trial. Possible roles might be: client, lawyer (there can be more than one lawyer on each team), and witnesses. The prosecution teams should select someone to be Simon.
- M. A discussion will follow to give the students the opportunity to ask questions about their legal strategies and the upcoming trials.
- M. The judge will instruct students to be prepared to present your case next class.

DAY 2

- A. As a Do Now the students in their legal teams will spend a few minutes reviewing their legal strategies.
- B. The judge will distribute the BRAVE Mock Trial Order handout to the legal teams. The judge will discuss how each trial will proceed.
 - . (In order to save time in each trial, the prosecution team and defense team will only be allowed to ask 2 questions to each of their two witnesses plus one rebuttal question to each witness--the judge should be sure the students understand what a rebuttal question is. The legal teams will also be able to present any other evidence they wish to describe to the court.)

- C. The judge will now call the court to order.
- D. As part of the opening statements from the judge, the judge will say: "The trial of Simon vs _____(insert the name of one of the defendants) will now begin." The judge will then ask the defendant to stand. The judge will then read the charges against the defendant. The judge will ask the defendant "how do you plead?" After the defendant answers, the judge will request that the plead be entered into the court record. The judge will then ask for opening statements from both the prosecution and defense.
- E. The trial will now proceed according to the BRAVE Mock Trial Order handout.
- F. At the end of each trial, the judge will say "We have heard the arguments from both sides. The case Simon vs. _____(insert the name of the defendant) is now closed and is in the hands of the jury.
- G. Each of the four trials should proceed as above.
- H. As a closure the teacher will ask the students to share their feelings about the Mock Trials.
- I. The teacher will then announce to the students that next class they will no longer be playing the parts of defendants, lawyers, or witnesses, and will instead become jurors.

DAY 3

- A. As the students enter the room, the teacher will hand each student a sheet with the list of names in each jury group. Each jury group will be assigned a number from 1-6. The teacher should direct the students to sit in the group of desks with a card with the number that matches the number of their jury group.
The room should be already set up into 6 groups of desks.
note: The groups should be selected by the teacher to try to avoid the same groups of students as the legal teams. Since the students are now playing the roles of jurors, the students should not be with the same group of students as their legal teams. There will be 6 separate juries deliberating the verdicts and penalties (damages) for each of the four defendants.
- B. As a Do Now the students will be asked to define the following words:
verdict, penalties(damages), and community service.
- C. A discussion will follow to be sure that all students understand the meaning of the words.
- D. The teacher will hand out the Jury Group Work Sheet and explain how the sheet is to be completed.
- E. The teacher will now become the "judge".
- F. The judge will call the court to order and will address the juries.
- G. The judge will tell the jurors that they have heard all of the arguments in all in our four trials. The judge will inform them that they now have a big responsibility to determine the the fate of the four defendants. The judge will instruct the juries to make two decisions concerning the four defendants and to record their decisions on their jury worksheets.
 1. First, they are to determine if the each defendant is guilty or not guilty.
 2. Second, if they do determine that the defendant is guilty, they are to assign penalties (damages). They can award monetary damages (money to be given to the victim-in these cases-Simon) and/or some kind of community service. The amount of monetary damages and/or community service they assign should relate to the amount of physical, social, and emotional harm each of the defendants caused to the victim --Simon.
- H. The judge will also instruct the juries to write the reasons for the verdicts and/or penalties (damages) they assigned each defendants on their jury worksheets. The judge will instruct the juries that they are to also select one member of their jury to act as the jury foreman/forewoman to present their verdicts, damages, and explanations to the court.

- I. The juries will deliberate the fate of each defendant and complete their jury worksheets.
- J. The judge will call the court to order to hear the fate of the defendants. The judge will select a court officer to record the verdicts on the board.
- K. The judge will ask the juries if they have reached their verdicts?
- L. The judge will instruct each jury to give the verdict, and/or penalties they assigned Alexis. The judge will ask each jury to also explain the reasons for the verdict and damages they decided on. This procedure will be the same for the other three defendants. (Becka, Timmy, and Louis)
- M. The judge will thank each of the juries for their deliberations.
- N. The judge will now ask each of the defendants to rise to hear the judges' final messages to each of them. These final messages should emphasize the seriousness of the bullying by Alexis and her "assistant" bully Becka. The messages to Timmy (the defendant most juries are "hung" on) should help to explain the idea that when bystanders stand by and allow the bullying to happen it can make the situation worse for the victim. The message to Louis should help to emphasize the BRAVE actions Louis did to help make the bullying situation better for Simon.
- O. The judge will call an end to the trial. The judge now becomes the teacher.
- P. The teacher will encourage further discussion by asking the class the following questions:
 1. Which character(s) in the baseball scenario had the power to stop the bullying?
 2. Who has the power to stop bullying in our school?
 3. What actions can all of us take when we see bullying happen?
- Q. Closure: The teacher will instruct the students to take out their Courtroom Record Sheet. The teacher will tell the students to write the answer to the question located at the bottom of the sheet:
How could the character (you defended or prosecuted) have acted differently to keep the bullying from happening?
The teacher should collect the Courtroom Record Sheet.
- R. Homework: The teacher should distribute the BRAVE Module 1 Family Assignment and instruct the students to do the following:
 1. read the story with a family member
 2. take turns deciding with of the characters are guilty
 3. chose one of the characters and complete the rest of the sheet together.

III. Instructional/Environmental Modifications: Due to the nature of group work, this activity accommodates to all levels of ability and learning. If need be, the instructor should form pairs/groups prior to lesson. For example, if there are known students who cannot work together, the teacher should create the groups prior to lesson accordingly. Also, the teacher should have the groups formed ahead of the time to be sure to have the students who played the characters in the scenario in the correct legal teams for the trial.

IV. Time Required: Three class period to compensate all areas of explanation, instruction, implementation, and assessment.

V. Materials:

- A Person is Guilty of Bullying/Harassment Definition handout
- "Baseball Scenario" comic strip
- Evidence Identified: Module 1 "Mock Trial" worksheet-completed in previous lesson
- BRAVE Mock Trial Rubric
- BRAVE Module 1 "Mock Trial" Task Sheet
- BRAVE Module One Courtroom Record worksheet
- BRAVE Mock Trial Order handout
- Jury Group Work Sheet
- BRAVE Module 1 Family Assignment
- optional: judge robe and gavel

VI. Assessment Strategies:

- Class Discussion
- Teacher Observation
- BRAVE Mock Trial Rubric
- BRAVE Courtroom Record worksheet
- Jury Group Work Sheet
- BRAVE Module 1 Family Assignment

VII. Resources:

- BRAVE Instructor Manual from the Alliance for School Mental Health North Shore/LIJ
- All other reproducible materials are attached.

NAME: _____ TEAM # _____
PERIOD: _____ DATE: _____

BRAVE Module 1 "Mock Trial" Task Sheet

TEAM: _____ Prosecution
 _____ Defense

CLIENT: _____ Simon
 _____ Alexis
 _____ Becka
 _____ Timmy
 _____ Louis

TASK DIRECTIONS:

1. Write the name of the client you are assigned on the Courtroom Record Sheet.
On the Courtroom Record sheet, put a check next to the charges against your client.
2. Your team will plan your legal strategy. Use the Courtroom Record Sheet to help you.
 - a. Prepare your team's opening statements to the court presenting your evidence.
(Example: The client is guilty or not guilty because.....) Write it on the back of the Courtroom Record Sheet.
 - b. Present evidence to the court in one of two ways:
 - (1) You may review the evidence from the comic strip and describe it to the court.
Write any evidence you are going to present on the Courtroom Record Sheet.
 - (2) You can present evidence by calling witnesses (**2 only**) to testify. Witnesses can be your own client, or another character in the story (notify each team who your witnesses will be).
 - (a) Plan what you are going to ask the witnesses. You may ask **2 questions** per witness. Questions should support your client's case. Write your questions on the Courtroom Record Sheet.
 - (b) Also, write on the Courtroom Record Sheet what you think the witness may say.
 - c. You may cross examine each witness with **one** rebuttal question from the defense/prosecution teams.
 - d. Prepare your closing statement. Summarize why you think the client is guilty or not based on the evidence presented to the court. Write your closing statements on the back of the Courtroom Record Sheet.
 - e. Assign roles in your team: lawyer(s), client, witnesses.
 - f. Be prepared to present your case.
3. Your team will now act as the jury.
 - a. Complete the "Jury Group Work Sheet".
 - (1) Assign the verdict and damages for **each** defendant.
 - (2) Write explanations for why you found them guilty or not, and for why you gave the penalty that you chose.
 - b. Assign a juror foreman/forewoman to present your verdicts, damages, and explanations.
 - b. Be prepared to present your verdicts, damages, and explanations to the Court.
4. After the judge's final statements to the Court:
Write at the bottom of the Courtroom Record Sheet how your client (the character from the comic strip) could have acted differently to keep the bullying from happening.

NAME: _____ HEALTH
PERIOD: _____ DATE: _____

BRAVE MOCK TRIAL ORDER

1. Opening statements from the Judge.

2. **Opening statements** from Prosecution Lawyer #1
Defense Lawyer #1

3. **Prosecution presents their case:**
 - a. Prosecution Lawyer #1 questions Witness #1
 - b. Rebuttal from Defense Lawyer #1
 - c. Prosecution Lawyer #2 questions Witness #2
 - d. Rebuttal from Defense Lawyer #2

4. **Defense presents their case:**
 - a. Defense Lawyer #1 questions Witness #1
 - b. Rebuttal from Prosecution Lawyer #1
 - c. Defense Lawyer #2 questions Witness #2
 - d. Rebuttal from Prosecution Lawyer #2

5. **Closing statements** from Prosecution Lawyer #2
Defense Lawyer #2

6. Closing statements from the Judge.