**The Oregon Supreme Court**

**Oral Arguments**

November 13, 2019

David Douglas High School

**Curriculum Unit:**

**Judicial Review & the Oregon Supreme Court**

In this exclusive curriculum unit, you will find everything you need to prepare yourself and your students for a day with the Oregon Supreme Court. Each of the components to this set are available to teachers on the Classroom Law Project Website. You will receive digital access information with this packet of materials.

**Contents**

* **Part 1 - Introduction information for teachers 1** 
  1. Objectives of this program and the curriculum 2
  2. Theme of the Unit 2
  3. Oregon and CCSS High School Standards that apply 2
  4. Information about Classroom Law Project & its resources 3
  5. Pre-Unit Survey for Students 4
* **Part 2 - What is the Oregon Supreme Court and how does it work? 5**

2.1 Vocabulary 6

2.2 Background on the Oregon Supreme Court & Judicial System 8

2.3 What is Judicial Review? 13

2.4. How the Court System Works - Graphic Organizer (+key) 14

* **Part 3 - How do we prepare for the Supreme Court Oral Arguments? 16**
  1. How a Supreme Court Hearing / Oral Argument works 17
  2. Persuasive Speaking / Rhetoric 18
  3. Student-friendly summaries of both cases 19
  4. Preparation materials to complete about the cases 23
* **Part 4 - How do we follow what is happening during the hearings? 25**
  1. Handouts and Guides for Students to use during the Oral Arguments 26
  2. Asking quality questions of the Justices at Q and A time 32
* **Part 5 - What Happened at the Hearings? 33**
  1. Contacting the Justices & opportunities to visit the Court 34
  2. Analysis & Extension ideas following the Oral Argument 35
  3. Oral Argument Analysis Handout for Students 36
  4. Post-Unit Survey for Students 37

**Appendix:**

Moot Court simulation strategy to prepare students for the hearings



**Judicial Review & the Oregon Supreme Court**

**Introduction Information**

**Part 1**

**Objectives**

Students will be able to:

* Explain how the Oregon Supreme Court works and what an appellate hearing (oral argument) looks like
* Prepare for and take quality notes while observing Oregon Supreme Court oral argument
* Demonstrate an understanding of the cases before the Court
* Produce a critical analysis of the cases and the hearings
* Participate and collaborate in a moot court simulation
* Synthesize the information and experiences from this unit and seek further information from and about the Court
* Reflect on issues of law and justice

**Theme**

***Judicial Review and the Oregon Supreme Court***

Appellate hearings are very different from trials, whether they are based on crimes or on civil actions. The Oregon Supreme Court hears cases that directly connect to an interpretation of our state constitution and applies judicial review to decide whether a law and/or ruling is constitutional. By experiencing live Oregon Supreme Court hearings (oral arguments), students will see judicial review in action and understand the crucial importance of this aspect of our democracy.

**Oregon Social Sciences Standards (High School)**

HS.6 Examine the institutions, functions, and processes of Oregon’s state, county, local and regional governments.

HS.13 Examine and analyze provisions of the Oregon Constitution and the U.S. Constitution.

HS.71 Construct arguments using precise claims, integrating and evaluating information provided by multiple sources, diverse media, and formats, while acknowledging counterclaims and evidentiary strengths and weaknesses.

HS.72 Construct explanations using sound reasoning, correct sequence (linear or nonlinear), examples, and details with significant and pertinent information and data, while acknowledging the strengths and weaknesses of the explanations given its purpose (such as validity, value and limitation, cause and effect, chronological, procedural, technical).

HS.73 Identify and analyze multiple and diverse perspectives as critical consumers of information.

HS.74 Analyze an event, issue, problem, or phenomenon, critiquing and evaluating characteristics,

influences, causes, and both short- and long-term effects.

HS.75 Evaluate options for individual and collective actions to address local, regional and global problems by engaging in self-reflection, strategy identification, and complex causal reasoning.

HS.76 Propose, compare, and evaluate multiple responses, alternatives, or solutions to issues or problems; then reach an informed, defensible, supported conclusion.

HS.77 Engage in informed and respectful deliberation and discussion of issues, events, and ideas applying a range of strategies and procedures to make decisions and take informed action.

**Classroom Law Project**

Classroom Law Project (CLP) is an Oregon not for profit organization that has been providing civics education resources, professional development, and student programs for over 30 years throughout the state. We coordinate the statewide high school Mock Trial and We the People Congressional Hearing competitions and provide support for teachers to bring inquiry-based, active civics projects into their classrooms. Our goal is to bring engaging opportunities for students to learn about civic participation and their power in a democracy. We are excited to work with the Oregon Supreme Court to provide these materials for students to get the most out of the public hearings in which they will participate. Check out our many professional development opportunities, resources, and student program options: www.classroomlaw.org.

**Pre-Unit Survey for Students**

Following is an optional handout you can use with your students to survey them on their understandings about judicial review, the courts, and the Oregon Supreme Court. It’s okay if they don’t know much at this point because the idea is that at the end of this unit, they will! The survey is an effective way for teachers to measure the learning that takes place during the unit when matched with the post-survey, which asks the same questions along with some reflective pieces.

The Oregon Supreme Court Name: \_

**Before you go to an Oregon Supreme Court Hearing:**

**Pre-Hearing Survey**

**Directions:** Answer the questions below - if you don’t know yet, just note that. There is no grade attached to this but it will help you see how much you learn from this experience once it’s concluded.

1. Explain the difference between a trial and an appellate (or Supreme Court) oral argument:
2. Who makes decisions about facts in a case?
3. Who makes decisions about law in a case?
4. How do cases get to the Supreme Court?
5. What makes an argument persuasive or not?
6. What is judicial review?
7. What do you know about the Oregon Supreme Court?
8. What are you most curious about the Oregon Supreme Court?