

**Celebrating access
to justice:**

Brown v. Board at



Law Day 2004
planning kit

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law day

Celebrate
access to
justice on
Law Day
2004

President Dwight D. Eisenhower established Law Day in 1958 to provide an opportunity for reflection on our legal heritage and the role of law in our society. Law Day has been celebrated around the nation every May 1 since then.

This year, the American Bar Association has chosen “To win equality by law: Brown v. Board at 50” as its Law Day theme. The culmination of a long line of court cases brought by the NAACP Legal Defense Fund, Brown not only struck down laws segregating public schools, but also sounded the death knell for government-sanctioned segregation, made all Americans more aware of our Constitution’s promise of equality, and helped launch the civil rights movement.

In keeping with this theme, we are providing a variety of sample programs, ideas, and materials for building presentations focused on access to justice and school-related cases. As always, the information we provide has been, where possible, tailored to Wisconsin.

Wisconsin launched its first statewide campaign to celebrate Law Day in 1997 with open houses in the courts. The effort recognized that Law Day offers judges, lawyers, clerks of circuit court, and others in government who do the work of justice an important opportunity to educate the public about the law.

In 1998, we gave the program a sesquicentennial twist, packing the kit full of information on Wisconsin’s court history and legal lore. The 1998 Law Day Planning Kit, Sesquicentennial Edition, was recognized with an award from the American Judicature Society for enriching the public’s understanding of the courts’ vital role in serving citizens throughout the 150 years of Wisconsin’s statehood. From 1999-2003, we continued the tradition, providing new ideas, speeches, and lists of possible partners in each kit.

Each planner will receive a copy of this guide. The first person listed in each county is responsible for organizing the local Law Day committee. It is suggested that members of the county bar, law enforcement, and community groups be invited to help. In addition to the court personnel and lawyers listed in the contacts section, you will find a list of 4-H youth agents in each county who may be willing to plan or host events.

This kit is being provided at no cost to you. It contains order forms for many handouts that will also be provided at little or no charge. Individual committees are responsible for any additional costs incurred for refreshments, banners, plaques, materials ordered from the American Bar Association, etc.

We wish you a successful 2004 Law Day celebration!

planning

APRIL 2004

- Planning kits distributed to organizers (see page 7).
- Organizers convene committees; assign duties.
- Visit the American Bar Association's Law Day Web site at www.lawday.org or call 800/285-2221 to find out how to order Law Day products. Or use the order forms and suggestions at the end of this guide on pages 97-101.
- Order mailing labels for local schools from the Department of Public Instruction (DPI). Orders need to be in writing. This service costs \$25-40 plus 10 cents per label sheet. For more information, call Carla Reynolds at 608/267-1071 or visit the Web site at www.dpi.state.wi.us/dpi/schlinfo.html.
- Order community group mailing list from local chamber of commerce.
- Contact community groups and schools to offer judges and lawyers to speak on how court decisions have shaped our school system or other law-related topics speakers can use this opportunity to announce Law Day activities. Make use of the speaking points and synopses of school-related cases beginning on page 44.

Also consider using information from *Famous Cases of the Wisconsin Supreme Court* or articles on Wisconsin's legal history, both available on the court system Web site (see Resources, page 98).

April 8

Recruit all necessary volunteers: judges, lawyers, law professors, and law students to speak at a Color of Justice event (see page 24); lawyers to staff an advice booth and coach mock trial participants; tour guides; contest judges, etc.

Solicit door prize donations for Juror Appreciation Dinner (see page 34).

Research local businesses' jury duty practices to determine which business should receive the Juror Employer Award (see page 34).

Send first press release to announce Law Day activities (see sample, page 42).

Assign a local lawyer or judge to write Law Day guest column (submit by April 15).

Contact schools with invitations to participate in your Law Day event(s) and to provide information on poster and/or essay contests (see page 30), mock trials (see pages 53-91), and other activities.

planning

APRIL 2004

Invite community groups, local officials (see page 40).

April 9

Meet with buildings/grounds personnel to choose space for Juror Appreciation Dinner (see page 34) and for Color of Justice luncheon (see page 24).

Invite former jurors to Appreciation Dinner (see page 34). Give one-week deadline for response. Invite local dignitaries to Color of Justice program (see page 24).

April 12

Order refreshments, decorations, banners (see page 100).

Design and distribute a flyer promoting Law Day activities.

Meet with buildings/grounds personnel to finalize space/furniture needs for Juror Appreciation Dinner (see page 34) and/or Color of Justice luncheon (see page 24).

Contact caterer and make nametags for Appreciation Dinner.

Deadline to judge contest entries (see pages 33-33).

April 16

Contact award winners and order plaques (see page 99).

Send press release (see page 42).

Design certificates for contest winners (see page 101).

Deadline for ordering State Bar of Wisconsin materials.

April 26

Reminder calls to all volunteers.

Send second press release (see page 43).

April 28

Set up tables, booths, hang banners, set out handouts, etc.

MAY 2004

May 3

Celebration of Law Day 2004. Good luck!

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Brown v. Board

May 17, 2004, marks the 50th anniversary of the landmark U.S. Supreme Court decision in Brown v. Board of Education of Topeka, Kansas. At the heart of Brown v. Board was the desire to ensure equal protection of the laws for all Americans. This section of the 2004 Law Day Planning Kit is devoted to helping you build programs that will highlight Brown v. Board while teaching about equal protection and the importance of peaceful conflict resolution and access to justice for all people.

Linda Brown's story

In the early 1950s, the United States was racially segregated. Housing, movie theaters, bathrooms, water fountains, pools, public transportation, restaurants, schools, and many other facilities were designated for “white” or “colored” people. Black people were also systematically kept off of juries.

Although supposedly equal, the facilities reserved for blacks were generally of much poorer quality, and nowhere was the impact of this inequity more profound than in the public schools. Although all the schools in a given district were supposed to be equal, most black schools were far inferior to their white counterparts.

In Topeka, Kansas, third-grader Linda Brown had to walk a mile through a railroad switchyard to get to her black elementary school even though a white elementary school was only seven blocks away. Her father, Oliver Brown, tried to enroll her in the white elementary school, but the principal of the school refused.

Brown went to Topeka’s branch of the National Association for the Advancement of Colored People (NAACP) and asked for help. Other black parents from three other states joined Brown, and, in 1951, the NAACP requested an injunction that would forbid the segregation of Topeka’s public schools. The U.S. District Court for the District of Kansas heard Brown’s case and, based upon case law (Plessy v. Ferguson, 1896) ruled in favor of the Board of Education. The Supreme Court reversed this decision on May 17, 1954.



integration timeline

The following timeline of school integration in the United States is excerpted from the National Education Association's Web site. Visit the site at www.nea.org/brownvboard/integrationtimeline.html to survey the events following the Brown decision to the present day.

1954

Brown v. Board of Education

"In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity must be made available to all on equal terms."

On May 17, 1954, the Supreme Court declared in Brown v. Board of Education of Topeka, Kansas that racial segregation in public schools unconstitutionally deprives students of equal educational opportunities. This ruling paved the way for significant opportunities in our society and underscored the importance of access to justice.

1955

Montgomery Bus Boycott

Equal opportunities in education and demands for racial equality heard from the Civil Rights Movement were propelled by a bus boycott in Montgomery, Ala., to protest racial discrimination in public transportation.

1957

Central High School

When Arkansas Governor Orval Faubus moved to deny black students access to Little Rock's Central High School, the federal government stepped in with military force to uphold the U.S. Supreme Court's Brown decision. This marked the first major indication that the national government was willing to use force to achieve racial integration of America's public schools.

1963

March on Washington

Equal opportunity demands in education, employment, housing, and other vital areas of American society were heralded in a historic speech by Dr. Martin Luther King, Jr. He spoke to hundreds of thousands of people marching on Washington, D.C.

Pay Equity Act

Opportunities for female school employees and other women advanced as women doing substantially the same work as men won the legal right to demand the same pay.

1964

Civil Rights Act

The Civil Rights Act of 1964 provides for equal access to public facilities and bans discrimination in employment and education. The Act said that public school students may not be discriminated against because of their race, and public school employees may not be discriminated against because of their race, color, sex, national origin, or religion.

1965

March from Selma to Montgomery

The Civil Rights Movement was moved forward by protesters marching from Selma to Montgomery, Ala. to petition and protest the slaying of a civil rights worker during a voter registration drive. In March 1965, 15,000 black residents of Selma were eligible to vote, but fewer than 200 were actually registered due to laws designed to exclude them. Peaceful protesters, who marched on four separate occasions, were met with arrests, billy clubs, and tear gas from police attacks; the murder of a white minister and others; and Ku Klux Klan violence. Public attention from the protest paved the way for the Voting Rights Act of 1965.

Elementary and Secondary Education Act

To ensure that all children have a fair, equal, and significant opportunity for a high-quality education, federal funding was made available for school programs. Today, this law embraces Title I funding, research, professional development, and assistance to help meet “the educational needs of low-achieving children in high poverty schools, limited-English-proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance.” The law also incorporates key measures such as the Bilingual Education Act, the Indian Education Act, the Safe Schools and Communities Act, and the Women’s Educational Equity Act.

Higher Education Act

Opportunities for students to go to college are expanded with federally funded loans, scholarships, and other grants-in-aid. Today, the law funds federal work-study programs, Pell Grants, and scholarships for students of migrant and seasonal farm workers, American Indian higher education programs, and education of the deaf. The law also provides funds for enhancing teacher quality, transitioning young people from incarceration, fighting violent crimes against women on campuses, and promoting educational programs about the Underground Railroad – a network through which slaves escaped to freedom.

Voting Rights Act

Opportunities to participate in elections opened with the enactment of a national law banning racial discrimination in elections, requiring bilingual election materials, and encouraging outreach to increase voter turnout. This has an effect on all elections, and impacts the make-up of local school boards that determine school budgets, curricula, and school policies.

activities

The key to a successful Law Day is providing programs that are interesting enough to bring people to the courthouse. Consider especially reaching out to the elderly, low-income, and immigrant populations by arranging for transportation to bring them to the courthouse for Law Day. Many of the activities listed below come from the American Bar Association.

ELEMENTARY STUDENTS (K-5)

Art contests

1. Have students create a poster that illustrates America's melting pot.
2. Ask students to create a collage showing how diverse people have contributed to America's government, legal system, popular culture, etc.
3. Ask students to create a collage that reflects America's quest for equality.
4. Have students create a poster that shows people celebrating or using their freedom.
5. Assign students to create an informational poster montage that explains the trial right guaranteed in the Constitution.
6. Challenge students to create a poster that explains their understanding of our freedoms as American citizens.
7. Sponsor a t-shirt or button contest with the winning artwork being displayed on items worn on Law Day.

Sample lesson: A girl named Linda

You can reach even the youngest students with important principles of fairness and equal treatment, both in the legal system and society in general. Through listening to a story and discussing a series of photos, students will begin to understand how the education of Linda Brown resulted in one of the most important cases ever to be decided by the U.S. Supreme Court.

Preparation

Read the preceding material on [Brown](#) or, for a more complete look at the case, go on the ABA Web site (www.abanet.org/publiced/lawday/storiesofbrown.pdf) and become familiar with the story of Linda Brown. Think about how to tell the story using grade-appropriate language.

Locate some historical photos that illustrate [Brown](#) or other aspects of the struggle to desegregate schools. You'll find some online at the [Brown v. Board of Education](#) National Historic site (www.cr.nps.gov/nr/travel/civilrights/ka1.htm), and even more at the Brown Foundation site (<http://brownvboard.org/trvlexbt/pnl01/pnl01.htm>). Or you can use the photos on pages 6, 12, 18, 26, 36, and 42 of the ABA's Law Day Planning Guide. Secure the photos on stock paper to facilitate viewing.

Presentation

Ask the students if they have heard the story of Linda Brown. Because this is an anniversary year, it is possible that students are aware of

Linda Brown and/or [Brown v. Board of Education](#).

Retell the story at a grade appropriate level. Remember to make the story brief and interesting because of the students' short attention span.

As an example, start by saying, "I am going to tell you a story of a little girl named Linda Brown. Linda was a normal little seven-year-old girl who liked to play games with her sisters. Linda had to go to Monroe Elementary School because she was African-American. To walk to Monroe each day was sometimes difficult, especially in the cold weather. Linda's father decided that Linda should be allowed to go to Sumner Elementary School because it was very close to her home. . . ." (continue the story).

Use the photos you've found. As you hold up each photo, ask the following questions. By moving from broad to specific in the questioning process, the students will grasp a better understanding.

- What do you see in the photo?
- What do you think the people in the photo are doing?
- Why was it important for the people in the photo to be doing what they were doing?

Bring closure to the activity by asking students to think about how our country ensures that all individuals are treated equally.

Separate but equal activity

The U.S. Supreme Court concluded in its Brown decision that “separate educational facilities are inherently unequal.” Using the Web or school library, have students research how the resources of segregated schools differed. Then ask them to construct 3-D models of a white school and a school for children of color in the pre-Brown era.

A creative look at Brown

Have students create songs, raps, poems or spoken word pieces about the legacy of Brown. If possible, host a school assembly to showcase students’ work.

handout:

Fair or Unfair?

Here are some examples of people being treated differently. Please go through them one by one. Do you think each one is fair or unfair? Why? If you think some are unfair, who is harmed and what should be done about it?

- 1 Girls are not allowed to join the Boys Club. Boys can't join the Brownies.
- 2 Children under 6 get into the swimming pool for free.
- 3 Parents give their 10-year-old son a larger allowance than they give their 5-year-old son.
- 4 The positions in the class never rotate; the kids seated in front are always in front.
- 5 There are twice as many kids on the soccer team as there are positions. The coach plays the best players most; some kids hardly play at all.

MIDDLE SCHOOL STUDENTS (grades 6-8)

Middle school is a perfect time to have students consider the civic implications of decisions like Brown v. Board. The following activities are suggestions from the American Bar Association's Special Committee on Youth Education for Citizenship, *Tolerance.org*, and other sources.

These activities are designed to enable students to learn about diversity in the courts and to look at a situation from a variety of viewpoints.

Brown v. Board makes news

Ask students to pretend it's May 17, 1954. Have them write the front-page headline and lead story for your local newspaper. Use poster board or multimedia to display students' stories. If possible, contrast them against the front page that actually ran in your community newspaper when Brown was decided.

Classroom guests

Judges, lawyers, and law-enforcement officers might offer to visit classes and make a presentation about equality in law. Topics could include laws about locker searches, court treatment of different religious beliefs, or diversity in schools. Consider using one or more Wisconsin school-related cases to spark discussion (see page 47). Students should be prepared for the guest by reading about the guest's topic and preparing questions to ask the guest.

Freedom in the news

Students can search newspapers for stories about people promoting equality. When they've found a variety of articles, students can create a scrapbook for their classroom. It should include the newspaper article and a brief explanation written by the student stating why the article was selected.

Sample lesson: Equality under law

Preparation

Read the insert on Brown in the Planning Guide; become familiar with the facts. Make two copies each of the following quotes.

1. "We conclude that in the field of public education the doctrine of separate but equal has no place. Separate educational facilities are inherently unequal."
-Chief Justice Earl Warren, Court opinion, Brown v. Board of Education (1954)
2. "We hold these truths to be self-evident; that all men are created equal." -Declaration of Independence (1776)
3. "Our Constitution is color-blind, and neither knows nor tolerates classes among citizens."
-Justice John Marshall Harlan
4. "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."
-U. S. Constitution, Article XIV, Section 1

Presentation

1. Ask the students to define equality.
2. Divide the class into eight teams. Distribute one quote to each team. The eight teams allow for smaller discussion teams.
3. Ask each team to review its quote and establish consensus on "What is Equality?" Allow about five to seven minutes for each team to complete the assignment.
4. As the teams are working, write the four quote sources on the board or flipchart.
5. Call time. Have each team report its findings, reporting one quote at a time. As the first team finishes, ask the second group reviewing the same quote if they have any additional findings.
6. As the teams report, capture their findings in a one-to-two word fashion under the appropriate quote reference on the board or flipchart.
7. When all teams have completed their reports, provide a brief background of the quote.
8. Bring closure to the activity by asking the following questions:

Is there a difference in the explanation of the term equality among the quotes? If so, what is it? What is the status of equality now? What debates about equality do you see in the future?

Book donation

One Milwaukee judge decided to mark the anniversary of Brown v. Board by alerting the Milwaukee Public Schools to a new book, geared for grades six through 12, that collected stories, memoirs, and poems about the history and impact of the landmark desegregation ruling. Entitled “Linda Brown, You Are Not Alone: The Brown v. Board of Education Decision,” the book features the work of 10 well-known children’s authors who were schoolchildren in 1954 when the ruling was issued.

After Judge Maxine A. White discussed the book with school administrators, Milwaukee’s Division of Educational Technology decided to purchase classroom sets for seven Milwaukee Public Schools.

Those wishing to donate the book to a local public library or school library are encouraged to check with the librarian first. The book is available in many local bookstores or through *Amazon.com* (keyword search “linda brown v. board”).

Exploring diversity and the law

Have students explore what “diversity” means to them. Ask them to offer definitions and synonyms. Ask what types of diversity exist in our society. Ask which issues of diversity are most critical today in our country? In their community? In their school? Does the law protect the kinds of diversity they’re discussing? If so, how? If not, should it? What fundamental values – such as justice, equality, and human dignity – are involved? What, if any, policies should be established to further diversity?

Teaching conflict resolution and mediation skills

Many schools are interested in launching their own peer mediation or peer jury program to resolve conflicts between students. The State Bar of Wisconsin and Wisconsin Department of Justice administer the PEACE program (Peers in Education Addressing Conflict Effectively), in which an estimated 25,000 students at 50 Wisconsin elementary schools participate. This program offers mediation training for teachers every August in Madison. Judges and lawyers can get a head start by offering a training program at a local school. Your goal is to train mediators in the areas of active listening, paraphrasing (restating) ideas, recognizing and naming emotions, and remaining calm under difficult circumstances. This process benefits from a great deal of rehearsal. Here are generally accepted elements:

1. Stage a conflict between two students. Have two other students – the peer mediators – step in and offer help (in your first role-play, you might consider using adults in all of these roles).
2. Have the peer mediators explain who they are, what their job is, and the ground rules that must be followed. Both disputants must agree to the following ground rules: no interrupting one another, no insults, be honest, and work to solve the problem.
3. Next, the mediators help to define the problem, a process that looks like this:
 - Each disputant states the facts and his or her feelings about the conflict.
 - The mediators restate what they heard the disputant say.
 - Each disputant is asked, “What do you need to have happen in order to feel that this problem has been solved?” After each disputant has identified his or her needs, the mediators move on to finding solutions.
 - Each disputant is asked what can be done to help solve the problem. When one disputant offers a solution, the other is asked, “Is that OK with you?” If both cannot agree to the solution, the mediators take the process back to the prior step.
 - Once both students in dispute have offered and agreed on a solution, they are asked if they feel the problem is solved. Then the mediators remind them to tell their friends that the problem has been solved.
4. The mediators thank the participants for doing a good job, and the mediation is finished.

Peer mediation resources

The Web is a great resource for materials on peer mediation. There are also numerous books available on the topic. Here are a few suggestions.

www.schoolmediation.com

This Web site sells books and a videotape, but also provides free content including links to past newsletters, discussions of problems that have occurred in school mediation programs and possible solutions, and more.

www.coe.ufl.edu/CRPM/CRPMhome.html

Developed by the U.S. Department of Education to study the effect of peer mediation programs in middle schools, this site contains a sample curriculum and other useful information – although much of it is available only for fairly substantial fees.

www.amazon.com

Search the book section for keywords “peer mediation” to bring up a huge list of handbooks on strategy and curriculum for peer conflict resolution programs in schools.

HIGH SCHOOL STUDENTS & ADULTS (grades 9 & up)

Ideas for older students and adults include exercises that can be conducted in the classroom or with community organizations and activities that can be organized in the courthouse.

Law careers on Law Day

Many middle schools and high schools host a Career Day each spring that may coincide with your Law Day programs. Find out at the beginning of the year if and when area schools have a Career Day program or study a unit on careers. Students can prepare by creating a worksheet of possible questions on how their visitors prepared for their careers, what their jobs are like, and the larger picture of opportunities in the field. For a full listing of questions, see Law Day Sample Program – Port Washington High School, www.abanet.org/publiced/lawday/ideas/idea8.html. For more resources, visit the ABA's Careers in the Law page at www.abanet.org/publiced/legalcareers.html.

The Color of Justice Program

This program, developed by the National Association of Women Judges (NAWJ) debuted in St. Louis in 2001 and has since been presented around the nation, including Milwaukee. *The Color of Justice* will be presented in the state Capitol as the Wisconsin Supreme Court's Law Day 2004 activity. The goal of the program is to inspire minority students in grades 7-12 to consider careers in the law.

The NAWJ publication, *The Color of Justice Program*, provides detailed how-to information, along with sample press releases, student and faculty evaluation forms, release forms for groups that wish to submit pictures from the event to the local newspaper, and more. To order the guide, e-mail nawj@najw.org or call 202/393-0222.

Whom to invite

Faculty might include local judges (appellate, circuit, municipal, tribal), court commissioners, lawyers, law school professors, and first- or second-year law students. This could be expanded to include the clerk of court, register in probate, law enforcement, court reporter, etc. The presenters should be racially diverse and have varied socioeconomic backgrounds. Audience should be middle- and high-school students of diverse racial, ethnic, and socioeconomic backgrounds. Some successful programs have targeted students who have dropped out and are trying to earn a GED, or otherwise have had a difficult time in school. The NAWJ recommends a small group, about 20, to ensure adequate contact with the presenters.

Presentation

After the leader offers brief words of welcome, introductions, and an overview of the activity (20 minutes), the panelists take the floor. Each panelist discusses how a career in law has enabled him/her to make a difference. The students also hear the panelists' personal stories, emphasizing roadblocks encountered along the way and how they overcame them (40 minutes). Then, the students are split into small groups and a faculty member sits with each group, answering questions and discussing the students' interests and goals and how they might be achieved (20 minutes). When the full group re-convenes, law school faculty and/or law students and/or lawyers and judges discuss the academic abilities and skills required to get into, and succeed in, law school. The presenters then mingle with the students during a box lunch (one hour), reconvening for closing remarks.

Location and time recommended

Reserve space in the courthouse or at a local college or law school. The NAWJ recommends reserving a half-day for this event.

Possible costs

Box lunches may be ordered from local restaurants for approximately \$6-10 each. Drinks generally are not included in this cost. Some planners opt to hand out souvenirs.



[take note]

Donate books at your Color of Justice Program, see page 23

[take note]

award-winning
ideas are on
page 28

Contests

These contests are great ways to spark students' imaginations. See pages 30-33 for contest details.

- 1 Hold a drama competition, where kids do a staged reading based on the arguments in Brown. You'll find excerpts from the key arguments at www.abanet.org/brown.
- 2 Try an interview or writing assignment competition where kids interview someone in their community who remembers segregated schools, the reaction in the community when Brown was decided, etc. See www.rembertoteach.com for ideas.
- 3 Develop a forensics competition, where students vie to make the best argument to a court (see ideas below for possible topics).

Debate/essay topics

Many of the issues Brown raised are still topics of debate. These include:

1. What is the status of racial integration and segregation in the United States today?
2. Do we have equality of opportunity in education today in light of the disparities between affluent and poor districts?
3. Are race-based preferences and affirmative action necessary to overcome the effects of past discrimination?
4. What is the meaning of equality in the United States?
5. What is the role of law, lawyers, and courts in protecting our rights?

Sample lesson: Can a legal decision bring about rapid social change?

This strategy from the ABA focuses on the resistance to the Brown decision, the Court's later decision that desegregation proceed "with all deliberate speed," and the current status of diversity in schools.

Presentation

Discuss the U.S. Supreme Court's Brown II (349 U.S. 294 (1955)) opinion and then explore the following questions.

1. Reaction to the first Brown decision was fierce in the Southern states, with newspaper editorials predicting violence and political leaders promising defiance. How do you think the Court's ruling for desegregation with "all deliberate speed" should have been interpreted? Do you think it gave too much deference to white resistance in the South? What do you think the result would have been had the Court demanded immediate desegregation? What would you have done as a justice in the same situation?
2. What can the Supreme Court do to enforce its decisions? What is the role of the other branches in enforcing Court decisions? What can the Court do without the full support of the other branches?
3. Why were schools the focus of the litigation that led to Brown v. Board? Is it more important for schools to be diverse and desegregated than the rest of society?
4. Schools that once were segregated by law have tended to "re-segregate" as a result of housing patterns and other circumstances. Is the "voluntary" resegregation in our nation's schools harmful? In terms of effect on students, is there a difference between legally mandated segregation and segregation due to other factors? Should national, state, or local governments try to do something about this issue? If so, what can be done?

good ideas

Information fair

Set up tables for handouts/displays from the courts, county and state bar associations, the ABA, police, sheriff, and county agencies. Consider reserving one table as a legal advice booth (see page below), one for voter registration and one for often-asked questions (for example: how to apply for a passport, how to file a small claims action, what happens when one fails to pay a fine). Give a tour of the court system's redesigned Web site on public access terminals. Many bar associations have programs geared to high school seniors who will soon be, or already are, adults. A lawyer discusses a topic with a small group of students, allowing time for their questions. Students move round robin to another lawyer until all students have met with each lawyer. Each lawyer discusses a different issue such as leases, drunk driving, marriage, and domestic abuse.

Legal advice booth

Identify local lawyers with a broad range of expertise to staff the booth in shifts. Promote in fliers and press releases (see pages 42-43). Alternative: Partner with a local television or radio station and have attorneys take call-in questions.

Tours of courthouse

Recruit volunteers, create handouts and tour-guide speeches with historical information on Wisconsin's legal history and famous cases (see Resources, page 98), complete localized court visitors' guide if not already done (call the Court Information Office at 608/264-6256 for help), and make posters listing tour times.

Offer tours in conjunction with a "meet your judges/police chief/sheriff/county executive/county board members/city council" event.

Contact these and other individuals to gauge interest, availability, and the best venue for meetings. For example, determine which court will be handling cases that are appropriate for children to watch or stage a mock trial (see pages 53-91 for mock trial scripts). See if the sheriff's department will give jail tours and if a police mascot might be available to greet children and give safety tips. See if a CrimeStoppers episode could be taped at the courthouse on May 1 or if a local radio station will broadcast live from the courthouse. Promote all activities in press releases and flyers, making clear that judges will not answer questions on pending cases.

Town Hall Meeting

Organize a town hall meeting for community members to meet with lawmakers, judges, and attorneys to talk about key issues related to the law and the courts. Promote with fliers.

Newspaper supplement

In 2003, the Marathon County Bar Association worked with local businesses to produce a special Law Day supplement to the *Wausau Daily Herald*. Atty. Michael K. Moran worked with members of the county bar, State Bar of Wisconsin, and Supreme Court staff to pull together information for the 12-page supplement, and then brought it to a member of the *Herald's* advertising staff, who created the publication. The supplement ran in the *Herald* on Law Day, May 1.

Moran reported that the supplement was very well received, and that it was an excellent way to convey law-related information and to highlight the positive contributions of lawyers in

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the area. For those who want to try this, he offers the following tips:

- ❑ Contact a local newspaper's advertising manager to inquire about printing a special insert highlighting the legal community.
- ❑ Work with your local bar association to decide on a format and information to present.
- ❑ Generally, inserts are produced with advertising revenue from businesses and organizations that do business within the focus of the insert. The paper running the insert might contact local law firms and other law-related businesses to solicit advertising. If businesses are reluctant to place ads due to the one-time nature of the supplement, you might explain that the advertising will be cost-effective since it promotes a positive view of the legal system. In addition, potential clients can use it beyond the day it will run in the newspaper. Small firms may be more willing to contribute ads if large firms agree to do so, as well.
- ❑ Ask members of your local bar, as well as local judges, to submit articles for the supplement.
- ❑ Contact the Director of State Courts Office (Amanda Todd: 608/264-6256) and State Bar of Wisconsin (Dee Runaas: 608/250-6191) for additional ideas and materials.
- ❑ For additional advice on producing a supplement, contact Atty. Michael K. Moran (715/842-1603) and Paul Pawlowski, *Wausau Daily Herald* (715/845-0709).

2003 winners

The following programs were winners of the ABA's Law Day Activities Award in 2003. The ABA describes hundreds of successful Law Day programs on its Web site at www.abanet.org/publiced/lawday/ideas/home.html.

Burlington County (New Jersey) Law Day Program

A cooperative effort of the Burlington County Bar Association, the Burlington County Superintendent of Schools, and the Superior Court of New Jersey, Burlington Vicinage, this program included “Be a Juror for a Day” (for high school students), a student forum on the Bill of Rights in post-9/11 America, an information fair, and student art and essay contests.

Connecticut Judicial Branch

The Connecticut Judicial Branch developed a number of Law Day programs to promote a better understanding of the role of the judiciary in our democratic society, including the Supreme Court on tour, the Judicial Branch volunteer recognition ceremony, judges returning to their high schools, statewide Law Day ceremonies, a Supreme Court Law Day ceremony, and a high school mock trial competition.

Cumberland County (North Carolina) Bar Association

In Cumberland County, 87 attorneys participated as speakers in 75 public schools. The schools requested speakers for a variety of topics, including the Law Day theme. In addition, over 70 attorneys performed repairs on homes owned by low-income senior citizens.

Dallas (Texas) Bar Association

Ensuring that independent courts protect our liberties begins with educating citizens about their rights and responsibilities. The Dallas Bar offered all grades the chance to have a lawyer visit a class. High schools participated in a mock *voir dire* at the criminal courthouse. An essay contest was sponsored for middle school students and an art contest for elementary students. To reach the larger community, DBA members spoke to jury pools about citizen participation in the legal system. The Law Day celebration culminated in a luncheon honoring the judiciary.

Other Notable Programs

U.S. Air Force judge advocates in Wyoming

Judge advocates (JAGs) spoke to more than 500 ninth-graders at two local junior high schools. JAGs talked to small class groups and used a variety of interactive techniques – mini courts-martial, search and seizure hypotheticals, etc. to involve students (see below). Further, JAGs set up a legal question and answer session in the base dining hall and held an estate planning seminar at the base family support center.

Search and seizure: Hypothetical situations

- 1 You are walking down the street in downtown Cheyenne. You do not match the description of any wanted criminal suspects and no crimes have recently been committed in the area. A police officer walks up to you, asks you your name and some identification. Can you walk away without answering?
- 2 You and two friends are driving around Lyons Park at 10:30 p.m. A police officer drives by. He doesn't like your looks or the looks of your two friends. He thinks you look like troublemakers. You don't break any law. Can he pull you over and ask you for your license and registration?
- 3 You and two friends are driving around Lyons Park at 10:30 p.m. A police officer drives by. He doesn't like your looks or the looks of your two friends. He thinks you look like troublemakers. You have a broken headlight. Can he pull you over and ask you for your license and registration?
- 4 You and two friends are driving around Lyons Park at 10:30 p.m. A police officer drives by. He doesn't like your looks or the looks of your two friends. He thinks you look like troublemakers. You have a broken headlight. He pulls you over. He approaches your car and knocks on your window. As you roll down your window a wave of marijuana smoke blows out and hits him in the face. He asks you to step out of the car and then proceeds to search it for drugs. Can he do that?
- 5 You and two friends are driving around Lyons Park at 10:30 p.m. A police officer drives by. He doesn't like your looks or the looks of your two friends. He thinks you look like troublemakers. You have a broken headlight. He pulls you over. He approaches your car and knocks on your window. You roll down your window and he asks you if he can search your car. You say no. There is no sight or smell of anything illegal. He searches your car and finds drugs. Can he arrest you and use that evidence against you?
- 6 You've been arrested for marijuana possession. No one has read you your Miranda rights. They take you to the station and want to fingerprint you. You don't consent. They do it anyway. Your fingerprints show you to be the mysterious third who helped Timothy McVeigh in the Oklahoma City bombing. Can they use those fingerprints against you in court to prove you are that person?
- 7 You've been arrested for marijuana possession. A police officer reads you your Miranda rights. You say you want to speak to a lawyer. Can she continue to question you?
- 8 You've been arrested for marijuana possession. A police officer reads you your Miranda rights. You say you wish to remain silent. Can she continue to question you? What if it is about a completely unrelated car theft that happened last Saturday?

contests

(Note: enclose this information with the invitation to schools)

Essay Contest for Fifth Graders

- Rules:**
1. Teachers should screen all submissions and forward the top two to XYZ, the committee person in charge of contests (see address below).
 2. Entries will be screened by a committee of judges and lawyers. Judging criteria are as follows:

How well the question is addressed
Originality
Clarity
Grammar
Spelling
Construction

3. Teachers should staple a cover sheet to each entry with the following information: teacher's name and telephone number; student's name, name of school, number of the question being addressed.
4. To be considered, entries must be received no later than Wednesday, April 14.
INSERT RETURN ADDRESS HERE

Questions (choose one):

1. Describe one of the rights that you, as a child, have under the U.S. Constitution. What are some of the things that right allows you to do?
2. If you could amend the U.S. Constitution, what right would you give to children and why?
3. What does equality mean to you? How can you work to achieve equality in your school?
4. Should juveniles accused of serious crimes be tried as adults? Why or why not? If so, for which crimes and at what ages?

Prizes:

First, second and third-place winners will be called on or about April 16. Due to the expected volume of entries, those who entered but did not win will not be notified. The winners will be honored at a ceremony at the X County Courthouse at noon on May 3 as part of our Law Day celebration. Judge Y will present each winner with a certificate/ribbon/plaque and ask each to read his/her essay aloud to the group that will be assembled for Law Day activities. The children's parents, principal and teacher will all be welcome to attend. Awards for a fourth-grade poster contest will be given at the same ceremony.

Please note that winning essays will be submitted to the local newspaper unless teachers ask that they not be.

Poster Contest for Fourth Graders

- Rules:**
1. Teachers should submit all entries to XYZ (the committee person in charge of contests). See address below.
 2. Entries will be judged by a team of judges and lawyers on the following criteria:
 - Creativity
 - Originality
 - How well the question is addressed through the art
 3. Teachers should tape a sheet to the back of each entry with the following information: teacher's name and telephone number, student's name, name of school, number of question being addressed and a short description of what the student is showing (for example: Billy has drawn himself worshipping at his church). To be considered, entries must be received no later than Friday, April 23. Send to:
INSERT RETURN ADDRESS HERE

Topics (choose one):

1. Create a poster that shows the role of the law in protecting children.
2. Create a poster showing what you think our country might be like if we didn't have the Constitution to protect our freedom.

Prizes:

Winners will be notified by telephone on or about April 26. Due to the expected volume of entries, those who do not win will not be notified. All posters received will be hung in the X County Courthouse during the week of May 3, in honor of Law Day. The first, second and third-place winners will receive ribbons, which will be tacked to their posters during a ceremony at noon on Monday, May 3, at the courthouse. The children, their parents, principal and teacher will be welcome, and the children will be asked to explain the meaning of their posters to the group that will be assembled at the courthouse for Law Day. Awards for a fifth-grade essay contest will be given at the same ceremony.

judging

Essay/Poster Number: _____

(Note: The person who receives the essays/posters should not be one of the people judging them. S/he should remove all identifying marks and give each poster a letter, keeping a master key that matches name to letter).

Note: Essays are judged on all criteria; poster criteria may need to be narrowed.

Criteria: _____ Points (max for each = 5)

How well addressed question _____

Originality _____

Creativity _____

Clarity _____

Grammar _____

Spelling _____

Construction _____

Score: _____/35

Sample notification of schools

Congratulations! Your student, XYZ, has won (first, second, third) place in ZZ County in the Law Day 2004 essay contest. You and s/he should be very proud.

The judging was done by Judge X and Lawyers P and D. All identifying marks were removed from the essays ahead of time to ensure fairness. We received essays from # schools from all over ZZ County.

We would like to invite you, the school principal, the student's parents and the student to a ceremony at which we will honor all essay contest winners. This will take place at noon on Monday, May 3, at the ZZ County Courthouse, address here. Judge X will present the top three essayists with plaques and the children will each be asked to read their essays aloud to the various groups who will be present for the Law Day open house.

We will be sending the student's essay to the local newspaper and will invite the media to cover the awards ceremony. If the child's parents would prefer that s/he not be given media exposure, please notify me of that immediately. Please also call as soon as possible to let me know how many we can expect at the ceremony.

I can be reached at XXX. Congratulations again!

Sincerely yours,

PDQ
Chair, Law Day 2004 Committee

jurors

Jurors are an important constituency of the courts. Law Day is a perfect time to honor them, and promote jury service, through courthouse activities.

Juror Appreciation Dinner

Open the courthouse on the evening of May 1 for a special dinner honoring jurors (see sample letter/invitation, page 36). Invite everyone who has served on a jury in the last three months (adjust according to the size of the group you wish to have). Cater in a dinner, perhaps using the jury assembly room for the event. Provide free childcare on site. Solicit door prizes from local businesses (judges should not do the soliciting). To boost attendance, make the dinner free. Hand out comment cards soliciting the jurors' ideas for improving the system. Consider inviting the news media for a story that will publicize jury service.

Juror Employer of the Year Award

Give an award – perhaps in the form of a plaque (see page 99) – to a local business that has made jury duty easier on its employees by permitting shift changes, giving paid time off, promoting jury duty in the personnel policy, etc. The award might be given either at the courthouse or at the business' headquarters. Alert the local media to the award ceremony (see sample press release, page 35) and contact the company's newsletter, if one exists.

Book Donation

Purchase books having to do with juries and jury service and donate them, in a Law Day ceremony, to the local public libraries and school libraries. Here are a few to consider:

- Aaseng, Nathan. *You are the Juror*. Minneapolis, Minn.: The Oliver Press, 1997. Book for young adult readers puts them in the role of jurors in eight famous trials.
- Abramson, Jeffrey. *We, The Jury: The Jury System and the Ideal of Democracy*. New York: Basic Books, 1994.
- Adler, Stephen J. *The Jury: Trial and Error in the American Courtroom*. New York: Times Books, 1994.
- Baldwin, John and McConville, Michael. *Jury Trials*. Oxford: Clarendon Press, 1979.
- Fukurai, Hiroshi, Butler, Edgar W., and Krooth, Richard. *Race and the Jury: Racial Disenfranchisement and the Search for Justice*. New York: Plenum Press, 1993.
- Gobert, James J. *The Jury on Trial: A Political, Philosophical, and Psychological Examination of the Jury*. 1993.
- Hans, Valerie P. and Vidmar, Neil. *Judging the Jury*. New York: Plenum Press, 1986.
- Hastie, Reed, Penrod, Steven, and Pennington, Nancy. *Inside the Jury*. Cambridge, Mass.: Harvard University Press, 1983.
- Litan, Robert E. (Ed.). *Verdict: Assessing the Civil Jury System*. Washington, D.C.: Brookings Institution, 1993.
- Levine, James. *Juries and Politics*. Pacific Groves, Cal.: Brooks/Cole, 1992.
- Uviller, H. Richard. *Virtual Justice: The Flawed Prosecution of Crime in America*. New Haven, Conn.: Yale University Press, 1996.

Thank-you letters

Write a thank-you letter to all who have served on jury duty in the last year (see sample letter, page 36). A “jury service” bookmark could also be enclosed.

Sample Press Release: Juror Employer Award

CONTACT:

Committee Member X
phone number

FOR IMMEDIATE RELEASE

XYZ Company Named ‘Juror Employer of the Year’

Everywhere, Wis. (April 16) - XYZ Company has been named Q County’s Juror Employer of the Year for its commitment to supporting its employees who are called for jury service.

XYZ, which employs N people at its factory/store/warehouse/etc. in Anywhere, has taken the following steps to assist employees in carrying out this important civic duty:

Q County’s Law Day Planning Committee chose XYZ as the first recipient of this award. “XYZ has taken important steps to ensure that its employees can answer the call to jury duty,” said Committee Chair Jane Doe. “Jury service is the one of the key ways in which citizens can participate in government, and it is the bedrock of our justice system. XYZ has recognized that making it easier for its employees to answer the call to jury duty boosts employee morale and upholds the values of the community.”

XYZ President Bud Smith will accept a plaque on behalf of the company at X p.m. during the Law Day celebration on Monday, May 3, at the Q County Courthouse at 111 Main St., Everywhere. Judges P, D, and Q will present the award in the Branch I courtroom. The media and public are welcome to attend.

In addition to the award ceremony, the following activities will take place at the Q County Courthouse on Law Day: A, B, C.

Members of the public are encouraged to join in the Q County Courthouse’s and Bar Association’s celebration of Law Day 2004.

###

Sample Thank-You Letter/Invitation: Jury Service

Dear Ms. X:

I want to take this opportunity, as Law Day 2004 approaches, to thank you for your jury service in the past year. [If juror appreciation activities are planned, mention them here].

As you know, jury service is the bedrock of our justice system. Without your participation, the system could not work. And without a healthy justice system, this community would not be the wonderful place that it is to work and live.

The Wisconsin Supreme Court in 1997 amended the statutes dealing with jury service to institute shorter terms of service and more efficient use of jurors' time. This will help ensure that the time and goodwill of citizens called for jury duty is not wasted or taken for granted. The changes, we hope, will preserve the jury system and enhance the quality of the decision-making process.

I thank you for your commitment to our justice system and invite you to call or write to XYZ with any suggestions or comments on your experience.

Sincerely yours,

Presiding Judge

legal advice

Guidelines for giving free legal advice

Those counties choosing to offer free legal advice clinics should keep in mind the following:

People seeking advice may assume that by talking with the attorney they have retained that person. It is important to make it clear at the outset that the attorney is not representing them.

Attorneys giving advice may or may not choose to offer their business cards. That is entirely up to the individual attorney.

Brochures designed to help people access the State Bar's Lawyer Referral Service are available at no charge (see page 97).

A number of other resources are available to people who need help. See page 38 for referral information.

Sample legal advice disclaimer

This is a legal advice service provided free of charge on Law Day. Although I will not be your personal attorney, I will provide what information I can. Information will be general in nature since it is not possible to analyze all the facts of your case over the phone/in a short meeting. If you desire a personal attorney, you will receive information about how to find one.

[Lawyer Referral &
Information Service]
of the State Bar of Wisconsin

800/362-9082 or
608/257-4666

Monday - Thursday
7:30 a.m. - 6 p.m.

Friday
7:30 a.m. - 3 p.m.

resources

Advocacy, Coalition for

608/267-0214 (Madison)
414/342-8700 (Milwaukee)

Aging and Long Term Care, Board on

608/ 246-7013
800/242-1060

Agriculture, Trade & Consumer Protection

800/422-7128
920/448-5110 (Green Bay)
608/224-4960 (Madison)
414/266-1231 (Milwaukee)

ACLU (American Civil Liberties Union)

414/272-4032

Attorney General's Office

608/266-1221

BAPR (see Lawyer Regulation, Office of)

Battered Women, Dane County Advocates for

608/251-4445 (crisis line & shelter)
800/747-4045 (crisis line & shelter)

Briarpatch (juvenile runaway & abuse counseling)

608/251-1126 (crisis line)
608/251-6211 (business line)

Business Information

800/435-7287 (Wisconsin Department of Commerce Business Helpline)
608/263-2221 (UW Business School, Small Business Development Center)
608/263-7680 (UW Business School, Business Counseling Line)
608/250-6006 (State Bar Association Business Assistance Program)
608/441-5261 (Federal Small Business Administration)

Centers for Prevention and Intervention (formerly

PICADA)
608/246-7606

Child Support; refer to local office.

City Attorney; refer to local office.

Clerk of Circuit Court; refer to local office.

Consumer Protection (Justice Department; see also Agriculture, Trade and Consumer Protection)

608/266-1852

Credit Counseling Service

608/252-1334

Crisis Intervention Center (24-hour rape, suicide hotline)

608/280-2600

District Attorney; refer to local office.

Elder Law Center

800/488-2596 (guardianship hotline)
608/224-0606

Equal Employment Opportunity Commission

800/669-4000
414/297-1111 (Milwaukee)
608/266-4910 (Madison)

Equal Rights Division (Wisconsin Department of Work force Development)

920/832-5301 Labor Standards Bureau
608/266-6860 (Madison)
920/832-5302 (Menasha)
414/227-4384 (Milwaukee)

Family Court; refer to local office.

Financial Institutions, Wisconsin Department of

800/452-3328 (Consumer Act section)
608/264-7969 (Madison)

Health and Family Services, Wisconsin Department of

608/267-3905 (Div. of Children & Family Services)

Humane Society; refer to local office

Institutionalized Persons, Legal Assistance to

608/262-1002

Insurance Commissioner

800/236-8517
608/266-0103 (Madison – complaints/consumer information)

Internal Revenue Service

800/829-1040

Judicial Commission

608/266-7637

Juvenile Court; refer to local office.**Lawyer Referral and Information Service**

800/362-9082

608/257-4666 (Madison)

also try <http://wsll.state.wi.us/topic/selfhelp.html> for information on how to choose a lawyer and for answers to common legal questions.

Lawyer Regulation, Office of

877/315-6941 (toll free)

Mail Fraud - U.S. Postal Service

608/246-1297 (Milwaukee)

Medical Assistance Hotline

800/362-3002

608/221-5720 (Madison)

Mental Health Center of Dane County

608/280-2700

Mental Health Clients' Legal Advocates

608/255-6627

Motor Vehicles Division (Wisconsin Department of Transportation)

608/266-0765 (consumer complaints)

608/266-2353 (driver records)

608/266-2261 (suspension/revocation)

Municipal Court; refer to local office.**National Labor Relations Board**

414/297-3861

Parental Stress Center

608/241-2221

Public Service Commission

800/225-7729

608/266-2001 (Madison - consumer complaints)

Regulation & Licensing, Wisconsin Department of

608/266-2112

Small Claims Court; refer to local office.**Tenant Resource Center** (for tenants & landlords)

608/257-0006

Traffic Court; refer to local office.**Unemployment Compensation**

608/232-0678

Veterans' Services

800/827-1000 (federal regional office)

608/266-1311 (state)

608/266-4158 (Dane County)

Workers' Compensation

608/266-1340

Workforce Development, Wisconsin Department of

608/266-0327 (Division of Workforce Solutions)

invitations

Sample invitation to community groups/officials

Dear (Rotary, Kiwanis, NAACP, Mayor, Police Chief, Legislator, etc.):

The X County courts are planning a big celebration on Monday, May 3, in honor of Law Day. We would like to invite you to join in the festivities.

Law Day U.S.A. was established by President Dwight D. Eisenhower in 1958 to give Americans an opportunity to reflect on the country's legal heritage, the role of law in our society and the rights and responsibilities that come with a Democracy.

The theme of this Law Day is "Celebrating access to justice: Brown v. Board at 50," and we believe there is no better place to celebrate that than at the local courthouse, where we work every day to promote fairness and equality in education and beyond.

We are planning an open house at the courthouse with (for example): refreshments, a team of local attorneys providing free legal advice, a table full of free materials on a variety of law-related topics such as landlord/tenant law, real estate transactions, bankruptcy, buying and selling automobiles and much more; a voter registration table, tours of the courthouse and the jail, an opportunity to meet the judges and a display of posters on the Constitution crafted by local fourth graders.

We hope you are able to join in this celebration and ask that you please call Y (committee person) if you have a group larger than five.

Sincerely yours,

XYZ

Sample invitation to schools

Dear Principal X:

I am writing to invite your students to participate in a statewide Law Day celebration. The theme of this year's Law Day is "Access to justice: Brown v. Board at 50," and we believe there is no better place to celebrate that than at the X County Courthouse, in the town of XXX, where we work every day to promote fairness and equality in education and beyond.

President Dwight D. Eisenhower established Law Day U.S.A. in 1958 to provide an opportunity for reflection on our legal heritage and the role of law in American society.

On May 3, 2004, in honor of Law Day, the X County courthouse, along with courthouses around the state, will host an open house. There are a number of ways in which your students might participate:

First, the Law Day 2004 organizing committee is sponsoring a poster contest for fourth graders and an essay contest for fifth graders (see attached contest information).

Second, the committee is making lawyers and judges available to visit your school and lead discussions designed to help your students understand the rule of law and the role of an independent judiciary.

Third, we would like to offer you the opportunity to schedule a tour of the courthouse on May 1 for a group of students. XYZ activities will be taking place (include the mock trial, if you will have one for them to watch). If you should have a contest winner, that student, his/her parents, the teacher and yourself will be invited to an awards ceremony at the courthouse.

We hope you choose to participate. Please call me at XXX if you are interested. Thank you!

Sincerely yours,

XXX
Chair, Law Day 2004 Committee

press releases

Sample press release #1

CONTACT:
Committee Member X
Phone Number

FOR IMMEDIATE RELEASE

XYZ County Courthouse Will Celebrate Law Day with an Open House

Everywhere, Wis. (April 12) - Need free legal advice? Want to register to vote or pick up free materials on your legal rights and how to protect them? How about taking a tour of the jail or meeting your sheriff and judges?

The XYZ County Courthouse, in celebration of Law Day, will sponsor an open house for the community on Monday, May 3, from 8 a.m. until 4 p.m. Refreshments will be served and Judges P, D and Q along with Police Chief R, Sheriff S, County Executive T and members of the City Council and County Board will be on hand to greet the public.

Cheesehead the Clown will also make an appearance to hand out home safety tips.

Local lawyers A, B and C will staff a free legal advice booth from 8 a.m. to 3 p.m. to answer your questions. In addition, a variety of free handouts on topics such as landlord/tenant law, divorce, marital property, bankruptcy, starting a business and much more will be available.

City Clerk Z will have a voter registration table set up. In order to register, you must be at least 18 years old. Bring an identification card and anything showing your current address (check with your city clerk to make sure this is what they will want).

Law Day U.S.A. was established in 1958 by President Dwight D. Eisenhower to give Americans an opportunity to reflect on their legal heritage and the role of law in society.

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Sample Press Release #2

(Note: If you have essays from fifth- and/or eighth-graders, enclose them with the press release)

CONTACT:
XYZ
Committee Member
Phone Number

FOR IMMEDIATE RELEASE

Courthouse Will Celebrate Law Day on May 3

Everywhere, Wis. (April 19) - The community is invited to a Law Day celebration Monday, May 3, from 8 a.m. to 4 p.m. at the X County Courthouse. Free legal advice, refreshments, tours of the courthouse and jail, a voter registration table, and an opportunity to meet the judges are just a few of the activities planned.

Law Day U.S.A. was established in 1958 by President Dwight D. Eisenhower to provide an opportunity for Americans to learn more about their legal heritage and the rights and responsibilities that come with a Democracy.

At noon, a ceremony will honor local students who have created posters and essays (editor: see enclosed essays) in honor of Law Day. The winners will be given ribbons and plaques and asked to present their work to the assembled group.

At 5 p.m., local people who (have served on juries in the last three months/serve as foster parents) will be honored at a courthouse reception with the judges.

All members of the community are encouraged to attend the festivities, or just stop by and pick up a variety of free handouts that answer legal questions on such topics as buying and selling automobiles, real estate transactions, starting a business, divorce, probate and much more.

###

speeches

Below are speeches, talking points, and discussion questions courtesy of the American Bar Association (ABA). The points of view presented are those of the ABA, modified to present Wisconsin information. These are designed to help you make presentations on several topics. These points can serve as notes for speeches, a catalyst for discussion, or a handout. Talks may range from a public conversation among community members and leaders to a single speaker making a presentation in a classroom, to a moderated panel discussion.

Equality under the law

“We hold these truths to be self-evident, that all men are created equal.” This was the revolutionary creed of a revolutionary document, the Declaration of Independence.

Yet what, exactly, did “equal” mean to the founders? Well, it meant that America would dispense with inherited privilege like titles of nobility, but it certainly did not mean that men and women were equal in the eyes of the law (women could not vote, for example), nor that the races were equal (the Constitution tacitly recognized slavery). It did not even mean that all white men had equal rights – for decades in many states the right to vote was tied to owning at least a certain amount of land.

We have not achieved a society in which gender or race has no effect on our prospects in life, and of course differences in family income create a very unequal playing field. No one could doubt, however, that we’ve come a long, long way. Now, more than ever in our history, the great words of the Declaration are closer to reality.

As we celebrate our freedoms this Law Day, we should remember that the law had – and continues to have – a huge role in striking down discrimination and helping us reach equality.

Origins of Equal Protection

1. The Declaration of Independence of 1776 has a ringing declaration of equality: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.”
2. The framers of the Constitution were concerned with equality in terms of inherited privilege. Article I, section 9 of the Constitution specifies “No Title of Nobility shall be granted by the United States.” However, the Constitution tacitly endorses a flagrant denial of equality – slavery. Article I, section 2 apportions Representatives according to the number of “free persons” and three-fifths of “other persons.”
3. The Bill of Rights establishes a number of prohibitions against action by the federal government that would deny equal treatment under the law, at least for free persons. Individuals are guaranteed free speech, freedom of religion, and such due process protections as the right to a speedy and public trial, by an impartial jury, with the assistance of counsel. As Americans, we’re protected against unreasonable searches and seizures, double jeopardy, and being forced to testify against ourselves.
4. The Thirteenth Amendment abolished slavery in 1865. The Fourteenth Amendment in 1868 added specific protections against unequal treatment by state governments. “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

5. The Equal Protection Clause was crafted after the Civil War in order to give the newly freed slaves legal protection. But it was specifically worded to provide protection of the rights of all “persons.” Thus it has recently been used in the defense of the rights of non-citizens.

Discussion Questions

What did “All men are created equal” mean at the time? Did it exclude women? What does it mean to us now?

The Equal Protection Clause is not intended to produce equality in society, but only the “equal application” of the laws. Why? What is the difference?

The equal protection clause

The Fourteenth Amendment provides that no state shall deny to any person equal protection under law. That means it applies to a law or government practice, not to purely private matters. Obviously, the existence of a statute or ordinance establishes that the government is involved. But with some practices (say, the sports program at a private school) the first question is, “Is the government sufficiently involved to make the practice subject to the Fourteenth Amendment?” (Does the school have grants from the government, for example?)

Once government involvement is established, courts use three different tests to determine whether the equal protection clause has been violated, depending upon the nature of the group or right involved. In order of rigor, they are:

Strict Scrutiny Test

Applies to laws and practices that discriminate on the basis of race, national origin, alien status, or some fundamental right such as freedom of speech or religion. As the test suggests, the government’s act is scrutinized closely. The government must show that it has a compelling interest – in other words, an extremely important reason for treating people differently on one of these bases. It must also show that this governmental action is the least restrictive means to achieving its purpose and is narrowly tailored to advance this compelling interest.

Substantial Relationship Test

This intermediate scrutiny applies to government acts that classify on the basis of gender. In these cases, the government must show an important reason to justify its classification. There must be a close relationship between the government’s act and its purpose.

Rational Relationship Test

Otherwise and in most cases, government actions that classify one group differently from another must pass this minimal scrutiny. There must be a logical relationship between the classification and the law’s or practice’s purpose. The government’s interest in discriminating must be a legitimate one.

Selected federal civil rights laws

The discussion may turn to some of the well-known laws that affect equal treatment of persons. Here is a quick look at several important ones:

The Civil Rights Act of 1964, amended in 1972, prohibits discrimination in public accommodations based on race, color, religion, or national origin. It prohibits discrimination based on race, color, sex, religion, or national origin (1) in employment by businesses with more than 15 employees; (2) by state and local governments and public educational institutions; and (3) in any program or activity receiving any federal funds.

The Age Discrimination in Employment Act of 1967, amended in 1978, prohibits arbitrary age discrimination of persons aged 40 and older by employers of 20 or more persons.

The Americans with Disabilities Act of 1990 prohibits discrimination against individuals with disabilities in employment, public services, public accommodations, telecommunications, and other activities.

Equal protection in the courts: Racial discrimination

1. In the 1896 case Plessy v. Ferguson, 165 U.S. 537 (1896), the Supreme Court ruled that requiring railroads to provide separate cars for black and white passengers was not a violation of equal protection. The Court held that “separate but equal” did not indicate that one of the races was to be considered inferior.
2. Ultimately, however, the Equal Protection Clause was used to outlaw segregation. In Brown v. Board of Education, 347 U.S. 483 (1954), the Justices found that “separate but equal” is “inherently unequal.” This decision began the process of ending segregation in many spheres, including universities, public buses, public parks and libraries, etc.
3. In the case Korematsu v. United States, 323 U.S. 214 (1944), a Japanese-American challenged the policy of interning persons of Japanese descent during World War II. The Court determined that the highly unusual demands of wartime security justified the military orders in question. However, in reaching this result, the Court made it clear that distinctions in law and practice based on race are “inherently suspect.” The Justices held that such laws and practices must withstand “strict scrutiny” by the courts.
4. “Strict scrutiny” means that a law or practice that discriminates on the basis of race, national origin, alien status, or some other fundamental right such as freedom of speech or religion will be examined very closely by the courts. The government must show that it has a “compelling interest” – an extremely important reason – for treating people differently on one of these bases. It also must show that the government action was the least restrictive means to achieving its purpose and is narrowly tailored to advance this compelling interest.

Working with youth audiences

School classrooms are a natural setting for judicial public education efforts. But as all teachers know, a productive conversation doesn’t always come naturally in the classroom. If you’re going to lead a discussion in school, here are several strategies that you can use to get students engaged and on track. The strategies are courtesy of the ABA’s booklet “Public Education and the Courts: Guide for Individual Judges”.

Opinion continuum

Present students with ideas related to the topics to be discussed, and ask them to vote on the ideas in a continuum from “Strongly Oppose” to “Strongly Favor.” After the discussion, have the students vote again to see how opinions have changed.

Rank order

Students rank a set of values according to their importance in a democratic society. At the end of the discussion, have them revise their lists.

Point/counterpoint

Break the students into groups and pair the groups. Assign one group the task of supporting an opinion with three to five arguments. Ask the other group to support a contrary idea with three to five arguments. Have each group report to the class, and have the reports serve as the basis for discussion.

Role playing

Ask each student to play the role of a person fitting a certain profile, and have them role-play their responses to ideas generated in the discussion. Then shuffle the roles and go through the exercise again. At the end, ask how the differing roles changed their opinions.

What rights would you give up?

This requires students to think hard about their rights. The scenario is as follows: Since the country is under attack, the authorities have determined that we will have to forgo a certain number of rights – say three – in light of the crisis. Ask students to identify the rights Americans have and then come up with three that they are willing to forgo. Probably during the discussion, they will come to see that it is difficult to “sever” rights. For example, when you give up the right to assemble, does the freedom of speech have meaning?

Wisconsin’s school-related cases

The Wisconsin Supreme Court has decided thousands of cases. All are important and many are interesting, but only some make for good presentations. We have selected 11 cases that, in keeping with the Brown v. Board theme, are school-related. We took care to select cases that originated in different regions of Wisconsin and that raise issues relevant to many audiences. Some of these cases deal with pressing public policy issues, while others illuminate the tension between our democratic values, such as freedom of religion and the state’s interest in educating its youth. These cases, whether taken separately or as a unit, should be the building blocks of a successful and interesting presentation for local schools and community organizations.

Scott v. Stevens Point Area Public School District

663 N.W.2d 715 (2003)

In this case, Ryan Scott, a senior at Stevens Point Area High School, sued the school district for breach of contract and negligence after receiving misinformation from a guidance counselor. The counselor told him a certain class would fulfill NCAA requirements, preserving his eligibility for scholarships from Division I colleges. Scott followed this advice. Upon graduating, he was offered a hockey scholarship from the University of Alaska; however, the school pulled the offer after reviewing his transcript because the course in question did not, after all, fulfill the NCAA requirements. It later was revealed that the counselor had a book of guidelines in his office that clearly indicated this class would not be accepted.

The Wisconsin Supreme Court set out to determine three things: whether the counselor’s negligent advising was a punishable mishandling of a ministerial duty; whether the counselor’s agreement to help Scott constituted an enforceable contract; and whether the broken promise (known in law as “promissory estoppel”) could provide the basis for a lawsuit. The Court, although divided, answered “no” on each count. The majority described the counselor’s actions as discretionary rather than ministerial. Past caselaw indicates that ministerial duties impose, prescribe and define the time, mode and occasion for their performance; such rigid regulations were not in place for guidance counseling services. The Court also rejected the plaintiff’s other arguments, saying the counselor’s agreement to help Scott did not constitute a contract. Chief Justice Shirley S. Abrahamson wrote that the counselor’s immunity from prosecution was consistent with legal precedent but noted, “The outcome of this case is harsh, and the harshness of our holding is especially palpable because the negligence is so clear.”

Read the full opinion at www.wicourts.gov/html/sc/01/01-2953.htm.

Auman v. School District of Stanley-Boyd**635 N.W.2d 762 (2001)**

This case, which began in Chippewa County, required the Wisconsin Supreme Court to determine whether sliding on snow on a school playground during recess counted as a “recreational activity” for purposes of a school district’s liability. The Court decided that the state’s recreational immunity statute (Wis. St01000002a01000004t. § 895.52) did not grant the school district immunity, because recess was a required part of the curriculum.

The background: Trista Auman, who was 11 at the time, broke her leg while playing on a snow bank on her school’s playground during recess. Her family sued the school district alleging negligent failure to inspect and maintain the premises and inadequate supervision. The circuit court granted the school district’s motion for summary judgment, dismissing the case. The court concluded that the district could not be sued because it had immunity under the recreational immunity statute. The Court of Appeals, noting that applying the recreational immunity statute to injuries that occur at school would be a substantial change in Wisconsin law, sent the case directly to the Supreme Court.

Read the full opinion at www.wicourts.gov/html/sc/00/00-2356.htm.

State v. Douglas D.**243 Wis.2d 204 (2001)**

In this case, the Wisconsin Supreme Court decided that the state’s disorderly conduct statute (partially reprinted below) could not be construed to criminalize pure written speech that is not accompanied by disorderly actions.

Wisconsin Statutes §947.01:

“...Whoever ... engages in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance is guilty of [disorderly conduct].”

The plaintiff in this case was 13-year-old Douglas D. Douglas was found guilty of disorderly conduct when, after being punished in class, he wrote a story that described a student cutting his teacher’s head off with a machete. The district attorney filed charges against Douglas, and the Oconto County Circuit Court found that Wisconsin’s disorderly conduct statute applied to pure written speech, so Douglas’s essay was not protected by the First Amendment. The court of appeals affirmed this decision, holding that the creative writing assignment constituted a “direct threat” against the teacher and thus was not protected by the First Amendment.

In his subsequent appeal to the Supreme Court, Douglas argued that the disorderly conduct statute is not meant to criminalize speech unless that speech is intertwined with actions that are disorderly and likely to cause a disturbance. The State, on the other hand, argued that Douglas was not prosecuted for merely writing an essay, but for giving that essay to the targeted teacher knowing she would read it.

The Supreme Court reversed the Court of Appeals’ decision in a 6-1 decision. The justices wrote four separate concurrences and Justice David Prosser Jr. dissented. The majority opinion, by Justice Jon P. Wilcox, said that written speech that fails to cause a disturbance can constitute disorderly conduct, but Douglas’ speech was protected by the First Amendment, barring the State from prosecuting him for disorderly conduct. However, the Wilcox opinion pointed out that while its decision barred law officials from prosecuting protected speech, it did not prevent school administrators from disciplining the same protected speech.

Read the full opinion at www.wicourts.gov/html/sc/99/99-1767.htm.

Vincent v. Voight**236 Wis.2d 588 (2000)**

In this case, the Wisconsin Supreme Court decided whether the system by which Wisconsin gives aid to public schools violated the state Constitution's guarantee of equal protection and the uniformity provision.

The plaintiffs, more than 100 mostly rural school districts from around the state and individual parents, students, and taxpayers, challenged the state school financing system, which provides for equalization of aid to school districts to take into account their differing fiscal (property tax) capacities. Because property-poor districts generate less revenue than property-rich districts, and it is assumed that higher spending per pupil will mean better educational opportunities in the form of advanced placement classes, smaller class size, better facilities, etc., the state gives aid that attempts to equalize revenues. The plaintiffs argued that the system did not do enough and that a revenue limit in the law perpetuated disparities between rich and poor districts.

The Dane County Circuit Court dismissed the plaintiffs' case, ruling that they had failed to establish a link between lack of spending and a deficient education, and concluding that changing the school aid system is a job not for the courts, but for the Legislature. The Court of Appeals affirmed the circuit court, using precedent set in a 1989 case, Kukor v. Grover (148 Wis.2d 469), that upheld the system.

The Supreme Court also affirmed the decision, but with numerous, fractious opinions. The Court concluded that the petitioners had not proved beyond a reasonable doubt that the state school finance system violated the Wisconsin Constitution. Justice N. Patrick Crooks wrote the opinion, and four of the justices wrote separately to concur in part and dissent in part. A fifth justice, Jon P. Wilcox, wrote a straight concurrence. The main opinion said that the current system was, in fact, more equitable than it had been at the time of Kukor. He added, "So long as the legislature is providing sufficient resources so that school districts offer students the equal opportunity for a sound basic education as required by the constitution, the state school finance system will pass constitutional muster."

Read the full opinion at www.wicourts.gov/html/sc/97/97-3174.htm.

Meyer v. School District of Colby**595 N.W.2d 339 (1999)**

In this case, which began in Clark County, the Wisconsin Supreme Court decided that a school district was not immune from liability for injuries suffered by spectators when a set of bleachers collapsed at a high school football game. This decision extended the "organized team sport activity exception" of Wis. Stat. § 895.52(1)(g) to spectators whose injuries do not arise out of the team sport activity or out of the actions of participants in that activity.

The background: Diane Meyer was seated in the top row of the wooden bleachers at Colby High School, watching her son play in a junior varsity football game in September 1996. After the game, she was descending the bleachers when one gave way, causing her to fall and hurt herself.

Meyer sued the school district and the circuit court granted the district's motion to dismiss the case, concluding that the recreational immunity statute barred the lawsuit. The Court of Appeals affirmed that order but, as noted, the Supreme Court reversed. The Court's opinion, by Chief Justice Shirley S. Abrahamson, was unanimous.

Read the full opinion at www.wicourts.gov/html/sc/98/98-0482.htm.

Jackson v. Benson**578 N.W.2d 602 (1998)**

The dispute in this case involved a 1995 plan by former Gov. Tommy G. Thompson to expand the existing Milwaukee Parental Choice Program (MPCP) to include religious schools. The original 1990 law allowed low-income children in the Milwaukee Public Schools to use school vouchers to attend nonsectarian private schools instead. Thompson's plan expanded the program to allow parents to use the vouchers to send their children to religious private schools.

The Dane County Circuit Court ruled in 1996 that this expansion violated the state constitution's religious establishment provisions, which forbade payments of money from the state treasury for the benefit of religious seminaries. The Wisconsin Court of Appeals agreed with that decision in 1997, concluding that the program violated Wisconsin's public purposes doctrine, which requires that public funds be spent only for public purposes.

A divided state Supreme Court overturned the lower court rulings, upholding Thompson's new program as constitutional under both federal and state provisions. Chief Justice Shirley S. Abrahamson and Justice William A. Bablitch dissented; Justice Ann Walsh Bradley did not participate in the case. In his majority opinion, Justice Donald Steinmetz stated that the MPCP did not violate the Establishment Clause of the First Amendment because it had a secular purpose, would not have the primary effect of advancing religion, and would not lead to excessive entanglement between the State and participating private schools. Steinmetz affirmed the program's religious neutrality, stating, "A student qualifies for benefits under the amended MPCP not because he or she is a Catholic, a Jew, a Moslem, or an atheist. It is because he or she is from a poor family and is a student in the embattled Milwaukee Public Schools."

Steinmetz also cited a U.S. Supreme Court opinion, Witters v. Washington Dept. of Services for the Blind (474 U.S. 481), which says that in school choice programs, "any aid to religion results from the private choices of individual beneficiaries" – namely, the parents who choose to send their children to religious private schools – while the state maintains religious neutrality. This case marked the first time that a state high court accepted the argument that choice programs do not violate the Establishment Clause, making it a decision of national importance.

The U.S. Supreme Court declined to review the Wisconsin Supreme Court's opinion in Jackson v. Benson.

Read the full opinion at www.wicourts.gov/html/sc/97/97-0270.htm.

Nieuwendorp v. American Family Ins. Co.**529 N.W.2d 594 (1995)**

In this case, which started in Oneida County, the Wisconsin Supreme Court found that parents of an out-of-control child who injured a teacher could be held liable for a teacher's injuries. Specifically, the Court held that: (1) the parents were negligent in failing to control their child; (2) the parents' negligence was a substantial factor in causing teacher's injuries; and (3) no public policy considerations precluded finding parents liable in this case.

The background: Judy L. Nieuwendorp was a special-education teacher and one of her students was fourth-grader Jason H., who suffered from Attention Deficit/Hyperactivity Disorder (ADHD). Jason spit, kicked, used vulgar language, and was generally difficult to control at school. Without telling anyone at the school, Jason's parents took him off of his medication. In October 1989, Nieuwendorp was leading Jason through the hallway to the "time out" room when he grabbed her hair and pulled hard enough to drag her to the ground. She suffered a herniated disc in her neck, underwent surgery, and eventually withdrew from teaching and began collecting worker's compensation.

Nieuwendorp sued the parents and won in the circuit court. The parents appealed, and the Court of Appeals reversed the lower court's verdict. The Wisconsin Supreme Court, however,

reversed again, reinstating the verdict in favor of the teacher.

Read the full opinion at www.wicourts.gov/html/sc/93/93-0515.htm.

In Interest of Isiah B.

176 Wis.2d 639 (1993)

In this case, a student contended that the random search of his school locker was unconstitutional under the Fourth Amendment of the U.S. Constitution, which provides, in part, “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.”

The background: During a school-wide locker search, a random inspection of 17-year-old Isiah B.’s locker revealed a gun and cocaine in his coat pocket. As a result, the school district filed a delinquency petition against him. The Milwaukee County Circuit Court denied Isiah’s motion to suppress the evidence obtained from the locker search.

The school district Isiah B. attended had a written policy that stated:

School lockers are the property of Milwaukee Public Schools. At no time does the Milwaukee public school district relinquish its exclusive control of lockers provided for the convenience of students. School authorities for any reason may conduct periodic general inspections of lockers at any time, without notice, without student consent, and without a search warrant.

The school had taken steps to reinforce the policy by informing students and parents of the rule and prohibiting students from putting private locks on their lockers. The Wisconsin Supreme Court held that under the facts of this case, Isiah B. did not have a reasonable expectation of privacy in his locker. The Court explained that when a school district has a written policy retaining ownership and control of school lockers, and notice of the policy is given to students, students have no reasonable expectation of privacy in those lockers.

State v. White

509 N.W.2d 434 (Ct. App. 1993)

This is a Wisconsin Court of Appeals case that began in Racine County. The opinion discusses at some length the scope of what constitutes failure to send a child to school regularly.

The background: Pamela White was charged with a misdemeanor after her child was declared habitually truant for missing school eight times between September and December 1990. Her defense, that she could not control her child and was therefore unable to comply with the law, did not work in the circuit court, where a jury found her guilty. The defense also failed in the Court of Appeals, which ruled that the (Wis. Stat. § 118.15) requiring a person who has control of a child between the ages of 6 and 18 to “cause the child to attend school regularly” is not unconstitutionally vague, even though it does not define “regularly”.

White petitioned the Wisconsin Supreme Court, which declined to hear the case.

State v. Yoder

49 Wis. 2d 430 (1971)

and

Wisconsin v. Yoder

406 US 205, 32 L Ed 15, 92 S Ct 1526

This case required the Wisconsin Supreme Court – and later the U.S. Supreme Court – to weigh the state’s interest in educating children against the First Amendment guarantee of religious freedom.

The background: In 1968, the Amish parents of three New Glarus teenagers were fined for



Amish men on their way to listen to the U.S. Supreme Court argue their case, *Wisconsin v. Yoder*.

refusing to enroll their children in high school. The parents disagreed with the value system taught in the schools and wished to provide their children with an education that reflected their beliefs. The State argued that some Amish children might choose to leave their community upon reaching adulthood, and that a public school education would better prepare them for the future.

In making its decision, the Court weighed the appellants' constitutional right to religious freedom against the state's interest in compulsory education and determined that forcing a "worldly" education on all Amish children in order to benefit the few children who might later leave did not constitute a compelling state interest. Furthermore, while an individual is free to choose a religion as an adult, the Court ruled that parents have the right to choose which religion they will raise their children.

The majority opinion, written by Chief Justice E. Harold Hallows, held that a state law requiring children to attend school full time was unconstitutional because it infringed on the freedom of the Amish to practice their religion. Hallows wrote, "The right to worship your God or to practice your religious beliefs are as important as the right to speak or print freely and may, to the individual involved, be more important." Justice Nathan S. Heffernan authored a dissent.

In reaching this decision, the Wisconsin Supreme Court distinguished itself from courts around the country that had upheld compulsory education. The case was appealed to the U.S. Supreme Court, which affirmed the state Supreme Court's ruling in a 6-1 decision authored by Chief Justice Warren E. Burger.

Read the full opinion at www.law.umkc.edu/faculty/projects/ftrials/conlaw/yoder.html.

State ex rel. Weiss and others v. District Board, etc. – The Edgerton Bible Case **76 Wis. 177 (1890)**

In this case, the Wisconsin Supreme Court ruled that Bible reading in public schools constituted sectarian instruction, in violation of the Wisconsin Constitution.

The background: Edgerton residents, taxpayers, and parents of children attending the public schools petitioned the district school board and then the Rock County Circuit Court in an attempt to end the practice of reading the King James version of the Bible to pupils during school hours. The petitioners were outraged not by the Bible readings, but by the version of the Bible that was being read. Because the Edgerton school was a public school, the parents argued that the Bible readings amounted to use of state funds to support a place of worship and that the readings violated the separation of church and state.

The school board responded that students were not required to remain in the school during the Bible readings and also said it had the right and authority, under state law, to determine which textbooks should be used. Furthermore, it argued that the King James Bible was a valid textbook for teaching a "universal" moral code and for general instruction.

The majority opinion disagreed with the board's argument that the drafters of the state Constitution did not intend to ban reading of the Bible in public schools. The majority concluded that the schools were meant to be a place "where the pupils were equal, and where sectarian instruction, and with it sectarian intolerance, under which they had smarted in the old country, could never enter." Furthermore, Justice William P. Lyon, as the majority writer, noted certain passages read at the Edgerton school suggested ideas that were not accepted by all religious sects, thereby showing Bible reading to be a form of sectarian instruction.

Two justices wrote concurring opinions agreeing with the petitioners that the only use of state treasury funds, by law, must be entirely secular. They stated that many, if not most, religious sects view the reading of the Bible as a part and even the essence of worship; therefore, the practice in question was a violation of the Wisconsin and U.S. Constitutions. The court ruled Bible reading in public schools illegal and issued a writ of mandamus, ordering the district board to end Bible reading in the Edgerton Public Schools.

mock trial

YERTLE THE TURTLE

A mock trial script appropriate for third grade and up

Developed by: Gayle Mertz

Approximate time needed

1 week

Materials needed

“Yertle the Turtle” by Dr. Seuss (Random House, Copyright renewed 1986, ISBN 1-394-80087-7)
 Student Handout (below)
 courtroom props
 optional: character props, masks, or costumes

Introduction

Most students are familiar with Dr. Seuss’s book “Yertle the Turtle.” Yertle is the dictatorial and oppressive king of a pond. He decides that his kingdom is too small and demands that the other turtles stand on each other’s backs to build a high, then higher, then higher throne for the Mighty Yertle. Yertle’s reign is toppled by a simple, innocent act committed by the lowest turtle in the stack. This entertaining mock trial builds upon the original story by adding a new angle. Tell students that the personal plights of many unidentified characters in this story have been ignored. For example, one of the turtles in the middle of the stack of turtles is named Sadie. Sadie is quiet and well behaved. Because of her youth, Sadie has been told to listen to elders, not to disagree with them, and to cooperatively help them when asked to do so.

Sadie was frightened when she was asked to climb up to the top of the pile of turtles, and even more frightened when additional turtles began to climb onto her. But she obeyed. She didn’t say a word. She was just a young turtle, and King Yertle was older and in a position of great authority. After the great stack of turtles collapsed, Sadie had a terrible shell ache. She didn’t think about it too much until the pain persisted for several weeks. Then her mother took her to the local reptile doctor for an examination. The doctor was concerned and said that Sadie had a thin crack in her shell that may never heal properly. She told Sadie to rest and not to do any heavy work.

Sadie couldn’t even walk to school. She was very sad. Her mother was angry and said that King Yertle had no right to tell a young turtle to bear the weight of other turtles on her shell. She said that she would sue the Turtle King for enough money to take care of Sadie’s medical problems. She also wanted to make sure that Yertle did not abuse other turtles again. Sadie’s mother did not think that even a king could ask turtles to risk hurting themselves just to satisfy his need to be even greater.

Objectives

After completing this lesson, students will:

- Understand the basic mechanics of a jury trial
- Recognize the responsibility of functioning as a juror.

Procedures

1. Explain to students that they will participate in a mock trial of “Yertle the Turtle.” Read, or remind them of, the original story. Share the part of the strategy introduction that explains who Sadie is and what has happened to her. Tell students that Yertle is not only tyrannical, but also lazy. Luckily, his hands-off approach permitted the establishment of an independent judiciary. And now he is going on trial. This will be a civil trial, however, so Yertle may not be put in jail. He may be required to pay for Sadie’s actual damages as well as additional amounts for having violated her inalienable turtle rights, having caused her pain and suffering, and having forced her mother to miss work in order to care for Sadie.
2. Photocopy and share the materials with students: “How to conduct your mock trial” and “A note to jurors.” Assign students the roles there [Roles for Students] and/or others they may choose to develop.

How to conduct your mock trial

1. Each attorney may make an opening statement. This is the attorney’s opportunity to tell the jury a little about the case and what s/he intends to prove.
2. After opening statements, each attorney may call witnesses. In this mock trial, each witness may be questioned for a maximum of three minutes. The attorney for the plaintiff is always allowed to present her or his case first.
3. After each witness has testified for the party that called him or her, the attorney for the other side may ask the witness questions for two minutes. This is called cross-examination, and the attorney may ask questions only about information that the witness already has talked about.
4. After the witnesses have testified, each attorney delivers a closing argument to the jury, summarizing what the witnesses have said that helps his or her side of the case. The attorney tells the jury why they should agree with his or her client’s position.
5. After closing arguments, the jurors go to a room where they can review and discuss the case privately. When they all agree on a verdict, they tell the judge what they have decided.

A note to jurors

Your job is to listen very carefully to what the witnesses say. You will be responsible for determining (1) whether they are telling the truth, (2) whether what they say is important to the case, and (3) whether they are accurate when they give their information. Then you must compare the testimony of the witnesses. Do the facts fit together? Was one side more reasonable than the other? Are you persuaded that a king may be held responsible for his actions? Do you think that this king should be in this situation? Your verdict must be unanimous and, if you determine that the king will be held responsible, you must decide what he must do to compensate for Sadie’s alleged injury.

mock trial

THE CASE OF MARY'S MISSING LUNCH

Mary Peabody, Plaintiff

v.

Virgil Goodman, Defendant

Developed by: Kathryn and Steven Tillery

Approximate time required:

Two hours

Participants in trial:

Judge Johnson

Bailiff

Court reporter

Plaintiff.....Mary Peabody

Plaintiff's lawyer

Defendant.....Virgil Goodman

Defendant's lawyer

Witness 1.....Miss Leigh Laughlin, third grade teacher

Witness 2.....Molly Murphy

Witness 3.....Harry Hart

Witness 4.....Ralph Jones

Jury.....12 classmates or the rest of the class
with one designated as the jury leader.

Props:

Yellow lunch box

an empty juice box

three tables

seven chairs

SECTION NINE: MOCK TRIAL SCRIPTS

- BAILIFF:** All rise. This circuit court of _____ County is now in session with the Honorable Judge Johnson presiding.
- JUDGE:** Ladies and gentlemen of the jury, this case involves the disappearance of Mary Peabody's lunch from her lunch box. In this case, Miss Peabody, who is a third grader at _____ School is the plaintiff and Virgil Goodman who is also a third grader at _____ School is the defendant. Mary Peabody is asking you to decide whether Virgil Goodman stole her lunch from her lunch box, leaving only a banana peel and a few crumbs. Miss Peabody's lawyer, do you wish to make an opening statement?
- PLAINTIFF'S LAWYER:** The evidence in this case will prove that on Friday, April 18, Virgil Goodman took my client's yellow lunch box from the classroom basket while taking the basket from the third grade classroom to the cafeteria. When Mary Peabody opened her lunch box in the cafeteria, her peanut butter sandwich, her bag of potato chips and her juice box were missing. The only things left in the lunch box were a few crumbs and a banana peel.
- DEFENDANT'S LAWYER:** Ladies and gentlemen of the jury, my client, Virgil Goodman, has been wrongly accused of stealing Mary Peabody's lunch. He was asked by Miss Laughlin to carry all of the lunch boxes to the cafeteria on April 18. He did carry them down to the cafeteria but did not eat Mary Peabody's lunch.
- JUDGE:** Plaintiff's lawyer, please call your first witness.
- PLAINTIFF'S LAWYER:** I call Mary Peabody to the witness stand.
- COURT REPORTER:** (to the witness) Raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?
- MARY PEABODY:** Yes.
- PLAINTIFF'S LAWYER:** Please state your name.
- MARY PEABODY:** Mary Peabody.
- PLAINTIFF'S LAWYER:** Where do you go to school?
- MARY PEABODY:** I'm a third grader at _____ School.
- PLAINTIFF'S LAWYER:** Could you describe the lunch that you brought to school on April 18?
- MARY PEABODY:** I brought a banana, a juice box, potato chips and a peanut butter sandwich in my yellow lunch box.
- PLAINTIFF'S LAWYER:** What was in the lunch box when you opened it in the cafeteria?
- MARY PEABODY:** Some crumbs and a banana peel.
- PLAINTIFF'S LAWYER:** Mary, I hand you what is marked as Exhibit #1 and ask if this is your lunch box that you found empty on April 18 in the cafeteria.
- MARY PEABODY:** Yes, it is.
- PLAINTIFF'S LAWYER:** I move that Exhibit #1 be admitted into evidence.
- JUDGE:** Exhibit #1 is admitted into evidence.
- PLAINTIFF'S LAWYER:** That's all, your honor.
- JUDGE:** Defense Counsel. Do you want to cross-examine Miss Peabody?
- DEFENDANT'S LAWYER:** Mary, you didn't actually see Virgil Goodman eat your lunch, did you?

MARY: No, I guess not.

DEFENDANT'S LAWYER: No further questions, your honor.

JUDGE: Plaintiff's counsel, you may call your next witness.

PLAINTIFF'S LAWYER: I call Miss Leigh Laughlin to the stand.

COURT REPORTER: (to the witness) Raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

MISS LAUGHLIN: I do.

PLAINTIFF'S LAWYER: State your name.

MISS LAUGHLIN: Leigh Laughlin.

PLAINTIFF'S LAWYER : What is your occupation?

MISS LAUGHLIN: I am a teacher at _____ School, grade three A.

PLAINTIFF'S LAWYER: On April 18 did you have two students in your class named Mary Peabody and Virgil Goodman?

MISS LAUGHLIN: Yes.

PLAINTIFF'S LAWYER: Do you think they are good students?

DEFENDANT'S LAWYER: Objection! The question is not relevant to the case.

JUDGE: Objection sustained.

PLAINTIFF'S LAWYER: Did you ask Virgil Goodman to take Mary's lunch box to the cafeteria on April 18?

MISS LAUGHLIN: Yes, along with the rest of the class' lunch boxes. They were all in a basket.

PLAINTIFF'S LAWYER: About how long was Virgil gone from the classroom?

MISS LAUGHLIN: About five minutes.

PLAINTIFF'S LAWYER: How far is it to the cafeteria from your classroom?

MISS LAUGHLIN: Down two flights of stairs.

PLAINTIFF'S LAWYER: When Virgil returned to the class did anything unusual happen?

MISS LAUGHLIN: Yes. He and Joseph Cool started giggling and I had to write their names on the board.

PLAINTIFF'S LAWYER: I have no further questions, your honor.

JUDGE: Do you wish to cross-examine, defense counsel?

DEFENDANT'S LAWYER: Yes. Miss Laughlin, you don't know why my client and Joseph Cool were giggling, do you?

MISS LAUGHLIN: No.

DEFENDANT'S LAWYER: How many other people could have touched Mary's lunch box while it was in the cafeteria?

SECTION NINE: MOCK TRIAL SCRIPTS

MISS LAUGHLIN: Oh, I don't know, probably anyone in the kindergarten, first or second grades who all eat before we do.

DEFENDANT'S LAWYER: Thank you. That's all, your honor.

JUDGE: You may be excused, Miss Laughlin. Next witness.

PLAINTIFF'S LAWYER: I call Molly Murphy to the stand.

COURT REPORTER: (to the witness) Raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

MOLLY MURPHY: I do.

PLAINTIFF'S LAWYER: State your name.

MOLLY MURPHY: Molly Murphy.

PLAINTIFF'S LAWYER: Do you know Virgil Goodman?

MOLLY MURPHY: Yes, he is in my class.

PLAINTIFF'S LAWYER: Did you notice anything unusual about him on April 18?

MOLLY MURPHY: I noticed he had peanut butter on his mouth!

PLAINTIFF'S LAWYER: No further questions.

DEFENDANT'S LAWYER: Miss Murphy, did you notice this peanut butter on Virgil before or after lunch on April 18?

MOLLY MURPHY: I don't remember.

DEFENDANT'S LAWYER: I have no further questions.

JUDGE: You may be excused. Any more witnesses?

PLAINTIFF'S LAWYER: Just one. I call Harry Hart to the stand.

COURT REPORTER: (to the witness) Raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

HARRY HART: I do.

PLAINTIFF'S LAWYER: State your name.

HARRY HART: Harry Hart.

PLAINTIFF'S LAWYER: Harry, do you work at _____ School?

HARRY HART: Yes, I am the maintenance man.

PLAINTIFF'S LAWYER: Did you find anything when you cleaned the boys bathroom on April 18?

HARRY HART: Yes, I found an empty juice box in the trash can.

PLAINTIFF'S LAWYER: Harry, I hand you what is marked as Exhibit #2 and ask if you can identify this.

HARRY HART: Yes, this is the empty juice box that I found in the boys' trash on April 18.

PLAINTIFF'S LAWYER: I move that Exhibit #2 be admitted into evidence.

JUDGE: Exhibit #2 is offered into evidence. Do you want to cross-examine this witness, defense counsel?

DEFENDANT'S LAWYER: Yes. Harry, what time did you find the empty carton?

HARRY HART: When I cleaned up after school – about 4 p.m.

DEFENDANT'S LAWYER: You have no idea who put it there, do you?

HARRY HART: No.

DEFENDANT'S LAWYER: Nor do you know when it was put there?

HARRY HART: I know it was not there when I cleaned on April 17.

JUDGE: Thank you, you are dismissed.

PLAINTIFF'S LAWYER: Plaintiff rests her case.

JUDGE: Defense counsel, you may present your case to the jury.

DEFENDANT'S LAWYER: I call Virgil Goodman to the stand.

COURT REPORTER: (to the witness) Raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

VIRGIL GOODMAN: I do.

DEFENDANT'S LAWYER: State your name.

VIRGIL GOODMAN: Virgil Goodman.

DEFENDANT'S LAWYER: Virgil, did you eat a peanut butter sandwich, a banana and potato chips and drink a box of juice from Mary Peabody's lunch on April 18?

VIRGIL GOODMAN: No.

DEFENDANT'S LAWYER: Did you get your name on the board that day?

VIRGIL GOODMAN: Yes.

DEFENDANT'S LAWYER: Why?

VIRGIL GOODMAN: Joseph and I were talking in class.

DEFENDANT'S LAWYER: What were you talking about?

VIRGIL GOODMAN: I don't remember.

DEFENDANT'S LAWYER: That's all. I have no further questions.

JUDGE: Plaintiff's counsel, do you have any cross-examination of this witness?

PLAINTIFF'S LAWYER: No.

SECTION NINE: MOCK TRIAL SCRIPTS

- JUDGE: Next witness, please.
- DEFENDANT'S LAWYER: I call Ralph Jones.
- COURT REPORTER: (to the witness) Raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?
- RALPH JONES: I do.
- DEFENDANT'S LAWYER: State your name.
- RALPH JONES: Ralph Jones.
- DEFENDANT'S LAWYER: Do you know Virgil Goodman?
- RALPH JONES: Yes.
- DEFENDANT'S LAWYER: Is he a thief?
- PLAINTIFF'S LAWYER: Objection!
- JUDGE: Sustained.
- DEFENDANT'S LAWYER: Did you eat lunch with Virgil on April 18?
- RALPH JONES: Yes.
- DEFENDANT'S LAWYER: What did Virgil eat?
- RALPH JONES: He had a peanut butter sandwich and some other stuff. He ate his whole lunch and part of mine. He was real hungry!
- DEFENDANT'S LAWYER: No further questions.
- JUDGE: You may be dismissed. Any further witnesses?
- DEFENDANT'S LAWYER: No.
- PLAINTIFF'S LAWYER: No.
- JUDGE: Plaintiff's counsel, would you care to make a closing argument to the jury?
- PLAINTIFF'S LAWYER: Your honor, ladies and gentlemen of the jury, the evidence you have heard proves that Virgil Goodman had possession of Mary Peabody's lunch box after he left the classroom on the second floor on April 18. The evidence also shows that when Mary opened her lunch box in the cafeteria all that was left were a few crumbs and a banana peel. You heard Molly Murphy saw peanut butter on Virgil's mouth and that Virgil and Joseph Cool were "giggling" about something when he returned from the cafeteria. Don't you think it was about a trick he had played on Mary? You also know that Harry Hart found an empty juice box in the boys' bathroom later that day. I ask you to do the right thing and bring back a verdict in favor of Mary Peabody and against Virgil Goodman.
- JUDGE: Defense counsel, do you wish to address the jury?
- DEFENDANT'S LAWYER: Yes, your honor. Ladies and gentlemen of the jury, Virgil is an innocent guy. Do you think he could take a basket full of lunch boxes down two flights of stairs, eat all of Mary's lunch, go to the boys' bathroom and still get back upstairs in just five minutes? Do you think he could eat Mary's lunch, then eat his own and part of Ralph Jones' lunch too? He might be a hungry boy, but nobody is that hungry! Molly Murphy said he had peanut butter on his mouth but she didn't know if that was before

or after he ate his own peanut butter sandwich. Plenty of kids could have eaten Mary's lunch. Remember, Miss Laughlin said all the kindergarten, first and second grade kids eat their lunch in the cafeteria before the third grade does. I ask you to do the right thing and bring back a verdict in favor of Virgil Goodman and against Mary Peabody.

JUDGE: Jurors, you will now retire to the jury room to deliberate. First select a leader of your group. When you have reached a verdict, please let the bailiff know. [The judge might choose to expand upon this jury instruction]. Bailiff, please take charge of the jury.

Recommendation: If you choose to pick 12 jurors, have them go to the back of the class to deliberate. They can only ask questions of the judge. If you choose to use the rest of the class, have the actors wait outside the class during deliberations.

mock trial

PEOPLE v. DOROTHY GALE

A mock trial script appropriate for third through sixth grade students.

Dorothy Gale, Plaintiff
v.
The People of Oz, Defendant

Developed by: Donna Schmidt
Printed courtesy of the Illinois State Bar Association

People v. Dorothy Gale is the story of the little girl from Kansas, and more notably from “The Wizard of Oz,” who is put on trial for the murder of the Wicked Witch of the West.

Method of murder:

Water-soaking

Participants in Trial:

Judge
Defense Attorney
Dorothy Gale
Prosecutor

Witnesses:

The Scarecrow
The Palace Guard
The Wizard of Oz

(Toto was not named as a co-conspirator in the murder)

- JUDGE: At this time, the Prosecution may make an opening statement if it so desires.
- PROSECUTOR: Thank you, your Honor. May it please the Court. Ladies and gentlemen, at this time I will be making my opening statement to you. My opening statement and the opening statement of the defense attorney are made for the purpose of telling you what each of us believe the evidence of this case will show. What I say and what the defense attorney says at this time is not evidence. Instead, it is what we believe the evidence will show. In other words, our opening statements are designed to help you understand the evidence which will be presented.
- The Prosecution believes that the evidence will show that Dorothy is guilty of murdering the Witch of the West. The testimony will show that Dorothy, along with her three adventuring friends, was willing to do anything to get what she wanted. Dorothy has stated repeatedly that she would have done anything to go home. We believe that the evidence will show that Dorothy was even willing to murder to get home.
- The first witness we will call will be the former Wizard of Oz. The Wizard will testify that he was approached by the Defendant, Dorothy Gale, and her three friends and that they readily accepted the task of murdering the Witch of the West. The Wizard will tell you that Dorothy knew and gladly accepted the challenge of killing the Witch and that she went to the Witch's castle with the intent of killing the Witch.
- We will also call as a witness, the Witch of the West's security guard, the Evil Troll. The Troll will testify that there had been an ongoing dispute between the Witch of the West and Defendant, Dorothy, regarding a pair of Ruby Slippers. A pair of slippers which rightfully belonged to the Witch of the West. The Troll will testify that the Witch's castle was invaded by Dorothy and her three friends and that Dorothy drenched the Witch with a pail of water knowing full well that water is deadly to Witches. The Troll will also testify that once Dorothy had slain and murdered the Witch, she was so glad that she left the castle triumphantly singing "Ding Dong the Witch is Dead."
- We believe that the evidence will show you that Dorothy went to the Witch's castle for the sole purpose of killing the Witch and that she, in fact, did kill the Witch. At the close of all evidence, we, the Prosecution, will be asking the jury to return a verdict against the Defendant, Dorothy Gale, finding her guilty of the crime of murder.
- JUDGE: (To the defense attorney) You may now make an opening statement, if you so desire.
- DEFENSE ATTORNEY: Thank you your Honor. My name is _____ and I am presenting Dorothy's defense in this case. Like the Prosecutor told you, our opening statements are not evidence. The only facts which you can consider in making your decision are the facts which you hear from the witness stand today. You may not consider anything other than the testimony that you hear today in this courtroom.
- We, the Defense, believe that the evidence will show you that Dorothy did not intend to kill the Witch of the West. Instead, when Dorothy threw the pail of water, she merely tried to save the life of her friend the Scarecrow. The evidence will show you that the Witch of the West had lit the Scarecrow's arm on fire and that he was burning up when Dorothy reached for the water.
- When Dorothy threw the pail of water, her intent was to save the Scarecrow. We, the Defense, do not believe that Dorothy's act of saving the Scarecrow in any way makes her guilty of murdering the Witch of the West. We believe that once you have heard all of the evidence from the witness stand today, you will find Dorothy not guilty of the charge of murder.
- JUDGE: This concludes the opening statements of the attorneys. At this time, the Prosecution may call its first witness.
- PROSECUTOR: Your Honor, the Prosecution calls Mr. Willard O. Oz as its first witness. (witness is sworn by clerk and is seated) Please state your name.
- MR. OZ: My name is Willard O. Oz.
- PROSECUTOR: What is your occupation?

SECTION NINE: MOCK TRIAL SCRIPTS

- MR. OZ: I used to be the Wizard of the Province of Oz, but now I sell potions and various tonics out of my travelling cart in the state of Kansas.
- PROSECUTOR: Are you familiar with the defendant, Dorothy Gale?
- MR. OZ: Well, I wasn't until about three months ago. While I was in my Wizard Room, Dorothy and three of her friends approached me. I had heard of Dorothy before and had been told that she had just killed the Witch of the East.
- DEFENSE ATTORNEY: Objection, your Honor! This is hearsay. The witness does not know whether or not Dorothy killed the Witch of the East!
- JUDGE: I agree. The objection is sustained. A witness cannot testify to events that he or she has only heard about. A witness must have first-hand knowledge of events if the witness is to testify about those events. (To Prosecution) You may proceed.
- PROSECUTOR: Please tell us about your first meeting with the defendant, Dorothy Gale.
- MR. OZ: Like I was saying, Dorothy and three of her friends, the Straw Man, The Tin Man, and the Lion, approached me. They all seemed to want me to do them some kind of favor.
- PROSECUTOR: What kind of favors were they asking for?
- MR. OZ: Very strange favors indeed. The Straw Man wanted a brain, but it was obvious he already had one. The Tin Man wanted a heart, but it was clear to me that he already cared for other people. And, the Lion wanted courage, even though he was brave enough to approach me. Dorothy's request was the strangest one of all. She stated that she wanted to go home. But, she was wearing the Ruby Slippers. Everyone knows that the person who wears the Ruby Slippers can go anywhere they want, just by wishing.
- PROSECUTOR: Did you think that Dorothy and her three friends were really wanting something other than their requests?
- MR. OZ: Oh, definitely. In the Province of Oz, whoever kills a Wicked Witch is instantly a public hero. A Witch slayer is vastly rewarded.
- PROSECUTOR: Did you suggest to Dorothy that she murder the Witch of the West?
- MR. OZ: No, I did not. I told Dorothy that I would grant her favors if she brought me the Witch's broomstick. After I told Dorothy and her three adventuring friends that I wanted the broomstick, they left.
- PROSECUTOR: Did you see Dorothy and her three co-conspirators again?
- DEFENSE ATTORNEY: Objection, your Honor! Dorothy is presumed to be innocent of these charges. Referring to her as a conspirator should not be allowed.
- JUDGE: I agree. The objection is sustained. When a defendant is placed on trial, that person is considered to be innocent of the charges brought against him or her. Once trial has begun, the law considers the person placed on trial innocent until a jury determines otherwise. (To Prosecutor) You may proceed.
- PROSECUTOR: Did you see Dorothy and her three companions again?
- MR. OZ: As a matter of fact, I did. The very next day, Dorothy and her three companions came to my Wizard Chamber carrying the Witch's broom. Dorothy proudly announced "We melted the Witch of the West." I knew at that point that the four of them had killed the Witch.
- PROSECUTOR: What, if anything, did Dorothy do then?

MR. OZ: She demanded payment. Since she had killed the Witch, she asked me to take her home.

PROSECUTOR: I have no further questions at this time.

JUDGE: (To defense attorney) You may cross-examine.

DEFENSE ATTORNEY: Mr. Oz, isn't it true that you were forced to resign from your position as Wizard?

MR. OZ: Well, yes, it is. After Dorothy had killed the Witch, there was such a scandal that I was forced to resign.

DEFENSE ATTORNEY: Isn't it true that the reason for this scandal is that you were blamed for the death of the Witch?

MR. OZ: Well, yes. Certain people were blaming me but it wasn't my fault. I never thought that Dorothy would actually go and kill the Witch!

DEFENSE ATTORNEY: Isn't it also true, Mr. Oz, that the Prosecution has agreed not to prosecute you for the murder of the Witch in exchange for your testimony against Dorothy today?

PROSECUTOR: Objection, your Honor! None of this is relevant to whether Dorothy is guilty of the murder of the Witch of the West.

JUDGE: I disagree. Your objection is overruled. An attorney may ask the witness questions that would show reasons why a witness might not be telling the truth. The question regarding the Prosecution's agreement not to prosecute the Wizard is a valid and good question. (To the witness) You may answer the question.

MR. OZ: Well, yes. The Prosecution told me that if I testified against Dorothy here today, I would not be charged with causing the Witch's death.

DEFENSE ATTORNEY: So, in other words, by testifying against Dorothy, you get off scot-free?

MR. OZ: Well, yes. I suppose that might be true. But I am telling the truth here today.

DEFENSE ATTORNEY: I have no further questions at this time.

JUDGE: (To Prosecutor) you may call your next witness.

PROSECUTOR: The Prosecution calls Evil Troll as its next witness. (Evil Troll is sworn by the Clerk and is seated) Please state your name and occupation.

TROLL: I am Evil Troll. I used to be head of security at the Witch of the West's castle, but since her death, I've been unemployed. Not many people are looking for a security troll these days.

PROSECUTOR: Are you acquainted with the Defendant, Dorothy Gale?

TROLL: Yes, I am. Dorothy was a guest at the Witch of the West's castle about three months ago.

PROSECUTOR: Do you know why she was a guest at the castle?

TROLL: Yes. There was a dispute between the Witch of the West and Dorothy over the ownership of a pair of ruby slippers. Dorothy had taken a pair of ruby slippers from the Witch of the East after Dorothy's house had smashed that Witch.

PROSECUTOR: Did you know who the Witch of the East was?

TROLL: Sure. Everyone knows that the Witch of the East was the Witch of the West's sister.

PROSECUTOR: Do you know whether the Witch of the West wanted her sister's ruby slipper returned to her?

SECTION NINE: MOCK TRIAL SCRIPTS

- TROLL: Why of course she did. They were her sister's prize possession. She wanted them for sentimental reasons.
- PROSECTOR: Did the Witch of the West ask Dorothy to return the slippers?
- TROLL: Absolutely. But, Dorothy flatly refused. When the Witch of the West tried to touch the ruby slippers, Dorothy used their magic to shock the Witch of the West.
- PROSECTOR: Did the Witch of the West do anything else to get the slippers?
- TROLL: Yes. She tried to scare Dorothy a little bit by sitting her in a room and telling her that she had one hour to turn the slippers over. The Witch even set out an hourglass to tell when the time was up.
- PROSECTOR: What happened at the end of that hour?
- TROLL: Well, there was a whole lot of confusion. The castle was suddenly invaded by the Straw Man, the Tin Man and the Lion. There was a lot of confusion and that's when it happened.
- PROSECTOR: That's when what happened?
- TROLL: Well, Dorothy grabbed a pail of water and threw it on the Witch.
- PROSECTOR: Is water fatal to witches?
- TROLL: Why, yes. Everyone in Oz knows that water will melt a witch!
- PROSECTOR: After Dorothy killed the Witch, did she do anything else?
- TROLL: Yes, she took the broomstick from what was left of the Witch of the West and marched out of the castle singing "Ding Dong the Witch is Dead."
- PROSECTOR: I have no further questions.
- JUDGE: (to Defense Attorney) You may cross-examine the witness.
- DEFENSE ATTORNEY: Didn't the Witch of the West, in fact, threaten to kill Dorothy if she did not turn over the ruby slippers?
- TROLL: Well, yes. But she didn't really mean it. She was just trying to scare Dorothy into turning the slippers over.
- DEFENSE ATTORNEY: And isn't it true that the Witch of the West told Dorothy that she was going to kill Dorothy's little dog, Toto, as well?
- TROLL: Well, yes. The Witch did say those things, but she was very upset. You realize that the slippers rightfully belonged to the Witch of the West and Dorothy just wasn't giving them back.
- DEFENSE ATTORNEY: And then the Straw Man, whom we also know as Scarecrow, the Tin Man and the Lion came into the castle, isn't it true that the Witch set the Straw Man, on fire?
- TROLL: She did, but all the Witch of the West was really trying to do was to scare Dorothy into turning the ruby slippers over.
- DEFENSE ATTORNEY: And wasn't Dorothy only trying to put out the fire on the Straw Man when she threw the water?
- PROSECUTOR: Objection! The witness has no way of knowing what Dorothy was thinking when she threw the water.
- JUDGE: I agree. This objection is sustained. A witness cannot testify about what another person might have been thinking. A witness can only testify about facts and cannot speculate about what another person's

thoughts might be.

- DEFENSE ATTORNEY: When Dorothy threw the water, was the fire on the Straw Man put out?
- TROLL: Yes, it was. The fire was completely extinguished but the poor Witch of the West was completely liquidated.
- DEFENSE ATTORNEY: I have no more questions.
- JUDGE: (To Prosecutor) You may call your next witness.
- PROSECUTOR: The Prosecution rests its case, your Honor.
- JUDGE: (To Defense Attorney) You may call your first witness.
- DEFENSE ATTORNEY: The Defense calls the Scarecrow as its first witness. (Scarecrow is sworn by the clerk and is seated) Please tell us your name and how you are employed.
- SCARECROW: I am the Scarecrow. I am currently employed by the University of Oz as Professor of Philosophy. After the former Wizard gave me a diploma, I became qualified to teach in all areas of higher learning.
- DEFENSE ATTORNEY: Do you recall how you first met Dorothy?
- SCARECROW: Quite vividly. I was just hanging around the Yellow Brick Road and Dorothy just happened to pass by. She helped me down from my post and the two of us went off to find the Wizard of Oz.
- DEFENSE ATTORNEY: On your way to find the Wizard, did anything strange happen?
- SCARECROW: Why, yes. Something terrible happened. The Wicked Witch of the West flew in on her broom and told Dorothy that she would kill her unless Dorothy gave up the ruby slippers.
- DEFENSE ATTORNEY: Did the Witch do anything else?
- SCARECROW: Yes. She threw a fireball straight at me. Fortunately, I jumped out of the way, but fire is the one thing that really burns me up.
- DEFENSE ATTORNEY: Did you, in fact, visit the Wizard of Oz?
- SCARECROW: Yes, we did. Dorothy, the Tin Man, the Lion, and I all went to the Wizard Chambers. The Wizard told us that he would grant our wishes if we brought him the broomstick of the Wicked Witch of the West.
- DEFENSE ATTORNEY: Did the four of you try to get the broomstick from the Witch of the West?
- SCARECROW: Well, we started to, but on the way Dorothy was kidnapped and taken prisoner by the Witch's palace guard. At that point, the Tin Man, the Lion, and I only wanted to get Dorothy out of the Witch's castle alive.
- DEFENSE ATTORNEY: What did you do to get Dorothy out of the castle?
- SCARECROW: Well, we took some clothes from the Witch's palace guard and snuck in. After we got there, the Witch found us and told Dorothy that she was going to kill me, the Tin Man, the Lion, and then Dorothy last.
- DEFENSE ATTORNEY: Did the Witch do anything to make you think she was going to kill you?
- SCARECROW: She certainly did! She lit my arm on fire and I started to burn up in a hurry. You know that dry

SECTION NINE: MOCK TRIAL SCRIPTS

straw doesn't last long once it's lighted.

DEFENSE ATTORNEY: Will you please tell us what happened next?

SCARECROW: Well, it was pretty clear that I would not have lasted long with my entire arm on fire, so Dorothy grabbed a pail of water and threw it on my arm to put the fire out. My arm was saved but some of the water splashed the Wicked Witch of the West in her face and she melted right there on the spot. That's how it all happened. I swear it's the truth.

DEFENSE ATTORNEY: I have no more questions of this witness.

JUDGE: (To Prosecutor) You may cross-examine.

PROSECUTOR: Didn't you know that it would be difficult to get the Witch of the West to give up her broom?

SCARECROW: Yes. When the Wizard asked us to bring him the broom of the Witch of the West, I knew that we had our work cut out for us.

PROSECUTOR: You, in fact, stated that your group would have to kill the Witch in order to get her broomstick, didn't you?

SCARECROW: Well, yes. I did say that. But, we really didn't want to kill her.

PROSECUTOR: You, in fact, knew that Dorothy desperately wanted to get home?

SCARECROW: That's true. She wanted to get home. And Dorothy would have done almost anything to get back home. She knew that her Aunt Em was very worried.

PROSECUTOR: Dorothy, in fact, was even willing to go into the Witch's castle to get the broomstick?

SCARECROW: Oh, yes. She wanted to go home that badly.

PROSECUTOR: And you knew that to get the broomstick from the Witch, the Witch would, in fact, have to be killed.

SCARECROW: Well, that is what I thought, but I was hoping that we could get the broomstick without killing the Witch...or having her kill us!

PROSECUTOR: Did either you or Dorothy call an ambulance for the Witch after she was struck with the water?

SCARECROW: No, we thought that it was too late.

PROSECUTOR: But it wasn't too late to grab her broomstick and take it to the Wizard of Oz, was it?

DEFENSE ATTORNEY: Objection! The Prosecution is not asking questions. He/She is arguing with the witness.

JUDGE: I agree. The objection is sustained. An attorney may only ask a witness questions. The attorney may not argue with the witness.

PROSECUTOR: I have no further questions.

JUDGE: (To Defense Attorney) You may call your next witness.

DEFENSE ATTORNEY: The Defense calls the defendant, Miss Dorothy Gale. (Dorothy is sworn by the clerk and is seated) Could you please state your name for the record?

DOROTHY: My name is Dorothy Gale. I live on a farm in Kansas.

- DEFENSE ATTORNEY: When you arrived in the Land of Oz, did you happen to meet the Good Witch of the North?
- DOROTHY: Yes, I did. She was very beautiful. She came down and waved her magic wand and suddenly I was wearing the ruby slippers.
- DEFENSE ATTORNEY: Did you know what the ruby slippers were or to whom they belonged?
- DOROTHY: No, not really. I think that they came from the Witch of the East, but I wasn't sure. All I know is that the Good Witch of the North told me that I was never supposed to take the ruby slippers off my feet.
- DEFENSE ATTORNEY: Was there anything particular that you wanted after you found yourself in the Land of Oz?
- DOROTHY: Yes, there was. I wanted to go home. The people in the Land of Oz are really nice. But what I really wanted was my family. I knew that Aunt Em would be very worried about me.
- DEFENSE ATTORNEY: Did you ask anyone about how to get home?
- DOROTHY: Well, yes, I did. I asked the Munchkins and they told me that I would have to talk to the Wizard of Oz. I started following the Yellow Brick Road and along the way I met the Scarecrow, the Tin Man, and the Lion. We all then went to the Emerald City and asked for an audience with the Wizard of Oz.
- DEFENSE ATTORNEY: Did the Wizard actually give us an audience?
- DOROTHY: Yes, he did. We were all very afraid because the Wizard's chamber was very dark and there was a lot of fire and noise.
- DEFENSE ATTORNEY: Did the Wizard tell you that he would help you get home?
- DOROTHY: Yes, he did. But he said he wanted us to do him a small favor before we could go home. He asked that we bring him the broomstick of the Witch of the West.
- DEFENSE ATTORNEY: Did you think that getting the Witch's broomstick would be an easy task?
- DOROTHY: Oh, no. Not at all. I had met the Witch before and she had been very mean to me. But, I really wanted to go home so I was going to try to get her broomstick.
- DEFENSE ATTORNEY: How did you finally arrive at the Witch's castle?
- DOROTHY: Well, the four of us started off by walking toward the castle but then all of a sudden the Witch's palace guards swooped me up into the sky and carried me to the castle.
- DEFENSE ATTORNEY: What happened at the castle?
- DOROTHY: Well, the Witch told me that she wanted the ruby slippers and told me that she would kill Toto, my dog, unless I gave them to her. I told the Witch that she could have the slippers, but when she tried to take them, the slippers gave the Witch a magic shock.
- DEFENSE ATTORNEY: What did the Witch do then?
- DOROTHY: The Witch became very upset and said that the only way to take the slippers was to kill me. She set an hourglass and told me that at the end of the hour she would kill me.
- DEFENSE ATTORNEY: What happened at the end of that hour?
- DOROTHY: The Scarecrow, the Tin Man, and the Lion had somehow managed to get into the castle to rescue me. The Witch found the four of us and screamed that she would kill all of us.

SECTION NINE: MOCK TRIAL SCRIPTS

DEFENSE ATTORNEY: What did the Witch do?

DOROTHY: The Witch took a torch and lit the Scarecrow on fire. The Scarecrow started screaming and I knew that I had to do something fast or else he would burn up. I grabbed a bucket of water and I threw it at the Scarecrow to put out the fire and save him.

DEFENSE ATTORNEY: Did something happen to the Witch?

DOROTHY: Yes, it did. Some of the water I threw on the Scarecrow splashed on the Witch and she melted right before our very eyes. I really didn't understand what was happening until she was nothing but a puddle on the floor!

DEFENSE ATTORNEY: Did you intend to harm the Witch?

DOROTHY: Absolutely not! The only thing I was trying to do was put out the fire on the Scarecrow.

DEFENSE ATTORNEY: I have no further questions.

JUDGE: (To Prosecutor) You may cross-examine.

PROSECUTOR: You desperately wanted to go home, didn't you?

DOROTHY: Well, yes I did. I was very far from my family and I knew that Aunt Em had to be very worried about me.

PROSECUTOR: You, in fact, wanted to go home so badly that you were willing to break into the Witch's castle.

DOROTHY: Well, I don't know if we were going to break in or not. All I knew was that if I wanted to get home, we would have to get the Witch's broomstick.

PROSECUTOR: And isn't it a fact that you knew that you would have to kill the Witch in order to get her broomstick?

DOROTHY: Well, the Scarecrow said that we might have to kill the Witch in order to get the broomstick, but I didn't want to kill the Witch. I just wanted to get home.

PROSECUTOR: And, isn't it a fact that you knew that water is deadly to Witches?

DOROTHY: Well, yes. I did know that water would melt a Witch. But, when I threw the water, the only thing that I was trying to do was put out the fire on the Scarecrow.

PROSECUTOR: And, after you melted the Witch, didn't you take the broomstick?

DOROTHY: Yes, I did. We took the broomstick because we knew that the Wizard wanted it and that it would help me get home.

PROSECUTOR: And you knew that the Wizard would not grant your wish unless you brought him the broomstick?

DOROTHY: I suppose that's true.

PROSECUTOR: When you left the Witch's castle, you were, in fact, singing, weren't you?

DOROTHY: Well, yes. Everyone started singing "Ding Dong the Witch is Dead" and I suppose I sang along.

PROSECUTOR: I have no further questions.

JUDGE: Ladies and gentlemen of the jury. At this time all of the evidence of this case has been presented. The only evidence which you may consider in making your decision today is the evidence which you have

heard from the witness stand here in the courtroom. The remarks of the attorneys at the beginning of the case and at the end of the case are not evidence. These statements are merely their arguments concerning what they believe the evidence has shown. At this time, I will give both attorneys the opportunity to make a closing statement so that they can tell you what they believe the evidence has shown.

PROSECUTOR: Thank you, your Honor. Ladies and gentlemen, we have heard here today overwhelming testimony that Dorothy is a young woman who desperately wanted to go home. The Wizard of Oz, the Scarecrow, and even Dorothy herself have told you that she would have done just about anything to get back to Kansas. She was willing to risk her life and the lives of her three friends to break into the Witch's castle and when she set out to steal the Witch's broomstick, she knew that she would have to kill the Witch in order to take the broomstick.

Her friend, the Scarecrow, has testified that he knew the Witch would have to be killed if Dorothy were to take the broomstick. The Wizard of Oz has testified that he knew that the Witch would have to be killed if Dorothy were to take the broomstick...and you, the Jury, know that Dorothy knew that to take the broomstick from the Witch, she would also have to kill the Witch. Perhaps none of you here today liked the Witch of the West. That does not matter. Whether the Witch was a good or bad person should not influence your decision here today.

The only facts that matter are whether the evidence shows that Dorothy intentionally killed the Witch of the West. We all know why Dorothy went to the castle. She went to get the broom and it didn't matter to her what she had to do or whom she had to kill to get it. Dorothy wanted to go home. And, the life of the Witch was the price of her ticket.

DEFENSE ATTORNEY: Ladies and gentlemen. The Prosecution would have you believe that Dorothy went into the Witch's castle and then proceeded to murder her. You have all seen from the evidence that this is not what happened. You have heard from the evidence that Dorothy was, in fact, kidnapped and taken hostage by the Witch. She was dragged to the Witch's castle and the lives of her friends, and her dog Toto, and even her own, were threatened by the Witch. The Witch made sure that Dorothy knew that her young and innocent life was about to end.

When the Lion, the Scarecrow, and the Tin Man came to Dorothy's rescue, there was confusion in the castle. The testimony has shown you that the Witch intentionally lit the Scarecrow on fire. The Scarecrow was burning and would have quickly died, but Dorothy's quick thinking saved him. When she grabbed the pail of water, her only purpose was to save the Scarecrow, her friend, from a fiery death. Yes, the Witch of the West was killed, but when Dorothy threw the water, she did not intend to kill the Witch. She only meant to save the Scarecrow. We believe that the evidence is clear that Dorothy cannot be guilty of murder for saving the life of her friend.

JUDGE: At this time, the Prosecution has the right to make a short rebuttal argument. Since the Prosecutor has to prove his or her case, the Prosecutor is given two opportunities to speak at the close of the trial.

PROSECUTOR: Thank you, your Honor. The Defense would have you believe that Dorothy was only trying to save the life of the Scarecrow. If that were true, why then did Dorothy take the broomstick? Why did Dorothy march out of the castle happily singing "Ding Dong the Witch is Dead?" The evidence has shown that Dorothy went to the castle intending to kill the Witch, and that she did, in fact, succeed in killing the Witch...and she was glad that she had killed the Witch of the West. When you, the Jury, look at all of the evidence, you will see that the Defendant, Dorothy Gale, is guilty of the crime of murder.

JUDGE: Jurors, you have heard the evidence. Now it is your job to decide whether Dorothy Gale is guilty of the crime of murder. Bailiff, will you please take the jury to deliberate. Please notify me when you reach your decision.

THE END.

mock trial

STATE v. WOLF

A mock trial script appropriate for pre-school through primary grades.

State of Wisconsin
v.
B. B. Wolf (a.k.a. Big Bad Wolf)

Adapted by: Attorneys Leonard G. Adent & (now Judge) Robert G. Mawdsley, Waukesha County
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Approximate time required:

Two hours

Participants in trial:

Judge

Bailiff

B.B. Wolf

Moe Littlepig

Larry Littlepig

Curly Littlepig

District Attorney

Public Defender

Jury.....12 classmates or the rest of the class
with one designated as the jury leader.

THE CRIMINAL COMPLAINT

STATE OF WISCONSIN : CIRCUIT COURT : _____ COUNTY
 CRIMINAL/TRAFFIC DIVISION

STATE OF WISCONSIN,
 Plaintiff,

v.

CRIMINAL COMPLAINT
 BIG BAD WOLF,
 Defendant.

The District Attorney being first duly sworn, on oath, upon information and belief, says that: on September 15, 1999, at approximately 1 p.m. at the residences listed below in _____ County, Wisconsin, the defendant did:

COUNT #1

without the consent of the owner, Moe Littlepig, intentionally damage Moe Littlepig's straw house.

COUNT #2

without the consent of the owner, Larry Littlepig, intentionally damage Larry Littlepig's house of twigs.

COUNT #3

without the consent of the owner, Curly Littlepig, intentionally trespass on the property of Curly Littlepig.

And prays the defendant be dealt with according to law.

/s/ District Attorney

SECTION NINE: MOCK TRIAL SCRIPTS

JUDGE: The Court will call the case of State of Wisconsin v. B.B. Wolf. Appearances please... (The court at this time conducts a form of *voir dire* with a view to establishing whether the jurors understand the charges in the criminal complaint, whether they understand the burden of proof, whether they know anybody involved in the case, after introducing the witnesses, and whether or not they heard the story of the three little pigs as a child and finally whether or not the fact that they heard the story would prejudice them in making a decision in the case).

JUDGE: Are counsel prepared for trial? Very well. Opening statements, please.

(Counsel make opening statements)

JUDGE: The State may call its first witness.

PROSECUTOR: The State calls Moe Littlepig.

JUDGE: Raise your right hoof and be sworn by the clerk.

(Clerk swears the witness)

PROSECUTOR: Please state your name.

MOE PIG: My name is Moe Littlepig. I'm the youngest of three children. We're called three Littlepigs.

PROSECUTOR: Where do you live?

MOE PIG: Well, right now I'm staying at my brother, Curly Littlepig's brick house because of him (pointing to the wolf).

WOLF: Who, me?

MOE PIG: Yeah, you, furball.

JUDGE: (Gives judicial admonishment.)

PROSECUTOR: On September 15, 1999, where did you live?

MOE PIG: 77 Porkchop Strip.

PROSECUTOR: Where is that?

MOE PIG: Southwest _____ County in the woods near grandma's house.

PROSECUTOR: Describe the residence.

MOE PIG: It was a modest straw house.

PROSECUTOR: Straw? Why straw?

MOE PIG: I had in mind to build a nice house, but all I could afford was straw, so what the heck. I needed a place so I built it. Got some used furniture from the Three Bears and an old TV from Little Red Riding Hood's grandma and I was in business.

PROSECUTOR: When did you move in?

MOE PIG: September 1, 1999.

PROSECUTOR: What happened after that, on September 15, 1999?

MOE PIG: Well, that was a Sunday so I was watching the Green Bay Porkers on the tube when there was this pounding on the door and this voice “Littlepig! Littlepig! Let me in!” I said go away. Whatever you are selling I don’t want any.

PROSECUTOR: What happened then?

MOE PIG: The voice said, “This is the Wolf, Littlepig, let me in, let me in.” I said, “Not by the hair on my chinny-chin-chin.” Then the Wolf said, “I’ll huff and I’ll puff and I’ll blow your house in.”

PROSECUTOR: What happened then?

MOE PIG: Well, I heard the Wolf back up a few steps, take a deep breath and kapow; my house was blown down.

PROSECUTOR: What did you do?

MOE PIG: Well, I ran as fast as my little pig legs could carry me, otherwise the Wolf would have made a Brewer Plumper out of me.

PROSECUTOR: When was the next time that you had contact with the Wolf who blew your house in?

DEFENSE ATTORNEY: Objection. No foundation. Never saw the Wolf.

JUDGE: Objection sustained. Please rephrase the question.

PROSECUTOR: When was the next time you had contact with someone who said he was a wolf?

MOE PIG: A few days later at my brother Curly’s house; he tried to blow that house down, too.

PROSECUTOR: What did you lose when your house got blown down?

MOE PIG: Everything, except my flute.

PROSECUTOR: Did you give the Wolf consent to blow your house down?

MOE PIG: No way!

PROSECUTOR: Is the Wolf who blew your house down in court this morning?

MOE PIG: That’s him (pointing to B.B. Wolf).

Cross-examination of wolf.

The defense attorney might cross examine in these areas:

- straw was an unsuitable material with which to build a house;
- the pig didn’t see who blew the house down;
- the pig only heard somebody say it was the wolf.

JUDGE: State will call its next witness.

(This witness sworn in similar fashion.)

PROSECUTOR: State your name for the record please.

LARRY PIG: Larry Littlepig.

PROSECUTOR: Are you Moe’s brother?

LARRY PIG: Yes.

SECTION NINE: MOCK TRIAL SCRIPTS

PROSECUTOR: Where do you live?

LARRY PIG: Temporarily I'm in residence at Curly Littlepig's house here in town.

PROSECUTOR: And why is that?

LARRY PIG: Ask El Lobo over there, he can tell you...

WOLF: Go break a leg in three places, you little swine.

LARRY PIG: It's Littlepig, thank you!

JUDGE: (Gives judicial admonishment.)

PROSECUTOR: On September 15, 1999, where did you live?

LARRY PIG: 15 Bacon Street, Pigsville in _____ County.

PROSECUTOR: Describe your house.

LARRY PIG: It was a twig cabin.

PROSECUTOR: You mean log cabin?

LARRY PIG: No, twig cabin.

PROSECUTOR: How come?

LARRY PIG: Well, I thought Moe's straw house was nice, but I wanted more security. So I had a twig cabin built on Bacon Street in the subdivision. A friendly woodcutter made me some furniture and I bought a stereo and a rolltop desk.

PROSECUTOR: When did you move in?

LARRY PIG: About September 1, 1999.

PROSECUTOR: What happened after that?

LARRY PIG: On September 15, 1999, I was dancing to my Backstreet Boys tape when I heard someone at the door.

PROSECUTOR: What did you hear?

LARRY PIG: Well, a harsh voice said, "Littlepig! Littlepig! Let me in." I said "Who is this?" The voice said, "This is the wolf. Let me in or I'll blow your house in."

PROSECUTOR: What did you say?

LARRY PIG: "Not by the hair of my chinny-chin-chin." It's an old family expression. Then the wolf said, "Then I'll huff and I'll puff and I'll blow your house in."

PROSECUTOR: What happened?

LARRY PIG: Well, this villain proceeds to huff and puff and huff and puff and build up a regular hurricane around my cabin. Alas, it didn't survive; first the roof, then the walls, swoosh. Gone with the wind.

PROSECUTOR: What did you do?

LARRY PIG: Well, I beat it.

PROSECUTOR: Did you give anyone permission to blow down your house?

LARRY PIG: Certainly not.

PROSECUTOR: When did you next see or hear the wolf again?

LARRY PIG: A few days later at Curly's house. He tried the same huff and puff routine.

Cross examination of Larry Littlepig.

Defense Attorney might focus on these areas:

- a twig house is not stable;
- Larry Littlepig never saw the wolf; and
- nobody listens to the Backstreet Boys unless it is turned way up, and how could the pig distinguish the wolf's voice while the stereo was blaring?

JUDGE: The State may call its next witness.

PROSECUTOR: Please state your name.

CURLY PIG: Curly Littlepig.

PROSECUTOR: What is your address, Mr. Littlepig?

CURLY PIG: I live at 283 Sty Lane just off Mud Avenue.

PROSECUTOR: Now, Mr. Littlepig, are you familiar with the defendant in this case, Mr. Big Bad Wolf?

CURLY PIG: Are you kidding? That wolf in sheep's clothing?

WOLF: Now wait a minute...no making fun of my new coat!

CURLY PIG: He's just trying to look innocent, but he's not. Let me tell you.

JUDGE: If you don't stop this bickering, I'll have to hold you both in contempt of Court; let's proceed with the questioning.

PROSECUTOR: Going back again Mr. Littlepig, how did you come to know Mr. Big Bad Wolf?

CURLY PIG: After he destroyed my brothers' houses, I guess the wolf thought that I would be easy pickings. What he hadn't counted on was that I built my house out of bricks. And so when he came over one morning with his cheap "Littlepig! Littlepig! Let me in" trick, I just told him no way by the hair of my chinny-chin-chin, and kept right on watching TV with my brothers. "Then I'll huff and I'll puff and I'll blow your house in," he said. And we laughed. I just went into the kitchen to make myself a snack, just a small one. I don't like to make a wolf of myself. Anyway, all the while I was in the kitchen I could hear him out there huffing and puffing. When we went to bed that night he was still huffing and puffing, but he wasn't going to get in. I made sure of that when I built that house with bricks.

PROSECUTOR: And that was the last you ever saw of B.B. Wolf?

CURLY PIG: Are you kidding?

PROSECUTOR: Why?

CURLY PIG: Right after that incident I heard he was over on the other side of the forest making trouble for Little Red Riding Hood and her poor grandma.

DEFENSE ATTORNEY: Objection. This testimony about Little Red Riding Hood is completely irrelevant to the case at hand.

SECTION NINE: MOCK TRIAL SCRIPTS

JUDGE: Objection sustained. Mr. Wolf's attorney is correct. Proceed, Mr. Littlepig, but try to stay on track.

CURLY PIG: Well, about a week later he came by and said – real sweetly – “Oh, Littlepig, I know where to find the loveliest sweet turnips.” He must have known pigs are fools for turnips. Anyway, I asked him where. “Oh,” he said, “in Farmer Brown's yard. If you're ready tomorrow morning at six I'll come by for you and we can go there and get some for our dinner.” Boy, that wolf must think I'm dumb. I knew that those turnips were only going to be his appetizer. And I knew just who he had in mind for the main course.

PROSECUTOR: And so you didn't go?

CURLY PIG: I got up at five, picked my turnips and went back home and was having turnip stew with my brothers by the time he came by at six.

PROSECUTOR: What was the wolf's reaction?

CURLY PIG: Oh, he was fuming all right, but he didn't show it.

PROSECUTOR: What happened then?

CURLY PIG: Well, on September 30 he came over with this nasty glint in his eye and started climbing up the side of my house. At first I couldn't imagine what he was doing, and then it came to me – the chimney! And so I rushed to the fireplace. I already had a big pot of water on to boil for my tea, and I took the lid off. I only wanted to warn him off because I didn't want him in my house eating me up. How was I to know he was already climbing down the chimney?

PROSECUTOR: And did you consent to allow the wolf down you chimney into your house?

CURLY PIG: Certainly not.

(Cross examination of Curly Littlepig.)

DEFENSE ATTORNEY: I would like to cross examine the witness if I may.

DEFENSE ATTORNEY: Mr. Littlepig, I have been listening to this account of your dealings with Mr. Wolf and it seems to me that you were doing an awful lot of teasing and baiting of my client. Wouldn't you say that's true?

CURLY PIG: Well, maybe I was having a little fun with the old boy, but seeing as he was trying to eat me that doesn't seem like such a great crime, does it?

DEFENSE ATTORNEY: I'll ask the questions here, if you please. What about the reports that the cookbook next to your fireplace was found open to the recipe for poached wolf? Is this true?

CURLY PIG: Yes, but it's not how it seems. I had it open to warm apple pie. I was going to bake one with extra apples, but then when I took the lid off that cauldron I guess that shot of steam must have flipped a few pages forward to Poached Wolf.

DEFENSE ATTORNEY: You expect the Court and jury to believe that?

CURLY PIG: Well, it's the truth by the hair on my chinny-chin-chin.

DEFENSE ATTORNEY: All right Mr. Pig, thank you, you may step down.

(At this point the State rests. Motion to dismiss by defense counsel is argued.)

JUDGE: Mr. Defense Attorney, do you have any witnesses?

DEFENSE ATTORNEY: The defense calls Mr. B.B. Wolf.

JUDGE: Please raise you right paw.

(Clerk swears wolf in.)

DEFENSE ATTORNEY: Please state your name.

WOLF: My name is Big Bad Wolf. Most of my friends just call me B.B.

DEFENSE ATTORNEY: Where do you live?

WOLF: Oh, I've got a nice little den in the woods outside Waukesha. You know it's got redwood paneling and I've got a pretty nice stereo.

DEFENSE ATTORNEY: A kitchen?

WOLF: Well, um, I eat out a lot, you might say.

DEFENSE ATTORNEY: Ah, yes, well let's move on to the morning of September 30, 1999. Do you recall your whereabouts on that morning?

WOLF: Yes I do. Quite clearly actually. I was taking my usual morning stroll past the house of my old pal, Curly Pig. I was admiring his house. It's quite well built, you know, and I thought I might pay good old Curly a visit and tell him just that. What a fine job he had done in building that place of his. Anyway, I knocked on the door and called out his name, but there was no answer. So I knocked harder and called out louder, but still there was no answer and then I sat down on the front porch to wait. I figured Curly was probably out at the store or something and would be back in a minute. You see I really did want to see my old buddy and I don't get into that neighborhood all that often and then it hit me, Curly is a real sound and sleeper and is probably just sleeping in. I thought if I just left he would be sorry I hadn't woken him so I tried to think of a way to get into the house to wake him up. And then I thought and I thought and finally it came to me. I could climb down the chimney!

DEFENSE ATTORNEY: And so did you?

WOLF: Well, yes and no. That is, I started to, but when I got almost all the way down suddenly someone took the lid off this cauldron of water boiling down there. Someone who wanted me to fall into the kettle.

PROSECUTOR: Objection, the witness is guessing and speculating.

JUDGE: I agree, objection sustained. Continue, Mr. Wolf.

WOLF: Well, lucky for me the steam was so powerful that it sort of just blew me up and out of the chimney. I took off like all get out and decided Curly was no friend of mine.

DEFENSE ATTORNEY: Did you hear Moe Littlepig testify about your blowing his house down on September 15, 1999?

WOLF: Yes.

DEFENSE ATTORNEY: Were you there?

WOLF: Yes, I had heard that Moe had built a house in the woods and I went over to welcome him to the neighborhood. Also to see if he wanted to trade Pokemon cards with me.

DEFENSE ATTORNEY: What happened?

WOLF: Well, I knocked on the door and then started sneezing.

DEFENSE ATTORNEY: Sneezing?

SECTION NINE: MOCK TRIAL SCRIPTS

WOLF: Yes, I must have had an allergic reaction to the straw in the house. I was sneezing out of control when the whole house blew away. It wasn't very well built.

DEFENSE ATTORNEY: Did you mean to blow down the house?

WOLF: No, I was sorry and I wanted to apologize, but Moe ran away so fast that I couldn't catch him.

DEFENSE ATTORNEY: You heard Larry Littlepig tell of his tragic loss?

WOLF: Yes, I did.

DEFENSE ATTORNEY: Where were you on September 16, 1999?

WOLF: At the mall.

DEFENSE ATTORNEY: You were not there?

WOLF: No.

Cross examination of the wolf by the Prosecutor.

Options for next phase:

- call an alibi witness for the wolf;
- closing arguments;
- jury instructions.

mock trial

BEAR v. LOCKS

A mock trial script appropriate for pre-school through primary grades

Mom A. Bear

Pop A. Bear

Babe E. Bear

v.

Golden Locks (a.k.a. Gold E. Locks)

Prepared by: Attorney Richard D. Torphy, Denver

Participants in Trial

Judge

Plaintiff.....Mom A. Bear

Plaintiff.....Pop A. Bear

Plaintiff.....Babe E. Bear

Defendant.....Gold E. Locks

Mrs. Locks

Plaintiff's Counsel

Defendant's Counsel

Jurors

Bailiff

Props

Bowl – Pop A. Bear (Exhibit A)

Bowl – Babe E. Bear (Exhibit B)

Broken chair (Exhibit C)

Pillow (Exhibit D)

SCENE

The _____ County Courthouse. The Bailiff calls the case of Mom A. Bear, Pop A. Bear and Babe E. Bear v. Golden Locks, also known as Gold E. Locks. The Bears are seated at the Plaintiff's table. Golden Locks and her parents, Mr. & Mrs. Locks, are sitting at the defense table.

JUDGE: This is the case of Mom A. Bear, Pop A. Bear and Babe E. Bear v. Golden Locks. As I understand the pleadings, the charge against Golden Locks is that she showed bad manners. Are there any opening statements?

PLAINTIFF ATTORNEY: Your Honor, in this case we will show that one crisp fall morning Mom A. Bear got up early and made a steaming pot of porridge. She intended to serve it to Pop A. Bear and Babe E. Bear for breakfast. We will further show that because the porridge was too hot, the Bears decided to take a walk in the forest. While they were gone, Gold E. Locks entered the home and ate some porridge out of the bowls of Mom A. Bear and Pop A. Bear. She ate all the porridge from the bowl of Babe E. Bear. After eating Babe E. Bear's porridge, Gold E. Locks sat down in Babe E. Bear's chair and broke it. After breaking the Babe E. Bear's chair, Gold E. Locks went upstairs and fell asleep in Babe E. Bear's bed. Through our evidence we will show that Gold E. Locks had bad manners. Thank you Your Honor.

JUDGE: Does the attorney for Gold E. Locks have any opening statements?

DEFENSE ATTORNEY: Your Honor, these charges of bad manners against Gold E. Locks are ridiculous. We will show that the Bears invited Gold E. Locks into their home by leaving the door open. Gold E. Locks was out walking in the forest, minding her own business, and picking flowers, when she smelled the sweet aroma of porridge cooking. She had been in the forest many times before and she knew where the Bears lived. Gold E. Locks merely thought she was invited for breakfast. We will further show that the porridge was so good that Gold E. Locks decided to take a nap so that she could sleep off her breakfast. We will show that Gold E. Locks was a guest – and certainly did not demonstrate any bad manners.

JUDGE: Very well. Call your first witness.

PLAINTIFF ATTORNEY: I call Mom A. Bear as my first witness. (Mom A. Bear comes forward.)

JUDGE: Please raise your right paw. (Mom A. Bear raises her right paw.)

JUDGE: Do you swear that the evidence you are about to give is the truth, the whole truth, and nothing but the truth?

MOM A. BEAR: I do.

JUDGE: Please be seated.

PLAINTIFF ATTORNEY: Please state your name.

MOM A. BEAR: My name is Mom A. Bear. That's first name Mom, middle initial A., last name Bear. They also call me Momma Bear.

PLAINTIFF ATTORNEY: Where do you live?

MOM A. BEAR: I live in a little bungalow house in the forest. The house is surrounded by flowers and trees. It is a pretty little house.

PLAINTIFF ATTORNEY: Is that forest located in (insert local city and state)?

MOM A. BEAR: Yes, it is.

PLAINTIFF ATTORNEY: Who else lives in the house?

MOM A. BEAR: My husband, Pop A. Bear, and our little bear, Babe E. Bear, live with me.

PLAINTIFF ATTORNEY: On the morning of October 26, 1999, did you make breakfast for your family?

MOM A. BEAR: Yes, I did. I always make a wholesome nutritious breakfast for my family. As they are very fond of porridge, I made porridge on that particular day, and as I always do, I sprinkled the porridge with honey, a pinch of cinnamon and two pawful of raisins. Pop A. Bear especially likes the two pawful of raisins.

PLAINTIFF ATTORNEY: Very well, I see, it sounds delicious.

MOM A. BEAR: It is! You should come over and try some sometime.

DEFENSE ATTORNEY: Your Honor, I object to that last question concerning Mom A. Bear's invitation to her attorney to try her porridge. We will stipulate that Mom A. Bear makes very good porridge.

JUDGE: Very well. Counselor, would you please comment only on the case and not on your social life with the Bear family.

PLAINTIFF ATTORNEY: After you made the porridge, Mom A. Bear, what did you do?

MOM A. BEAR: I called Pop A. Bear and Babe E. Bear to come downstairs for breakfast.

PLAINTIFF ATTORNEY: Then what happened?

MOM A. BEAR: We sat down at the table and said grace. After grace, Babe E. Bear said that the porridge was too hot and was burning his tongue, so we decided to go for a little walk in the forest and let the porridge cool.

PLAINTIFF ATTORNEY: I see. Do you always walk in the forest?

MOM A. BEAR: Oh, yes! We love to walk in the forest.

PLAINTIFF ATTORNEY: When you got back from your walk, what did you find?

MOM A. BEAR: Well, the door was open. I had told Babe E. Bear to close it but he/she forgot. You know how baby bears are about doing those things.

PLAINTIFF ATTORNEY: Yes, I know. I have baby bears of my own. What did you see when you got back?

MOM A. BEAR: I think we should let Pop A. Bear tell that.

(Mom A. Bear gets down from the witness stand. Pop A. Bear goes forward to be sworn in, raises his right paw, and is sworn by the Bailiff)

PLAINTIFF ATTORNEY: Please state your name.

POP A. BEAR: My name is Pop A. Bear. (growling)

PLAINTIFF ATTORNEY: Do you live in the forest with Mom. A. Bear and Babe E. Bear?

POP A. BEAR: Yes, that's our home. It's located out in (insert local town/city).

PLAINTIFF ATTORNEY: Very well. When you got back from your walk in the forest what did you notice?

POP A. BEAR: Well, first I noticed that the door was open. I told Babe E. Bear to close it several times, but I guess he forgot again. I'm going to have to speak to Babe E. Bear about his forgetting to close

SECTION NINE: MOCK TRIAL SCRIPTS

the door.

PLAINTIFF ATTORNEY: Did you smell porridge in the house?

POP A. BEAR: Oh, yes! It smelled delicious. Mom A. Bear is the best porridge-maker in the whole forest.

DEFENSE ATTORNEY: Your Honor, we know Mom A. Bear makes good porridge. We will stipulate for the record that Mom A. Bear's porridge is the best porridge in the whole wide world, not to mention the best porridge in (insert local place).

PLAINTIFF ATTORNEY: When you got back to the house what did you notice first?

POP A. BEAR: Well, I went over to eat my bowl of porridge. When I looked in the porridge bowl there was some missing.

PLAINTIFF ATTORNEY: Did you say anything?

POP A. BEAR: Yes, I growled, "Somebody's been eating my porridge!"

(Plaintiff's attorney takes bowl of porridge labeled "Pop A. Bear" and has it marked as an exhibit.)

PLAINTIFF ATTORNEY: Pop A. Bear, I now hand to you what has been marked as "Bear's Exhibit A." Is that your bowl?

POP A. BEAR: Yes, can't you see it says "Pop A." on it?

PLAINTIFF ATTORNEY: Oh. Is this the bowl of porridge that was sitting on your table?

POP A. BEAR: Yes, it is. I never eat my porridge from any bowl except that bowl.

(Plaintiff's attorney gives bowl to Court Reporter.)

PLAINTIFF ATTORNEY: Your Honor, I ask that our exhibit be admitted as evidence.

JUDGE: All right.

PLAINTIFF ATTORNEY: Pop A. Bear, after you discovered your porridge bowl empty, what did you do?

POP A. BEAR: I walked into my living room.

PLAINTIFF ATTORNEY: And what did you see?

POP A. BEAR: My favorite Pop A. Bear chair that Mom A. Bear and Babe E. Bear gave to me for Father's Day last year.

PLAINTIFF ATTORNEY: Did you say anything upon noticing that somebody has been sitting in your chair?

POP A. BEAR: Yes, I growled, "Somebody's been sitting in my chair!"

PLAINTIFF ATTORNEY: Then what did you do?

POP A. BEAR: Well, I was getting suspicious, so I went upstairs.

PLAINTIFF ATTORNEY: What did you notice upstairs?

POP A. BEAR: I noticed that my bed had been messed up.

DEFENSE ATTORNEY: Your Honor, I object. We all know that Pop A. Bear never makes his bed, and that the bed just sits there until Mom A. Bear makes it in the morning. How do we know that the bed had not been messed up from Pop A. Bear's sleeping in it?

PLAINTIFF ATTORNEY: Pop A. Bear, did you make your bed that morning?

POP A. BEAR: Yes. I made a special effort that morning to make the bed as a birthday present for Mom A. Bear.

PLAINTIFF ATTORNEY: And when you got back was the bed messed up?

POP A. BEAR: Yes, it was.

PLAINTIFF ATTORNEY: Did you say anything?

POP A. BEAR: Yes, I growled, "Somebody's been sleeping in my bed!"

PLAINTIFF ATTORNEY: Did you see anybody sleeping in your bed?

POP A. BEAR: No, I didn't. I went back downstairs.

PLAINTIFF ATTORNEY: Pop A. Bear, that's all the questions I have for you.

JUDGE: You may step down. (Pop A. Bear gets off the witness stand.)

PLAINTIFF ATTORNEY: Next I will call Babe E. Bear to the stand.

(Babe E. Bear goes forward, raises his/her right paw and is sworn in.)

PLAINTIFF ATTORNEY: What is your name?

BABE E. BEAR: (babyish tone) My name is Babe E. Bear. I live with my Mommy and Daddy Bear in a little cottage in (local place).

PLAINTIFF ATTORNEY: Do you go to school?

BABE E. BEAR: Yes. I attend _____ in _____.

PLAINTIFF ATTORNEY: I see. And who are your teachers at pre-school?

BABE E. BEAR: My teachers are (insert names).

PLAINTIFF ATTORNEY: And do you always listen to your teachers at pre-school?

BABE E. BEAR: Well, most of the time I do.

PLAINTIFF ATTORNEY: And have your teachers told you to close the door when you leave a room?

BABE E. BEAR: Well, they are trying to teach me to do that, but sometimes I forget. You see, I am still a baby bear.

PLAINTIFF ATTORNEY: Did you go for a walk with your mommy and daddy in the forest?

BABE E. BEAR: Yes, I did. The porridge was too hot and I could not eat it, so I thought we could go for a walk and see the birdies, the bunny rabbits and the other animals that live in the forest. I like to watch the birdies and the bunny rabbits. One time I even saw a deer in the forest.

PLAINTIFF ATTORNEY: When you got back from the forest what did you see?

BABE E. BEAR: I went with my daddy to sit down to eat my breakfast, and when I sat down, my porridge bowl was empty.

PLAINTIFF ATTORNEY: And what did you say?

SECTION NINE: MOCK TRIAL SCRIPTS

BABE E. BEAR: (whining) I said, “Somebody’s been eating my porridge, too, and they ate it all up!”

(Plaintiff’s Lawyer takes bowl labeled Babe E. Bear and hands it to Court Reporter.)

PLAINTIFF ATTORNEY: Please mark this as Bear’s Exhibit B.

(After it is marked, the attorney hands bowl to Babe E. Bear.)

PLAINTIFF ATTORNEY: And, is this your porridge bowl?

BABE E. BEAR: Yes, it is. My grandma gave it to me when I was a tiny baby. I was just a little cub when she gave it to me. She gave it to me because she knew I liked to eat porridge for breakfast.

PLAINTIFF ATTORNEY: And, is that the bowl that was empty when you came back into your house from your walk in the forest?

BABE E. BEAR: Yes, it is.

(Attorney hands bowl to Judge as Exhibit B.)

PLAINTIFF ATTORNEY: And then what did you do, Babe E. Bear?

BABE E. BEAR: I went into my living room and I saw that my favorite chair was broken! Grandpa gave me the chair for my second birthday so that I could sit with Mom A. Bear and Pop A. Bear. I mainly used it when I watched television. You know, my favorite programs are Yogi Bear and football games between the Chicago Bears and the Green Bay Packers. Of course, I had to root for the Bears.

PLAINTIFF ATTORNEY: Yes, I know. And when you saw your chair what did you say?

BABE E. BEAR: I said, “Somebody’s been sitting in my chair and they broke it.” I was really sad about my chair being broken, because it was my favorite.

(Attorney picks up broken chair and has it marked as Exhibit C.)

PLAINTIFF ATTORNEY: Babe E. Bear, is that your chair?

BABE E. BEAR: (pouting) Yes, it is. I really feel sad because it’s broken. Pop A. Bear was going to fix it, but he is very slow at doing these things sometimes. I guess Mom A. Bear will have to talk to him about it.

PLAINTIFF ATTORNEY: And then what did you do?

BABE E. BEAR: I went upstairs to my bedroom.

PLAINTIFF ATTORNEY: And did you make your bed on that morning?

BABE E. BEAR: Yes, I did on that morning because it was Mom A. Bear’s birthday. Daddy Bear and I wanted to surprise her because we sometimes, well, most of the time, forget to make our beds. Mom A. Bear scolds us for it.

PLAINTIFF ATTORNEY: I see. But you did make your bed that morning?

BABE E. BEAR: Well, Papa Bear helped me, but we made it, yes. I even put my little pillow neatly at the top of the bed.

PLAINTIFF ATTORNEY: And, when you went back upstairs, what did you see?

BABE E. BEAR: (agitated) When I went back upstairs, my little pillow was gone. When I approached the bed I saw these golden locks. I then peeked under the covers and I saw a little girl, and I shouted, “Somebody’s been sleeping in my bed, and there she is! It’s a little girl.”

PLAINTIFF ATTORNEY: And, what did the little girl do?

BABE E. BEAR: She got up and ran so fast that I hardly saw her. I just saw these golden locks as she ran out the door.

PLAINTIFF ATTORNEY: Is the little girl who was sleeping in your bed here today?

BABE.E. BEAR: Well, that little girl over there with the golden hair looks like her, but I really didn’t get a very good view. It could be her.

(Plaintiff’s attorney hands Babe E. a pillow, which has been marked as Exhibit C.)

PLAINTIFF ATTORNEY: Is this your pillow?

BABE E. BEAR: Yes, it is. My Aunt Cubby made it for me when I was a baby.

PLAINTIFF ATTORNEY: Babe E. Bear, you don’t have golden hair, do you?

BABE E. BEAR: No, I don’t. My hair is brown and furry like my Mommy and Daddy’s.

PLAINTIFF ATTORNEY: There is golden hair on this pillow. Could that be Gold E. Locks’ hair?

BABE E. BEAR: I guess so; it’s not mine.

PLAINTIFF ATTORNEY: Very well, Babe E. Bear. Do you have anything further to say?

BABE E. BEAR: Well, I don’t blame the little girl for wanting to eat the porridge and Mommy can always make more porridge, but I wish she hadn’t broken my chair. That really is my favorite chair.

PLAINTIFF ATTORNEY: Thank you, Babe E. Bear.

(Babe E. Bear gets down.)

PLAINTIFF ATTORNEY: Your Honor, that is all of our evidence. The Bears rest.

JUDGE: Very well. We will now hear Gold E. Locks’ side of the case.

DEFENSE ATTORNEY: Your Honor, as my first witness I will call Gold E. Locks.

(Gold E. Locks gets up, walks forward, raises her right hand to be sworn. Bailiff administers the oath. Gold E. Locks then sits down.)

DEFENSE ATTORNEY: What is your name?

GOLD E. LOCKS: My name is Golden Locks. I am also called Gold E. Locks. When I was born my mother said I had golden locks. And so from that day forward I have been known as Gold E. Locks.

DEFENSE ATTORNEY: I see. You have very pretty gold locks.

GOLD E. LOCKS: Thank you.

DEFENSE ATTORNEY: Where do you live?

SECTION NINE: MOCK TRIAL SCRIPTS

- GOLD E. LOCKS:** I live with my mother Locks, my father Locks, my little baby brother Locks, my kitty cats Spook Locks and Funny Locks at (insert a local address).
- DEFENSE ATTORNEY:** Oh, that is very interesting. And is your house located anywhere near the house of Babe E. Bear?
- GOLD E. LOCKS:** Oh, yes, Babe E. Bear and I see each other quite often while walking in the forest. I like to walk through the forest and pick flowers. I also like to watch the bunny rabbits and deer in the forest. Babe E. Bear and I attend the same pre-school, that is (insert name of a local school). My mommy takes me every day in the minivan. Sometimes I bring some of the flowers I have picked in the forest.
- DEFENSE ATTORNEY:** And, are your teachers also _____.
- GOLD E. LOCKS:** Yes, they are. We play games and play in the toy kitchen and sing and have a snack.
- DEFENSE ATTORNEY:** And, I'm sure your teachers and your mother and father have told you never to go into a strange house.
- GOLD E. LOCKS:** Yes, they have. But sometimes I forget, especially when the porridge smells so good!
- DEFENSE ATTORNEY:** Now Gold E., on the day in question, were you out walking in the forest?
- GOLD E. LOCKS:** Yes, I was. I was out picking flowers in the forest early one fall morning. I like to go out early in the morning because that's when I see the most bunny rabbits and sometimes I even see a deer.
- DEFENSE ATTORNEY:** And, as you were walking in the forest what did you smell?
- GOLD E. LOCKS:** I smelled the most yummy porridge coming from a house in the forest. I followed my nose until I came to a brown house which had the name "Bear" on the front. I knocked on the door, but I did not see anybody at home. The smell was so good and I had not had any breakfast that morning since Mommy does not fix breakfast until I get back from my morning walk. In fact, sometimes she even goes with me.
- DEFENSE ATTORNEY:** I see. And than what did you do?
- GOLD E. LOCKS:** I knocked on the door several times but nobody answered. As the door was open, I figured that the people who lived in the house must be close by.
- DEFENSE ATTORNEY:** Did you enter the house?
- GOLD E. LOCKS:** Yes, I did, but the door was open. I followed my nose right to the kitchen. There I saw three bowls of porridge.
- DEFENSE ATTORNEY:** When you saw the three bowls of porridge, what did you say?
- GOLD E. LOCKS:** I said, "Oh, my, porridge!"
- DEFENSE ATTORNEY:** Then what did you do?
- GOLD E. LOCKS:** I tasted some porridge from Papa Bear's great big, bowl. It was too hot. Then I tasted some from Mom A. Bear's medium sized bowl, but it was too cold. Then I tasted some porridge in Babe E. Bear's bowl. It was just right, and I was so hungry I ate it all up.
- DEFENSE ATTORNEY:** Were the Bears in the house while you were eating the porridge?
- GOLD E. LOCKS:** No but I figured they must be nearby. I guess I got so excited eating the porridge that I forgot about the Bears.
- DEFENSE ATTORNEY:** Then what did you do?

- GOLD E. LOCKS: Well, my tummy was so full of yummy porridge that I went into the living room to thank the person who had made the porridge and to tell her how good the porridge was. My mother said I always should say thank you.
- DEFENSE ATTORNEY: Did you find anybody?
- GOLD E. LOCKS: No, I didn't. So I decided to sit down in a chair to wait for the person to come home so I could tell her how good the porridge was. I wanted her to give me the recipe so I could give it to my Mommy. My Mommy makes good porridge but it doesn't taste quite as good as the porridge I had at the Bears' house.
- DEFENSE ATTORNEY: Did you sit down?
- GOLD E. LOCKS: Yes, I did. In fact I sat in this great big chair. But it was too hard and too big. I did not feel comfortable in it. It looked like a poppa's chair. My daddy has one like it at home. Then I sat in a smaller chair, but it was too soft. It was kind of like the chair my mommy sits in at home. Than I sat down in this little chair which seemed to be just right.
- DEFENSE ATTORNEY: What happened when you sat in the chair?
- GOLD E. LOCKS: It broke. But I think the chair was already broken when I sat in it and that it was just sitting there as a decoration. As little as I weigh I am sure my weight would not have broken it if it had not already been broken. I was really sad when I saw the broken chair.
- DEFENSE ATTORNEY: Then what did you do?
- GOLD E. LOCKS: I was so sad when I saw the broken chair that I decided to go upstairs and wait for the Bears to come home so I could tell them about it. I went into a room that was decorated a lot like my room at home and sat down on a bed to wait for the Bears to come home. I think I was crying a little bit too, about breaking the chair. Well the bears did not come home right away and I must have closed my eyes to wait for them. I fell asleep on Babe E. Bear's bed. The next thing I remember before I fell asleep on Babe E. Bear's bed was that I also tried Pop A. Bear's bed and Mom A. Bear's bed. But they were too hard. I guess I messed their beds up a little bit too, although Pop A. Bear's bed had not been made very well. It looked like he did it himself.
- DEFENSE ATTORNEY: What do you remember next?
- GOLD E. LOCKS: The next thing I remember there were three bears standing around me. Pop A. Bear looked very, very mad and he said, "Somebody's been sleeping in my bed!" Then I heard Mom A. Bear say, "Somebody's been sleeping in my bed!" I was so frightened that I got up and ran right out the door to my mother.
- DEFENSE ATTORNEY: Gold E. Locks, as I recall your testimony, you ate the porridge because it smelled so good and you were hungry. You had not knocked the door down, but walked in the open door thinking the people would not care. The chair was broken when you sat down to wait for the maker of the porridge to tell her how good the porridge was, and you accidentally fell asleep on the bed.
- GOLD E. LOCKS: That's right.
- DEFENSE ATTORNEY: You didn't mean anybody any harm did you, Gold E. Locks?
- GOLD E. LOCKS: Of course not! It looked like such a friendly house and I knew that Babe E. Bear lived there. I see him/her at pre-school many times. He/she even told me that sometime I should come over and have some porridge with him because his/her mother made it so good! I really didn't mean to harm anything and I'm really sorry about the chair, but I still don't think I broke it.
- DEFENSE ATTORNEY: Thank you, Gold E. That's all the questions. Next I will call Mrs. Locks.

SECTION NINE: MOCK TRIAL SCRIPTS

(Mrs. Locks goes forward and is sworn in by the Bailiff.)

DEFENSE ATTORNEY: What is your name?

MRS. LOCKS: My name is Curl E. Locks.

DEFENSE ATTORNEY: Where do you live, Mrs. Locks?

MRS. LOCKS: We live at (insert localized address).

DEFENSE ATTORNEY: And are you the mother of Gold E. Locks?

MRS. LOCKS: Oh, yes, I am. She is my little girl.

DEFENSE ATTORNEY: What kind of a little girl is Gold E. Locks?

MRS. LOCKS: Gold E. is a good little girl. She is mischievous like most little girls, but she tries to always do the right thing. Sometimes she forgets. I do have one trouble with her and that is that she likes to wander through the forest picking flowers. She tells me that she likes to look at the bunny rabbits and the deer. Most of the time I go with her but on the morning in question I was getting ready for a bridge club meeting.

DEFENSE ATTORNEY: You say Gold E. is essentially a good girl. Does she say please?

MRS. LOCKS: Most of the time.

DEFENSE ATTORNEY: And does she say thank you?

MRS. LOCKS: Oh, I have taught her to say thank you and her teachers at school have taught her to say thank you, and she says thank you most of the time when she remembers. But like most children, sometimes she forgets.

DEFENSE ATTORNEY: Does she help you with the dishes?

MRS. LOCKS: Well, most of the time. But sometimes, especially when the Muppets are on television, she runs downstairs to watch and forgets to help me with the dishes. But I understand – especially when the Muppets are on television. That’s her favorite show, you know.

DEFENSE ATTORNEY: Does she attend pre-school?

MRS. LOCKS: Oh, yes. She goes to (insert local school) every day. She enjoys the music and swinging on the swings and the art classes and all the activities. She’s really excited about her pre-school.

DEFENSE ATTORNEY: Well, this trial is about Gold E. Locks having bad manners. Do you think she has bad manners?

MRS. LOCKS: Oh, goodness no. She does forget occasionally, but I know she tries to use good manners. I think the only reason she went into the Bears’ house was because the porridge smelled so good. And after she ate the porridge she simply wanted to stay there until the Bears returned to tell them how good the porridge was. She certainly didn’t intend any harm and I know that she didn’t mean to break the chair. But Gold E. has told me that the chair was already broken when she sat in it. You know she’s not very big and I don’t think she could break the chair.

DEFENSE ATTORNEY: Is there anything else you would like to say, Mrs. Locks?

MRS. LOCKS: Well, we’re sorry that the Bears were inconvenienced, but if they would like to come to our house for breakfast I would be glad to fix them some of my porridge. Maybe Mrs. Bear could even show me how she makes it so yummy.

DEFENSE ATTORNEY: Thank you, Mrs. Locks, you may step down.

(Mrs. Locks steps down.)

JUDGE: Are there any summaries?

PLAINTIFF ATTORNEY: Your Honor, we have shown that Gold E. Locks, without being invited, walked into the Bear's home, ate Babe E. Bear's porridge, broke Babe E. Bear's chair, and slept in her bed. She did all of this without being invited and I certainly think that meets the test of bad manners. Even though Gold E. Locks knew better, that is no excuse. I'm sure the jury agrees that one who displays good manners does not do such things.

DEFENSE ATTORNEY: Your Honor, we have shown that Gold E. Locks is basically a good little girl. She has said that she meant no harm in going into the house, and the door was open. The porridge was so good that she could not resist it and after she ate the porridge she merely wanted to wait for the Bears to come home to thank them. She didn't mean to break Babe E. Bear's chair, and in fact there is no real evidence that she broke the chair. I think the chair was broken when she sat in it. She certainly is not big enough to have broken the chair. She is sorry she fell asleep in the bed, but she was merely waiting for the Bears to come home so she could thank them and to ask them how they make the yummy porridge. She certainly did not display any bad manners, in fact she showed good manners by waiting to thank the bears.

JUDGE: Thank you. Does that conclude the evidence?

ATTORNEYS: (both) Yes, it does.

JUDGE: (Judge turns to jury.) You have heard the evidence. Now it is your job to decide whether Gold E. Locks has bad manners. Will you please go with the Bailiff to the jury room and after you have decided, would you please come back and inform the Court of your decision.

(Bailiff takes the jurors to the Jury room. After a while, jurors come back with a verdict.)

JUDGE: Have you reached a verdict?

JUROR: Yes, we have, your Honor.

JUDGE: What is that verdict?

JUROR: The jury has voted and has determined that...

THE END.

tips & resources

Dane County Law Library 210 Martin Luther King Jr. Blvd., Room 315 Madison, WI 53703 608/266-6316 Fax: 608/266-5988 Monday-Friday 8:30-4:30	Milwaukee Legal Resource Center Courthouse, Room 307A 901 N. 9th St. Milwaukee, WI 53233 414/278-4900 Fax: 414/223-1818 Monday - Friday 8 a.m. - 5 p.m.	Wisconsin State Law Library 120 Martin Luther King Jr Blvd., 2nd floor Madison WI 53703 800-322-9755 Fax: 608-267-2319 Monday - Friday 8 a.m. - 5 p.m.
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The Wisconsin State Law Library (WSLL) has numerous text and Internet resources that apply to this year's Law Day theme, including information on the history of equal rights legislation in America. Our Web site and collection offer a variety of resources to help you plan and present your Law Day program. The people who attend your programs will also benefit from learning about the State Law Library's resources and services.

Please contact us for assistance in searching the Internet and/or borrowing library materials, whether it's for your Law Day program or another legal information need, and please inform the public about us, too.

Good luck with your planning, and may your Law Day event be successful!

Searching the Internet for legal information

The Wisconsin State Law Library Web site (<http://wsll.state.wi.us>), launched in 1999, is a one-stop resource for state and federal legal information available on the Internet. It provides links to many primary and secondary legal sources, and is presented in a well organized, easy-to-use format.

For information on a specific legal issue, our Legal Topics A-Z page is an excellent starting point. It was developed with the Wisconsin *pro se* user in mind and is a resource for people who need basic information or are not sure where to begin. Users can choose from over 250 topics, from Anatomy and Abortion to Worthless Checks and Zoning. Each topic is annotated and includes links to pertinent sections of the Wisconsin Statutes and Administrative Code, federal statutes and regulations, state and federal agency Web sites, and topic-related publications.

The Wisconsin Law page provides access to opinions issued by the Wisconsin Supreme Court and Court of Appeals, 7th Circuit U.S. Court of Appeals, and to selected opinions of Wisconsin's Western District U.S. Court. Users can also find information about Wisconsin Circuit Courts and link to the Wisconsin Circuit Court Access database. In addition to court-related materials, this page includes links to legislative and executive branch resources such as Wisconsin Statutes, Administrative Code, Attorney General opinions, and agency decisions. For those interested in local issues, there is a comprehensive listing of links to ordinances and websites of various Wisconsin counties and municipalities.

The Legal Forms page provides links to many forms used in various courts and agencies, both federal and state. Users can search by topic and by court or agency name.

People interested in learning “how law works” will find good starting points in the righthand sidebar. Several legal pathfinders lead users to information about proper citing of legal materials, how the judicial system works, and the roles and relationships of statutory, administrative and case law. For those seeking counsel, there are links to information on hiring and working with an attorney.

The collections of the Wisconsin State Law Library, Dane County Law Library, and Milwaukee Legal Resource Center include over 150,000 volumes of law-related information, which are listed in the Library Catalog available on the web site. Materials can be loaned to court staff, government employees and attorneys. Citizens who wish to borrow materials should make requests through their local public libraries.

Other pages on the Web site include links to federal, other state, and tribal law, law reviews, law search tools, directories, reference tools, and newspapers. Users may also submit law-related questions via e-mail. The address is listed on the Contact Us page.

It's not all on the Internet

Anyone who has “surfing the Web” knows that not everything is available there, and it is not always free. This is as true for legal information as for any topic. Generally, primary law (statutes, regulations, court opinions) is available from the mid-1990s to the present, and secondary sources (treatises & practice materials) are less likely to be found and often on a fee-for-use basis. The exception is law reviews and journals, which are becoming increasingly available for free on the Internet. Can't find what you need? Contact the State Law Library. Our staff can help you identify print materials or determine what agency has the answer or resource you need.

The print collections of the State Law Library include both primary and secondary legal materials. Users can access opinions and briefs from the WI Supreme Court and Court of Appeals. They can also find appellate level decisions from the federal courts and any of the 50 states. The Library has historic and current federal statutes and regulations, and current statutes for every state in the nation. Our historic collections of Wisconsin Statutes and Wisconsin Session Laws date back to the Wisconsin Territory. Secondary sources include all State Bar of Wisconsin Continuing Legal Education (CLE) materials, topic-related treatises in all major legal practice areas, books aimed at the *pro se* user, and law reviews.

Chances are good that the Library has the information you're looking for, but if it doesn't, we can direct you to other resources. Through interlibrary loan agreements we can borrow materials from other libraries for court staff, government employees, and attorneys. In turn, we also loan materials to libraries throughout the United States.

The Wisconsin State Law Library serves court staff, government employees, attorneys and the public. Reference staff are available to assist users with their legal information needs and can be reached at (800) 322-9755 or by e-mail at wsl.ref@courts.state.wi.us. Library staff are not attorneys and therefore cannot provide legal advice. Users who need the services of a qualified legal practitioner are referred to appropriate resources or agencies.

Services

- Reference assistance, available to anyone – in person, by phone, fax, and e-mail.
- Web site provides access to WISOLL (Wisconsin State Online Law Library), the library's automated catalog, and links to many law-related web resources.
- LegalTrac, a Web-based index to articles published in over 800 law reviews and journals from 1980 to the present. Some articles are full-text. Available on our Web site, accessible by library cardholders. Call for more information.
- Numerous electronic research tools, available for onsite use on the library's Public Access Station PC network.

- Computerized Legal Research Service using Westlaw™ and LexisNexis™.
- Document Delivery Service using mail, fax, express mail and email. Most requests processed and delivered same day.
- Circulation By Mail of library materials, for attorneys licensed to practice in Wisconsin.
- Interlibrary Loan service using OCLC, a worldwide library resource-sharing database.
- After-hours service, for attorneys licensed to practice in Wisconsin. Please call for information.
- Library orientation tours. Please phone to schedule.
- Seminars and workshops on using legal information resources, print and electronic. Please call for more information.
- Study and meeting spaces available for use, some on a rental basis. Please call for more information.

Resources at the Wisconsin State Law Library

- Approximately 140,000 volumes, in all formats.
- All primary sources for federal statutory, administrative and case law.
- Statutes, case reporters and court rules for all 50 states.
- Special Wisconsin materials: Briefs and Appendices for Supreme Court and Court of Appeals cases; Opinions of the Attorney General; replaced pages from the Wisconsin Administrative Code; Legislative drafting records; selected decisions of state administrative bodies such as WERC, LIRC, and Personnel Commission; Wisconsin Jury Instructions, including superseded versions; Judicial Council minutes and committee files.
- Significant treatises and looseleaf services in all legal practice areas; State Bar of Wisconsin and UW Continuing Legal Education materials; Young Lawyers Division materials, of special interest to newer attorneys.
- Selected U.S. government documents, including many Congressional committee reports, federal agency reports and administrative decisions.
- Over 650 periodical subscriptions, including law reviews from ABA-accredited law schools, bar association journals, and other law-related titles.
- The Road to Brown* videocassette available to check out for a 3-day period (see www.newsreel.org/nav/title.asp?tc=CN0076 for a description and ordering information).

Resources at the Milwaukee Legal Resource Center & Dane County Law Library

- Primary and secondary Wisconsin materials, including State Bar CLE titles.
- Selected primary sources of federal statutory, administrative and case law.
- Significant treatises in selected legal practice areas.
- Marquette Law Review, Wisconsin Law Review, Wisconsin Lawyer, and selected other Wisconsin legal periodicals.
- MLRC keeps replaced pages from the Wisconsin Administrative Code.
- Both libraries sell selected legal forms for self-represented litigants, primarily in the area of divorce.

Courtesy of the Wisconsin State Law Library (Amy Crowder, Web Resources Librarian/Cataloger)

web sites

The World Wide Web has placed an overwhelming wealth of information at our fingertips, but finding useful material can be difficult and time consuming. The following list identifies law and government Web resources in specific categories, including: children and families, courts, law-related resources, and government documents and links. These contain information that might be useful in presentations and handouts, and ideas for programs that might be replicated.

The Wisconsin court system site at www.wicourts.gov provides current information on the state's trial and appellate courts, as well as The Wisconsin Juror Handbook, the Guide to Small Claims Court, A Citizen's Guide to Filing an Appeal, and numerous court forms. Site users can access Wisconsin Supreme Court and Court of Appeals opinions and use Wisconsin Circuit Court Access to find trial court records. The site also provides information on court-related volunteer opportunities and Wisconsin legal history.

The U.S. Supreme Court at www.supremecourtus.gov provides current information on oral arguments and decisions. The site also provides information on visiting the Court.

The federal judiciary site at www.uscourts.gov provides information on the structure and function of the federal courts.

The Oyez Project of Northwestern University at www.oyez.org/oyez/frontpage offers brief biographies and portraits of all 108 U.S. Supreme Court justices, summaries of historic cases and U.S. Supreme Court opinions, and a virtual tour of the Supreme Court building.

The California Film and Newsreel Web site, offering films and videos for social change, has *The Road to Brown* videocassette available to order. See www.newsreel.org/nav/title.asp?tc=CN0076 for details.

Wisconsin:

State of Wisconsin e-government portal - www.wisconsin.gov

Wisconsin statutes - www.legis.state.wi.us/rsb/stats.html

Wisconsin Constitution - www.legis.state.wi.us/rsb/2wiscon.html

Current Wisconsin legislation - www.legis.state.wi.us/2003/data/acts (Acts);
www.legis.state.wi.us/billtext.html (Bills & Resolutions)

Wisconsin State Law Library - <http://wsll.state.wi.us>

State Bar of Wisconsin - www.wisbar.org and www.legalexplorer.com

Local Ordinances:

Wisconsin State Law Library - <http://wsll.state.wi.us/ordinances.html>

League of Wisconsin Municipalities - www.lwm-info.org

Legal Research:

Cornell Law School Legal Information Institute - www.law.cornell.edu

web sites

FindLaw - www.findlaw.com

LawGuru - www.lawguru.com

Public Library Toolkit from the American Association of Law Libraries-
www.aallnet.org/sis/lisp/toolkit.htm

Nolo's Shark Talk dictionary - plain-English definitions for over a thousand legal terms -
www.nolo.com/lawcenter/dictionary/wordindex.cfm

Nolo's Legal Encyclopedia - plain-English articles on everything from caring for children to wills and estate planning - www.nolo.com/lawcenter/ency/index.cfm. www.nolo.com/encyclopedia/index.html

General:

American Bar Association - www.abanet.org/publiced

U.S. Department of Justice - www.usdoj.gov

U.S. Department of Justice, Justice for Kids & Youth - www.usdoj.gov/kidspage

Miscellaneous:

Dumb Laws - www.dumblaws.com

Famous American Trials - www.law.umkc.edu/faculty/projects/FTrials/ftrials.htm

National Youth Court Center - www.youthcourt.net

Wisconsin Teen Courts - www.courts.state.wi.us/media/vol_nwsltrs/teen_courts_9-00.htm

Government Documents and Resources:

FirstGov - Information portal for the United States Federal Government - www.firstgov.org

My Government, ZIP- code-based information on government - government.aol.com/mygov

Library of Congress list of executive branch government Web sites -
lcweb.loc.gov/global/executive/fed.html

U.S. National Archives and Records Administration - www.nara.gov

U.S. Constitution - www.law.cornell.edu/constitution/

order

Handouts from the State Bar of Wisconsin

The State Bar is pleased to provide the following State Bar publications to support your Law day activities. There is a small charge for some of the publications. The first 150 items ordered will be shipped at no charge. There is a small shipping charge for more than 150 items. There are limited quantities available so get your order in as soon as possible.

How will these publications be used for Law Day activities? _____

	Quantity		
1.	_____	Lawyer Referral Service brochures	
2.	_____	Business Assistance brochures	
3.	_____	ADR pamphlets	
4.	_____	Arrest pamphlets	
5.	_____	Bankruptcy pamphlets	
6.	_____	Custody & Placement pamphlets	
7.	_____	Guardian ad Litem pamphlets	
8.	_____	Hiring & Working with a Lawyer pamphlets	
9.	_____	Divorce pamphlets	
10.	_____	Health Law pamphlets	
11.	_____	Landlord/Tenant pamphlets	
12.	_____	Marital Property pamphlets	
13.	_____	Personal Injury pamphlets	
14.	_____	Probate pamphlets	
15.	_____	Buying & Selling Real Estate pamphlets	
16.	_____	Revocable Living Trust pamphlets	
17.	_____	Small Claims Court pamphlets	
18.	_____	Starting a Business pamphlets	
19.	_____	Traffic Accident pamphlets	
20.	_____	Wills & Estate Planning pamphlets	
			Cost
21.	_____	The Bill of Rights (booklet)	@ \$.25 ea _____
22.	_____	On Being 18 (booklet)	@ \$.25 ea _____
23.	_____	Adventures in Law (comic book)	@ \$.25 ea _____
24.	_____	Opportunities in Law (booklet)	@ \$.25 ea _____
25.	_____	Understanding Guardianships: A Handbook for Guardians	@ \$2.50 ea _____
26.	_____	Powers of Attorney & Trusts: Duties & Rights as Agents & Trustees	@ \$2.50 ea _____
27.	_____	Handbook for Personal Representatives	@ \$2.50 ea _____
28.	_____	Pioneers in the Law Booklet (First 150 Women)	@ \$5.00 ea _____
29.	_____	Pioneers in the Law Videotape (First 150 Women)	@ \$7.00 ea _____
Subtotal	_____		
Total items	_____		
	_____	Total items less 150	

	_____	Shipping*	
	_____	TOTAL ENCLOSED	

County _____ Person ordering _____
 Street address _____ City/State/Zip _____
 Telephone _____ CP119

**Order no later than
APRIL 16, 2004**

**Note: Due to
demand and limited
supplies, please
order only what you
think you will need.**

Make checks payable to the
State Bar of Wisconsin.

Return checks and order forms
to: State Bar of Wisconsin, PO
Box 7158, Madison, WI 53707-
7158.

*Shipping: 150 items or less –
no charge; quantities over the
first 150 – \$.02 each item

order

Resources from the Wisconsin Supreme Court

Due to budget considerations, the Wisconsin Supreme Court is not mailing out free copies of publications this year. There are a variety of publications available on the court system Web site at www.wicourts.gov. Here are a select few:

Children's Activity Booklet – www.wicourts.gov/about/resources/activitybook.htm

Famous Cases of the Wisconsin Supreme Court: A booklet containing 25 case synopses – www.wicourts.gov/about/organization/supreme/famouscases.htm

Wisconsin's Legal History: A packet of plain-English articles – www.wicourts.gov/about/organization/history/articles.htm

Portraits of Justice: A book with biographies and portraits of the 77 men and women who have served on the Wisconsin Supreme Court since statehood – www.wicourts.gov/about/pubs/supreme/docs/portraitsjustice.pdf

Court with Class: A brochure explaining a program that brings students statewide to oral argument at the Supreme Court – www.wicourts.gov/about/resources/courtclass.htm

Case of the Month: Each month, materials from an interesting, current case in the Wisconsin Supreme Court are presented. Access the archive for complete materials on 31 cases from the past three years – www.wicourts.gov/about/resources/casemonth/index.htm

order

How to order plaques and ribbons

In recognition of the contest winners, the Law Day committee may choose to present the student(s) with a plaque or ribbon. Plaques might be awarded to the essay contest winners and ribbons to the poster contest winners.

If the committee would like to order the plaques and/or ribbons from a local business, the yellow pages offer a wide selection. Another option would be to contact one of the Madison businesses listed below; all ship statewide.

Deppe's Awards Plus

608/244-8812 or 800/959-4045
e-mail: info@deppesawards.com
www.deppesawards.com

Championship Awards

608/226-0440
fax: 608/226-0443
e-mail: cawards@inexpress.net
www.championshipawards.com

Total Awards & Promotions, Inc.

608/833-1716
fax: 608/833-2160
e-mail: awards@awardsmall.com
www.awardsmall.com

When placing an order, it may be helpful to have this information on hand:

- The price of a standard 4x6 plaque ranges from \$8 to \$13. Some businesses only offer 5x7 plaques.
- The lettering charge on the plaques ranges from \$.12 to \$.22 cents per character.
- The price of ribbons begins at \$.30 per ribbon. Some businesses may include a set-up fee of \$5 to \$10 and/or require a minimum order.
- Most businesses only require one week to complete an order of ribbons or plaques.

Large orders may require up to two weeks to complete and ship.

order

How to order banners

A banner on the outside of the courthouse is a great way to advertise a Law Day open house. Look in your local yellow pages under "Flags and Banners" for a vendor or call one of the businesses listed below. All provide statewide service.

In general, a plain red-white-blue eight-foot "bunting" banner will cost \$50. A custom-made, 20-foot banner with a message such as "Happy Law Day" will run between \$185 and \$400 and should last for several years.

Fox Stamp, Sign & Specialty

Menasha, WI
800/236-3699
www.foxstamp.com

Horizon Flag & Banner Co.

Milwaukee, WI
800/727-2579

The Flag Loft

St. Louis, MO
800/995-3524

Victory Corps

Minneapolis, MN
800/328-6120
fax: 763/561-8523
e-mail: info@victorycorps.com
www.victorycorps.com

sample

Celebrating access to justice

JOE SCHMOE

In recognition of his first-place essay in the Wisconsin court system's celebration of Law Day at the Dane County Courthouse.

Dated at Madison, Wisconsin, this 3rd day of May 2004

[signed by judges/county bar president]