|  |
| --- |
| **TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org) |
| **Lesson Identification and TEKS Addressed** |
| **Career Cluster** | Law, Public Safety, Corrections & Security |
| **Course Name** | Court Systems and Practices |
| **Lesson/Unit Title** | Purposes of Law |
| **TEKS Student Expectations** | **§130.340 (c) Knowledge and Skills**(2) The student examines the structure of the legal system in the United States. (D) The student is expected to explain and interpret the purposes of law regarding criminal acts and behaviors |
| **Basic Direct Teach Lesson**(Includes Special Education Modifications/Accommodations and one English Language Proficiency Standards (ELPS) Strategy) |
| **Instructional Objectives** | The student will be able to:1. Define terms associated with the lesson2. Explain the purposes of the law3. Discuss the nature of the rule of law4. Explain the limits placed on laws5. Examine societal influences on law |
| **Rationale** | Understanding the concept of law and the role it plays in society is helpful to all citizens. This comprehension is especially beneficial to persons seeking careers in law and public safety.  |
| **Duration of Lesson** | 1-3 hours |
| **Word Wall/Key Vocabulary***(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* | * Law – a body of rules of conduct that is prescribed by a legitimate authority, usually in the form of a statute, which mandates certain forms of behaviors
* Rule of Law – the principle that standards of behavior are established by laws and not by dictators or religious leaders; no person is above the law
* *Mala in se* – acts that are crimes because they are inherently evil
* *Mala prohibita* – acts that are prohibited because they are defined as crimes by law, not because the act is harmful or inherently evil
* Legality – laws defining crimes and penalties must be made public before being enforced
* *Ex post facto* – “not after the fact”; persons cannot be punished for actions committed before the law prohibiting the behavior was passed
* Void for Vagueness – the definitions of laws must be clear and reasonable, specifying prohibited behaviors; otherwise, those laws are illegal; a law must say what it means and mean what it says
* Void for Overbreadth – laws are illegal if they are stated so broadly as to prohibit legal activities as well as the illegal behavior
* Due Process – the government must treat people equally and fairly before the law
* Right to Privacy – laws cannot violate the reasonable personal privacy of citizens
* Cruel and Unusual Punishment – punishment that violates the principle of proportionality and is considered too harsh for the crime committed – prohibited by the Eighth Amendment
* Crime – any act that the government has declared to be an offense against the public good, declared by statute to be a crime, and which is prosecutable in a criminal proceeding
* Criminal Law – the body of law that deals with conduct so harmful to society that it is prohibited by statute, prosecutable, and punishable by the government
* *Nulla poena sine lege* – “no punishment without law”; no person can be punished for his or her actions, or failure to act, unless that behavior has been clearly made a crime by law
* Jurisprudence – the philosophy of law; the science and study of the law
* Social Control – efforts by society to regulate the behavior of its members
* Social Change – the process by which ideas and practices are modified, either actively or passively through natural forces or deliberate social actions
 |
| **Materials/Specialized Equipment Needed** | * Purposes of Law computer-based presentation
* Purposes of Law Key Terms handout
* Paper Clips
* Poster Board
* Markers
 |
| **Anticipatory Set**(May include pre-assessment for prior knowledge) | Do an Internet search for *dad charged with murdering reluctant bride*. Use the article and video that you find along with the following questions:* What happened? A father killed his daughter during a heated

argument about the daughter’s reluctance to continue an arrangedPakistani marriage. * Where did this take place? Atlanta, Georgia, United States
* What is an “honor killing?” The slaying, by family members, of a

woman or girl thought to be bringing them shame—they are usually kept quiet, making it difficult to determine how frequently they occur.* What “laws” of the father permit such an action? *(Culture/religion)*

Use Discussion Rubric for assessment. |
| **Direct Instruction \*** | 1. In a guided discussion about honor killings to discuss when laws collide article:
	* + - 1. What happened? *A father killed his daughter during a heated argument about the daughter’s reluctance to continue an arranged Pakistani marriage.*
				2. Where did this take place? *Atlanta, Georgia, United States*
				3. What is an “honor killing?” *The slaying, by family members, of a woman or girl thought to be bringing them shame—they are usually kept quiet, making it difficult to determine how frequently they occur*
2. Video:
	* + - 1. Do you think the father should have received leniency in using the “defense” that it was an “honor killing?” (Answers may vary—point out that this case was tried under U.S. & the State of Georgia law.)
				2. What “laws” of the father permit such an action? Culture/religion
				3. Use the Discussion Rubric for Assessment.
3. Key Points (See Notes Section for details)
 |
| **Guided Practice \*** | Paper Clip Game 1. Divide the class into rows; make sure that one row has more students and that one row has more boys (or girls). Follow the below instructions. Keep in mind that the purpose of this activity is to illustrate the confusion caused by unclear instructions. Do not discuss the purpose with the students until later in the activity.
2. Give each student in the front row five paper clips. Then tell them to begin. (Students will exhibit confusion, not knowing what to do. Eventually someone will start doing something.)
3. After a brief period, stop the game. Tell them they may only pass one clip at a time. The object is to pass the clips backward and then forward and the first row to finish wins. Start them over again.
4. After a brief period, stop the game. Tell them the clips must be passed back over the left shoulder and passed forward over the right. Start them over again.
5. After a brief period, stop the game again. Explain that there are too many people in one row and they should have twice as many clips to pass and that there are more girls (or boys) in one row, so they should have less clips to pass. After making these adjustments, start the game over again.
6. Allow the game to now proceed to the end and debrief the students on their feelings and observations. List the student-generated responses on the board.
7. Subsequent discussion of student responses should be related to society's need for rules of conduct, their purpose, their consistency and their fair application to avoid confusion and frustration and achieve goals. Specific examples or rules and laws may be used to further illustrate the points made.
	1. Use Discussion Rubric for Assessment.
 |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | Collaborative Learning Activity – form small groups of 4–6 students.* Tell the groups to answer the following questions (post the questions on a chart or overhead for all the groups to see);
	+ What is respect? How can we create an atmosphere of respect?
	+ What are our responsibilities as students?
	+ What is our teacher’s responsibility to us?
	+ What are our rights in the classroom? What are our teacher’s rights?
* Have the students discuss the answers to the above questions and then decide on three to five important classroom rules. Have each group choose someone to record their proposed rules on poster board and someone to present those rules to the rest of the class when you come back together.
* Tell the groups to answer these questions after writing their proposed rules.
	+ Do our proposed rules fit under the guidelines of school and district rules?
	+ Will each agreed upon rule be fair to all class members?
	+ Are they said simply? Easy to follow? Enforceable? Not in conflict with other rules?
* Come back together as a class. Have the spokesperson for each group present his or her group’s proposed rules (do not allow students to debate the value or usefulness of the rules at this point).
* Have the class members agree to or vote on one set of presented rules to adopt for the classroom. Discuss a process by which to amend the rule(s).
* Have each student write a short paper commenting on his or her experiences writing a set of classroom rules. Have them consider questions such as:
	+ Was this process easier or more difficult than you expected? Why do you think so?
	+ What did you enjoy about the process? What did you dislike?
	+ Do you think that the process was a fair one? Why or why not?
	+ What do you think could have been done to make the process fairer than it was?
* Were you satisfied with the final set of classroom rules? Why or why not?
* Use the Discussion Rubric, the Presentation Rubric and/or the Writing Rubric for assessment.
* Invite an attorney or judge to come to class and discuss the rule of law and limits of the law. Have students take notes and use the Individual Work Rubric for assessment.
 |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \*** | Purposes of Law Quiz and Key**Accommodations for Learning Differences:**For reinforcement, the students will list terms and explain how they relate to the rule of law. Use the Individual Work Rubric for assessment. |
| **References/Resources/****Teacher Preparation** | * The Courts and Criminal Procedure, Instructional Materials Service, Trade and Industry Education
* ISBN 0131189794 *Criminal Courts: Structure, Process, & Issues* (2nd Edition), Dean John Champion, Richard D. Hartley, & Gary A. Rabe
* Do an Internet search for *dad charged with murdering reluctant bride.*
 |
| **Additional Required Components** |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** |  |
| **Recommended Strategies** |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy****Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies****Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication****90 Second Speech Topics** |  |
| **Other Essential Lesson Components** |
| **Enrichment Activity**(e.g., homework assignment) | For enrichment, the students will write a classroom constitution based on the Rule of Law and using a process similar to that followed by the delegates to the 1787 Constitutional Convention. Use the Individual Work Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** | Key Points Notes:1. Vocabulary Overview
2. Purpose of Laws

A. To protect and punish is the legal function of the law1. Control Crimea. Protects the safety of the publicb. Produces order2. Deterrence of Illegal Behaviora. Identifies illegal behaviorsb. Describes the punishments of those behaviorsc. Two types of criminal deterrencei. Individual Deterrence – the effect of punishment on preventing an individual from committing additional crimesii. General Deterrence – punishments will set an example for potential criminals3. Punishment Regulationa. Safeguard againsti. Arbitrary punishmentii. Excessive punishmentb. Determinate Sentencing – the punishment should fit the crime4. *Nulla poena sine lege* – no person can be punished for his or her actions or failure to act unless that behavior has been clearly made a crime by lawB. Maintain and Teach – the social function of the law1. Social Control – efforts by society to regulate the behavior of its members2. Social Order – all legal systems maintain and protect it3. Social Change – the process by which ideas and practices are modified, either actively or passively through natural forces or deliberate social actionsIII. Reasons for the LawA. Forbid or prevent harmful conductB. Subject to public control those disposed to commit crimesC. Safeguard conduct that is not criminalD. Give fair warning of criminal offensesE. Differentiate between serious and minor offensesIV. Rule of LawA. Supremacy of law1. The principle that standards of behavior are established by laws and not by dictators or religious leaders2. No person is above the law3. Everyone is subject to the law4. Everyone can be held accountable in court for their actionsB. Legality – laws defining crimes and penalties must be made public before being enforced1. Made public by publishing laws in an official government publication2. Puts members of society on noticeC. Ex post facto – Persons cannot be punished for actions committed before the law prohibiting the behavior was passedD. Void for Vagueness – definitions of laws must be clear and reasonable, specifying prohibited behaviors; otherwise, those laws are illegal. A law must say what it means and mean what it says.E. Void for Overbreadth – laws are illegal if they are stated so broadly as to prohibit legal activities as well as the illegal behaviorF. Due Process – the government must treat people equally and fairly before the law.1. Substantive – limits the power of governments to create crimes unless there is compelling, substantial, public interest in regulating or prohibiting the conduct.2. Procedural – the requirement that the government must follow established procedures and treat defendants equally.G. Right to Privacy – laws cannot violate the reasonable personal privacy of citizens.H. Cruel and Unusual Punishment – punishment that violates the principle of proportionality and is considered too harsh for the crime committed. This is prohibited by the Eighth AmendmentV. Functions of the LawA. Defines Crime – any act that the government has declared to be an offense against the public good, declared by statute to be a crime, and which is prosecuted in a criminal proceedingB. Defines Criminal Acts1. *Mala in se* – acts that are crimes because they are inherently evil.2. Mala prohibita – acts that are prohibited because they are defined as crimes by law, not because the act is harmful or inherently evil.C. Elements of a crime1. *Actus reus* – the actions of the person committing a crime as defined by law.2. *Mens rea* – the state of mind and intent of the person committing the actus reus.3. Concurrence – completeness of the crime – bringing together the *actus reus* and *mens rea.* |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)