



YOU BE THE JUDGE

HANDOUT

LEVELS: middle school and high school
SUBJECT: law
TIME: one class period

To the right are two fictitious cases. Divide students into small “juries” and ask them to deliberate these two cases as the juries do in Wilson High School’s Teen Court. Give at least two groups the same case, so that they can compare verdicts. The juries should discuss the facts of the case and decide whether the defendant is guilty or not guilty. If students decide that the defendant is guilty, they should discuss an appropriate sentence.

A jury can give defendants a fine (up to \$1,500), community service (from 20 to 200 hours), assign them to a treatment program (for substance abuse), or establish a curfew.

Reconvene the whole class and have them review the cases and verdicts.

- Did each jury that heard the same case reach the same verdict and give the same sentence? If not, why not?
- Should sentences always be the same? If two different 13-year-old girls are caught and convicted of shoplifting clothes worth \$45, should both get the same sentence? Why or why not?
- Why does the U.S. Constitution guarantee trial by a “jury of our peers?” Why was this considered worth an amendment to the Constitution? What is a peer? Should teens be tried only by other teens?

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CASE 1

Sixteen-year-old Jordan Greene was caught by the police holding a can of spray paint and running away from a metropolitan bus shelter that had just been spray-painted with gang signs. Five or six other young men also ran from the scene, but Jordan was the only one caught by the police. Jordan has no previous record. He claims that he is not a member of the gang and that the others forced him to take part by threatening his younger brother and sister. There is no one to support Jordan’s story, but no one to deny it either. The bus shelter where Jordan was caught was five miles from his neighborhood, school, and workplace. School administrators told police that in the last year Jordan has been seen in the company of known gang members, but that he has no record of misbehavior at school.

CASE 2

Fifteen-year-old Susan Bonds was pulled over by police for dangerous driving. The officer discovered that Susan had no license, that she had taken her aunt’s car *without* permission, and that she was driving under the influence of alcohol. Susan’s aunt, who is her guardian, claims that for the last six months Susan has been “out of control.” According to her aunt, Susan has been staying out until 2:00 a.m., cutting school, and recently came home with a tattoo, which her aunt had expressly forbidden.

Susan’s mother is dead; her father lives out-of-state and is unable to care for her. Susan’s aunt has cared for her for the last seven years. The aunt has two other children, a 22-year-old daughter, who is away at college, and a 25-year-old son, who has recently moved back in with his mother after losing his job. School administrators say that Susan’s grades have dropped steeply in the last six months and that she’s become a discipline problem. She had detention six times last month. Previously, Susan was an average student with no behavior problems.