

EL/Civics Lesson Plan

Program Name CHUH ABLE (Cleveland Heights)

Staff Responsible for Lesson S. Ling

Date(s) Used	Nov. 29, 2010
Civics Category	I. Rights and Responsibilities of Citizenship
Civics Objective	7. Government and Law - Features of Legal System
Time Frame to Complete Lesson	5 hours (2 classes each 2 ½ hours and each with a 15-minute break)
EFL(s)	NRS Levels 5 and 6
Standard(s)	L 5.3, L 6.3; S 5.5, S 5.6, S 6.6; R 5.1, R 5.2, R 5.4, R 5.5, R 6.1, R 6.2, R 6.3, R 6.4, R 6.5; W 5.1, W5.2, W 5.3, W 5.6, W6.1, W 6.2, W. 6.6
Benchmark(s)	<ul style="list-style-type: none"> <input type="checkbox"/> Students participate in genuine conversations in English on topic of American court system. <input type="checkbox"/> Students work together in English to find answers on the Internet - using communication (speaking and listening) as well as reading skills to complete task. <input type="checkbox"/> Students read both in handout and on Internet authentic material about structure of government and have to then rephrase the knowledge. <input type="checkbox"/> Students produce individual writing comparing American court system to their own.
Materials	<p>Attached Handouts</p> <ul style="list-style-type: none"> <input type="checkbox"/> "U.S. Court System - Types of Courts" Internet Search Handout <input type="checkbox"/> "U.S. Court System -Vocabulary" Handout (or one modified to your own article) <input type="checkbox"/> Attached article (or one from your local newspaper on a current legal topic) * <p>Computers with Internet Access</p> <p>* I am attaching the article from the <i>Cleveland Plain Dealer</i> that I used at the time as an example</p>

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	<p>but the lesson would work better with a current and local article from your town. This lesson was also done after a lesson on the three branches of the U.S. federal government.</p>
<p>Activities</p>	<p>First class session:</p> <ol style="list-style-type: none"> I. Students discuss in small groups the court system in their own countries [15 minutes] II. Students discuss with the teacher what they already know of the American court system (from personal experience or media). Teacher makes notes on board. [10 minutes] III. In groups of two or three, students use the Internet and the "U.S. Court System - Types of Courts" handout to find out more information on the American court system. [40 minutes] IV. With the teacher in a large group, students compare what they learned to what they previously brainstormed and listed on board. [10 minutes] <p>[15-minute break]</p> <ol style="list-style-type: none"> V. Students write a one to two paragraph comparison of their national country's court system to the American court system. [30 minutes] VI. Have students (in pairs) exchange written comparison and do a peer evaluation. Then have students turn in their paragraphs. [15 minutes] VII. Review what was learned about the American court system and go over any remaining questions. <p>Second Class Session:</p> <ol style="list-style-type: none"> I. Review what was learned about the American court system in previous class session as a whole group, writing on the board what the students say. [15 minutes] II. Split the students in two or threes and

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	<p>assign each group a few words from the "U.S. Court System - Vocabulary" handout to find the definition of on the Internet. Ask a person in each group to write the definitions they found on the board. [30 minutes]</p> <p>III. Give the students the article on a local issue in the courts. Have the students read the article alone, using the definitions written on the board, English-English dictionaries, and their "U.S. Court System - Types of Courts" handout from previous class to help them understand the article. [30 minutes]</p> <p>[15-minute break]</p> <p>IV. Read the article together as a class, going over any additional questions they have. (Giving them additional information as needed on local case in the courts.) [25 minutes]</p> <p>V. Have them discuss their opinions on the local issue in the courts in small groups. [15 minutes]</p> <p>VI. Have the small groups present their ideas to the class and have the class decide how they would rule on the specific case. [20 minutes]</p>
Assessment/ Evidence	Copies of piece of writing and two Internet search handouts are added to each student's folder.
Reflection	<p>Students participate in authentic reading and conversations on topic.</p> <p>Students are given time to reflect at the end on the differences between the American and their own court system in written form.</p>

(see attached handouts below on following pages)

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U.S. Court System – Types of Courts

- A. Go to <http://www.supremecourt.ohio.gov/> and on the left-side of the page, click on “The Ohio Judicial System Structure. Click on “Ohio Judicial Structure.” Keep this window to look back on.
- B. Open a new tab or window and go to <http://www2.maxwell.syr.edu/plegal/scales/court.html> and look at the diagram. Keep this window to look back on.
- C. Open a new tab or window and go to <http://www.supremecourt.ohio.gov/> and on the left-side of the page, click once again on “The Ohio Judicial System Structure.” Then click on “Judicial System Structure.” Find the answers to the following questions:
1. Under “Ohio Judicial Structure,” find the answers to these questions:
 - a. How is the Ohio state government divided?
 - b. What is the primary function of the judicial branch?

 2. Under “Courts of Appeal,” find the answers to these questions:

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c. Where do appeals on these courts' decisions go to for review?

2. U.S. District Courts

a. What do the U.S. District Courts do?

b. How many federal district courts are there?

c. Where do appeals on these courts' decisions go to for review?

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U.S. Court System – Vocabulary

- A. Go to <http://public.findlaw.com>. Under “Editor’s Picks” on the right side of the page, click on “Understanding the U.S. Legal System.” Then click on “Legal System Basics,” and finally click on “Glossary: Courts and the Law.” Find the definition for the following legal terms:

1. lawsuit

2. class-action

3. appeal

4. appellate courts

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5. **trial**

6. **federal courts**

B. Go to <http://google.com/dictionary>. Look up the following words. Find the definition of the word that is associated with the law, the U.S. court system, or government.

7. **review**

8. **case**

9. **litigation** (also write the down the synonyms for this word)

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Synonyms (litigation):

10. proceedings

11. rescind

12. measure (n.)

13. initiative

Court revives Cleveland traffic camera suit

JAMES F. McCARTY
Plain Dealer Reporter

A federal appeals court has revived a class-action lawsuit brought against Cleveland's traffic-enforcement cameras by the drivers of leased cars.

The 6th U.S. Circuit Court of Appeals on Tuesday ordered a lower court to determine whether Cleveland unjustly enriched itself by collecting \$100 fines from the drivers

at a time when city law allowed only for the ticketing of vehicle owners.

Losing the federal lawsuit, and a similar class-action lawsuit in state court, could force the city to refund millions of dollars in fines for speeding and running red lights.

Both lawsuits take issue with the city's ticketing between 2005, when City Council adopted camera-based traffic enforcement, and 2009, when Council amended the law to allow for ticketing the drivers of leased

cars.

As the cases wind through appellate courts, the city also faces a challenge from traffic camera opponents who are collecting signatures for a ballot initiative to rescind the law. Voters in Garfield Heights passed a similar measure last week to ban traffic cameras from that city.

Lawyers in the state case have estimated Cleveland has improperly collected \$10 million in fines, but the exact amount is not known.

Lawyer Thomas Muzilla said Wednesday that the appellate court ruling in the federal case represented a minor but vital victory.

"We're still alive," he said.

Muzilla accused city officials of continuing to collect fines from the drivers of leased cars after learning that the law did not support the enforcement. Muzilla said this unjustly enriched the city, and the drivers deserve compensation.

SEE CAMERA | B3

CAMERA

FROM B1

Court told to review drivers' claim

Although the Cincinnati-based appellate court did not rule on the merits of the unjust enrichment claim, it said U.S. District Court Judge James Gwin failed to address this issue when he heard the case last year.

The three-judge appellate panel agreed with Gwin that Cleveland's enforcement did not

violate constitutional protection against the unjust taking of property.

City Law Director Robert Triozzi said he agreed with the court's opinion.

"While we were expecting a complete victory in this litigation, the city acknowledges that the remaining issue had not been addressed by the trial court and understands the court's reasoning as to why that issue needed to be sent back for further proceedings," Triozzi said in a written statement.

"The city is prepared to defend on the remaining issue and anticipates a similar favorable result

at the conclusion of the entire case."

The 8th Ohio District Court of Appeals is expected to decide the state lawsuit by the end of the year.

Muzilla said both class actions are working toward a common end.

"We are both looking at the unfairness of the city traffic camera operation, and arguing that they shouldn't have taken advantage of their police powers in this town," Muzilla said.

To reach this Plain Dealer reporter:
jmcarty@plaind.com, 216-999-4153