

In the Legal Community

The Federal Bar Association held its first National Community Outreach Project in April 2016. This initiative, funded by the Foundation of the Federal Bar Association, called for FBA chapters to work with their local courts in order to make an impact within communities across the nation. Here are a few recaps from the over 15 community events that took place this past April.

Central District of Illinois Chapter

By James E. Shadid

I contacted the teachers of two government classes at two local high schools, one private and one public, Peoria Notre Dame and Peoria High School. Fifteen students from each school participated. In advance, we sent them a fact pattern regarding the search of a cell phone. The facts came from *Riley v California*, 573 U.S. ____ (2014). We sent them a few cases to rely on and asked them to choose 4-6 students from their group, and be prepared to argue either side of the issues. The issues centered around the issues in *Riley*, those being the search of the cell phone without a warrant, how digital information on a cell phone differs from other physical objects, what limits does law enforcement face to protect information from being remotely “wiped” or “encrypted” and what are the exceptions to the applicable rules.

Upon arrival we served the students pastries, donuts, fruit, juice and water. They received a tour of my chambers and then we split them up between the schools. We gave them 15-20 minutes to organize who was going to argue, and what, and then took them to the courtroom. We opened court as we would normally, calling the case, asked the parties to introduce themselves and then proceeded with argument, switching back and forth from the government and the defendant. After arguments, we had discussion of the issues and then opened up discussion to our system and our courts.

A reporter from the Peoria Journal Star was present as well as a photographer. I allowed the reporter and photographer to be present in chambers as the students were preparing as well as in court when the students were presenting. In addition to the newspaper article, video and pictures were posted on the PJStar online edition. The schools brought a photographer as well. <http://www.pjstar.com/news/20160412/class-is-now-in-session-high-school-students-try-case-in-federal-courtroom>

Three members of our local chapter were present, along with myself, my two law clerks and my judicial assistant. All played a significant role in putting this program together. One of the senior status judges in the building, Hon. Michael Mihm, appeared for a short period of time.

The students were prepared, engaged and enthusiastic. The program met my expectations and proceeded as I had hoped. I would certainly do this again and am not sure that I would change anything. ☺

Oklahoma City FBA Chapter's Gatewood Elementary Mock Trial

The Oklahoma City FBA chapter and its student members from Oklahoma City University School of Law completed another successful civics program and mock trial with a local fourth-grade class from Gatewood Elementary School. During the week of April 4-8, OCU Law School members organized classes on the three branches of government, our judicial system, and the respective roles of judges, attorneys, and jurors in a trial. The week-long event culminated with 26 Gatewood fourth graders visiting the William J. Holloway Jr. U.S. Courthouse in Oklahoma City on April 8. In the Chief Judge's Courtroom, the fourth graders performed a mock trial of *United States v. Eric the Pig*. The porcine defendant was charged with “eggicide” for allegedly knocking Humpty Dumpty off the wall and cracking his shell.

OCU Law students organized the week-long civics program for the Gatewood students leading up to the mock trial. One day, for example, Assistant United States Attorney Nicholas Patterson and Assistant Federal Public Defender Tony Lacy joined the OCU law students to explain the roles of a prosecutor and defense counsel. On another day, Ross Plourde with the Oklahoma City firm of McAfee & Taft discussed our jury system and the roles of jurors as impartial



Gatewood Elementary School students with U.S. Magistrate Judge Bernard Jones and OCU Law student and FBA member Eric Holey (playing the role of the defendant, Eric the Pig.)

finders of facts. The week leading up to the mock trial was truly a collaborative effort with a complete cross section of the FBA membership taking part.

On Friday morning of the mock trial week, United States Magistrate Judge Suzanne Mitchell welcomed the Gatewood students to the federal courthouse. The Gatewood students first toured the new Judicial Learning Center and learned about significant federal cases from Oklahoma City. Then, much to the students' delight, Chief United States Bankruptcy Judge Sarah Hall gave the students a tour of her courtroom (where Depression-era gangster Machine-gun Kelly was tried) and allowed each student to strike—authoritatively—her gavel. After the courthouse tour, an FBI Special Agent spoke with the kids about federal criminal investigations. Next, two Deputy United States Marshals taught them about fugitive pursuit and gun safety. The highlight of the Deputy Marshals' presentation was when the smallest girl in the class arrested the largest boy in the class—leg chains included!

Later in the morning, United States Magistrate Judge Bernard Jones and two fourth-grade judges presided over the mock trial in the Ceremonial Courtroom. During the mock trial, Assistant United States Attorney Chris Stephens supported the prosecution team, and Tony Lacy again assisted the defense team. This year, the student jury returned a verdict of guilty against Eric the Pig, upsetting a two-year run of acquittals. Ross Plourde assisted the jurors during their 20 minutes of intense deliberations. Two student courtroom deputies helped Courtroom Deputy D. Wayne Lee to maintain order during the trial. Musio Chavez with OCU Law translated for the Spanish-speaking jury members and helped ensure that all Gatewood students benefited from the mock trial experience.

After the mock trial, Judge Jones joined the Gatewood students in the Jury Assembly Room for a fun pizza lunch. During lunch, Judge Jones answered questions from the students about his service as a federal judge. Judge Jones later individually presented certificates to recognize each student's hard work through the week and participation in the mock trial.

The Oklahoma City mock trial program would not have been possible without the time and efforts from several OCU Law school FBA members and the generous financial assistance from The Foundation of the Federal Bar Association. FBA leaders Cedric Bond and Eric Holey from OCU Law School played significant roles in organizing the week-long activities. ☺

Phoenix Chapter Presents “Miranda at 50—The Inside Story of the Landmark Case”

The Phoenix Chapter of the Federal Bar Association is proud to participate in FBA's national Community Outreach Project. Our project dealt with the commemoration of the 50th anniversary of the seminal case, *Miranda v. Arizona*, which arose out of a criminal investigation in Phoenix in 1966. The Phoenix Chapter partnered with the U.S. District Court in Phoenix, which is sponsoring essay and video contests for high school students. Our project kicked off in March with a luncheon at the federal courthouse. In April, the Chapter met with the judges of the Court to present our check to support the civics contest and events to recognize the students. On April 15, submissions for the essay and video contests were due. In

May, an event to announce the winners of the contests will be held. Therefore, our project encompasses three months: March, April and May 2016.

The kick-off event, held in March, was entitled “Miranda at 50 – The Inside Story of the Landmark Case.” For the event, high school students from around Phoenix were transported to the federal courthouse for a lunchtime presentation. The program was hosted by the Phoenix Chapter and emceed by Board member and U.S. Magistrate Judge Bridget S. Bade, and Ninth Circuit Judge Barry Silverman and Captain Carroll Cooley, Phoenix Police Department (retired) were the speakers. The sold-out crowd (162 people) included over 60 high school students and their teachers, as well as federal judges, court staff, and attorneys. Captain Cooley was the detective who interviewed and arrested Ernesto Miranda. He provided unique insight into the history of the case and exactly how the investigation unfolded, including the “voluntariness” of the interview. Judge Silverman is an expert on the *Miranda* case and interviewed Mr. Miranda numerous times. Given their numerous interactions with Miranda, both speakers provided fascinating, “inside” information on the case. Materials were circulated, including Mr. Miranda's written confession. Everyone in the packed room enjoyed the talk, and the students left inspired to participate in the civics writing contest. The Court, working with the Chapter, produced a video of the kickoff event, which was sent to FBA National leaders and staff for upload to www.fedbar.org.

In April, submissions for the writing and video contests were due, and the Chapter presented its check in a meeting with the judges of the Court. The funds went to hold an event to recognize the teachers and students who participated in the contests. The winners of the contests will be announced on May 13. The Court is co-sponsoring the civics contest with the Ninth Circuit Court of Appeals, and the Circuit contest winners will be identified in June and flown to the Ninth Circuit Judicial Conference in July. Ninth Circuit leaders, including Phoenix Chapter leaders, will be present at the Conference.

The Phoenix Chapter is proud to be partnering with the Court on this important project, which will hopefully spark interest and enthusiasm in civics (and local Phoenix history!) in our community. We also look forward to seeing the winning entries in the essay and video contests. The Court has expressed its thanks to the Chapter and the FBA for their support of this initiative. The Chapter, in turn, expresses its sincere appreciation to the Foundation of the Federal Bar Association for its leadership and support in this effort. We hope to do a similar project next year, on a timely topic for 2017. We enjoyed participating in, and supporting, the Court and Circuit's civics efforts, and plan to do so again in the future. This year, we had about 25 FBA volunteers help put this project on, and we hope to increase that number next year. Finally, we hope to have another large crowd for the project next year – perhaps we will even have to move to a larger venue! ☺