



*Federal Courts' Educational Outreach that  
Involves, Informs, Inspires, and Ignites*

## Legal Skills as Life Skills

# Federal Courts' Civil Discourse and Difficult Decisions

Civil Discourse and Difficult Decisions is a [national initiative of the federal courts](#) that brings high school and college students into federal courthouses to participate in realistic legal proceedings based on situations in which typically law-abiding teens can find themselves. These court hearings (not mock trials) are realistic simulations that showcase jury deliberations in which all students and learning styles participate in civil discourse.

The program, launched in 2016 in [courtroom settings](#), now is available as a [distance-learning experience](#) using several First Amendment scenarios, including some that incorporate COVID-19-related scenarios. One is based on *Elonis v. United States* applied to a [COVID-19 rumor spread](#) on social media about a high school student.

Virtual proceedings are presided over by a federal judge, assisted by volunteer attorneys, who work with students in small groups using a function available on most platforms. In these groups, students start as lawyers, then they return to the large group and deliberate as jurors.

### Time Commitment

- **Judge and Lawyers:** Spend 30-45 minutes reading the courtroom-ready program materials posted on [uscourts.gov](#); participate in one orientation meeting with the judge in person or by conference call; and commit to a [50-minute](#) virtual courtroom event.
- **Teachers' Time Commitment:** No classroom preparation or pre-reading for the students or teachers. The only time commitment is 50 minutes for the simulation.

*For More Information, Contact the National Educational Outreach Manager for the Federal Courts [Rebecca Fanning](#) at the Administrative Office of the U.S. Courts at 202-502-2611.*



### Learning Objectives – Benefits to Students

Students leave the program with sharpened tools for civil discourse and decision-making and a heightened awareness of situations they may not realize can have legal and long-term consequences. They also experience the differences between media portrayals of the court system and real-life courtroom dynamics. Participants interact with the human face of the justice system – judges, attorneys, and other professionals. Their courtroom experience motivates them to serve willingly on juries when called.

### Roles and Resources

**Students.** All students serve first as attorneys in two groups – for the plaintiff and for the government. Then they return to the large group and all serve as jurors. **Adults.** A federal judge presides over the simulation, then goes over the Reality Check Quiz and takes questions. An attorney volunteer facilitates the program and the jury deliberations; and volunteer attorneys (two or four, according to local preference) prepare the student attorneys, then the student jurors. **Resources.** Each role has an online folder of handouts with detailed guidance. The ready-to-use handouts are found in the Activity Download in the upper right corner of the program landing page. Here is [an example](#) using the COVID-19 social media scenario.

- **Volunteer Attorney Coaches Prepare Two Student Attorney Teams – All Students**  
The attorney coaches present the case information in the courtroom, then prepare the student attorneys in two small groups. After the preparation period, the arguments before the judge begin. Students use the raise-hand icon so that the judge can recognize those who volunteer to present their argument.
- **After the Arguments, All Students Return to the Large Group and Serve as Jurors**  
The judge explains the role of jurors, in contrast to the role of advocates. The judge swears in the jurors. The attorney coaches guide students through the Arguments Worksheet, which is an issue-spotting activity. This warm-up is followed by jury deliberations led by the attorney facilitator, who ensures that as many students as possible have the opportunity to speak. Due to time constraints, the verdict is a show-of-hands vote that does not have to be unanimous.

### What Happens in the Courtroom Program?

#### 1. Icebreakers: Reality Check Quiz and Civility Self Reflection Tool

Students start by taking an attention-getting [Reality Check Quiz](#) that tests their knowledge of situations that can put them in legal jeopardy. At the end of the program, they discuss the issues with the host judge and leave with insights that have practical applications in their lives.

## 2. Civil Discourse Skill Building

This facilitator-guided activity has two parts: 1) Students use a [self-reflection tool](#) to become aware of and discuss their own civil discourse attitudes, behaviors, and language, and 2) Students establish their own [ground rules and group norms](#) for civil discussion.

## 3. Courtroom Simulation

The program is not a mock trial. It is a modified courtroom simulation that is a hybrid of appellate arguments and jury deliberations designed to create opportunities for all students and learning styles to participate. They play two roles. All students are lawyers in the first part of the simulation. All students are jurors in the second part of the simulation.

- Students work in two small groups as lawyers. All group members have the opportunity to make arguments by using the raise-hand icon and being called on by the judge. Attorney volunteers prepare students by talking them through an issue-spotting activity using the Arguments Worksheet.
- After the arguments, all students are sworn in as jurors and the judge explains the differences between the roles of advocates and jurors. Attorney volunteers facilitate the deliberations. Due to time limits, the verdict is arrived at by a show-of-hands vote.

## 4. Reality Check Discussion

The program uses the Reality Check Quiz to stimulate reality-based observations and lessons in a candid conversation with the host judge about real-life teen situations that can derail a student's future.

## 5. Q/A with the Host Judge

As the Reality Check discussion winds down, the judge opens the floor to student questions on any topic. The judge sets the stage for a candid conversation about students' concerns and interests. This component, typically, is the most highly rated part of the program, according to the evaluations that students fill out before leaving the event.

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