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Courts and Trials: Teacher's Manual

Richard Balnave and Anchorage School District

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Balnave, Richard; & Anchorage School District. (1976). *Courts and Trials: Teacher's Manual*. Law Related Education Project. Anchorage, AK: Anchorage School District; Criminal Justice Center, University of Alaska Anchorage.

Summary

In 1976, Anchorage School District (ASD) and the Criminal Justice Center at University of Alaska, Anchorage, collaborated to develop a law-related curriculum for 5th, 6th, 7th, and 8th-grade classrooms, with teacher's manuals written to supplement the basic texts chosen for the program, the "Law in Action" series by Linda Riekes and Sally Mahe Ackerly (West Publishing Company, 1975). This teacher's manual for the unit taught to seventh-graders, "Courts and Trials," focuses on the judicial system in America and in Alaska. The teacher's manual reflects improvements to the original lessons, supplementary classroom activities, supplementary media, and inclusion of Alaska-specific content such as local news articles about Alaska courts and Alaska community resources. Supplementary material in this teacher's manual does not cover every lesson in the original "Law in Action" unit.

Additional information

See *Law Related Education Project: Final Report* by Richard Balnave (1976) for a description of the project under which this teacher's manual was developed. All four supplementary teacher's manuals developed under this project are also available in Scholarworks@UA:

- "Lawmaking: Teacher's Manual" (5th grade);
- "Youth Attitudes and the Police: Teacher's Manual" (6th grade);
- "Courts and Trials: Teacher's Manual" (7th grade);
- "Juvenile Problems and the Law: Teacher's Manual" (8th grade).

ANCHORAGE SCHOOL DISTRICT

LAW-RELATED EDUCATION PROJECT

COURTS AND TRIALS

TEACHER'S MANUAL

Teacher:

The suggestions offered in this Teacher's Manual come from the 20 teachers who participated in the Law Related Education pilot program at the end of the 1975-76 school year. We would like to share our experiences with you in the hope that the program can grow stronger as a result of our experiences.

Our prefatory comments:

- The teacher's edition of the classroom book is distinguished from the student edition only by the red print. The student edition is exactly alike, minus the red print.
- The book should be used as a "framework" for your classroom program, but should not be the whole program. There is a great deal of room for enrichment materials to serve as supplements to the lessons offered in the book.
- Before beginning our commentary related to the specific lessons, we would like to bring to your attention the information regarding available A-V materials and Community Resources, both of which require some advance planning. See the introductory pages of this manual.
- It took most of the pilot teachers a full quarter to complete their program, most of them teaching "law studies" two or three times each week.
- Toward the end of this teacher's manual, you will find brief analyses of some of the different teaching methods appropriate to law-related education. We hope they prove to be useful refreshers.
- Although the books appear to be "consumable," please ask your students not to write in them. They must be used by other classes.

We hope you enjoy using this law-related education "kit." Have fun!

Rich Balnave
Coordinator
Law-Related Education Project



Providing opportunities for your students to meet community resource people -- whether through field trips or class visits -- requires advance planning. Now is the time to contact the school district Community Resources office to set things up.

The following lessons would be appropriate times for your students to get involved with their community:

- Lesson # 10
- Lesson # 16
- Lesson # 17

Consult the A-V listings in the back of this catalog, and order soon.

LAW - RELATED COMMUNITY RESOURCES ANCHORAGE, ALASKA

- Anchorage Police Dept.*
- Alaska State Troopers*
- Military Police*
- U.S. Marshall's Office*
- Criminal Court*
- Civil Court*
- Small Claims Court*
- Municipal Court*
- Traffic Court*
- Divorce Court*
- Juvenile Court*
- Federal Court
- Anchorage Town Assembly*
- State Regulatory Agency
- Federal Regulatory Agency
- Legislative Info. Office*
- Lobbyist (consumer, environmental)
- Alaska Children's Shelter
- The Open Door (drug counseling)
- The Family Rap ("heavy" drugs)
- Child Abuse Board
- The Family Institute
- Alaska Youth Advocates*
- Public Defenders Office
- Prosecutors Office
- Bar Assoc. Attorneys*
- F.B.I.*
- Probation Officer*
- Eagle River Corr. Facility*
- Shoplifting/Security Personnel*
(large dept. store staff)

* denotes the Community Resource is available through the Anchorage School District Community Resource Center. Call Pat Gold at 279-4626 if your class would like to visit or be visited by one of these people.

WHAT IS FAIR COURT PROCEDURE?



Objective:

Students should gain a better understanding of the essential elements of fair procedure or "due process."

- **AUDIO-VISUAL:** One film which illustrates the kind of problem that can arise with respect to "FAIRNESS" of trial procedure is called the Sheppard Case: Free Press vs Fair Trial By Jury. This is a 26 minute, color film. It is a study of the trial of Dr. Sam Sheppard in 1954. In this trial a great conflict arose between Freedom of the Press and the rights of the accused to be free from pre-trial publicity. This film can be ordered from the Anchorage School District Audio-Visual Library. It's number is F-1657.

STUDENTS AND THE COURTS

LESSON 4

Objective:

**To stimulate interest in learning
about the court system.**

- This is the filmstrip lesson that accompanies the COURTS AND TRIALS book. Every page in Lesson 4 will appear as a separate frame in the filmstrip. The most effective way to use this filmstrip is to go through it quickly once, so as to satisfy the students' curiosity, and then to begin all over and take your time, stopping to have the class to discuss the questions that the filmstrip presents.
- The objective of this lesson is to stimulate interest in learning about the Court system. Therefore, the students should get involved with the work that will be required to answer some of the questions presented in the lesson. For example, Do we have a pre-trial release program in our city? Do we have a Court that we can go to without a lawyer? What is being done in our city about the time it takes for trials? Each of these is a question that can be readily answered by either writing a letter or picking up the phone and calling the appropriate person. It would be far more beneficial for the students to learn how to go about finding answers to their own questions, then it is for them to find the actual answers. To further this end, you might want to give the class the problem of finding answers to these questions, and ask them to brain-storm various ways of going about it. After they have contributed all of their ideas, and you have listed them on the blackboard, you might want to add your own ideas to fill out the list. Among the people students might contact to find answers to these questions are: the Public Defender's Office, the Prosecutor's Office, the Anchorage Bar Association, the Court House Administrators Office, and the Probation Department. In addition, students might look in the phone book to see if they can find any other people who might be useful.

THE WAY COURTS ARE SET UP



Objective:

Students should learn that there are different types of courts that handle cases.

- **AUDIO-VISUAL:** To accompany Lesson 6 you might want to show the film called "The Supreme Court." This is a black and white film; 18 minutes long, which discusses the history and function of the Supreme Court.

CIVIL LAW



Objective:

Students should discuss their differences of opinion concerning what one should do in these stories.

- It is important for the teacher to keep the proper goal in mind when doing this lesson. The emphasis should not be on the rules which have been developed in the area of Contract Law and Tort Law. The rules are numerous, sometimes technical, and constantly undergoing slight changes. Rather, the emphasis should be on encouraging the students to judge the rules according to their own conceptions of "FAIRNESS". Each student is capable of doing this, and will benefit by the careful thinking that is required when questions of "FAIRNESS" are raised.

Keep in mind that when conflicts such as those dealt with here go to the U. S. Supreme Court for a decision, the conflicts inevitably involve competing values. This conflict is very seldom in conflict between a good value and a bad value. Such a decision would be easy to make. Instead, the conflict is usually between a good value and another good value.

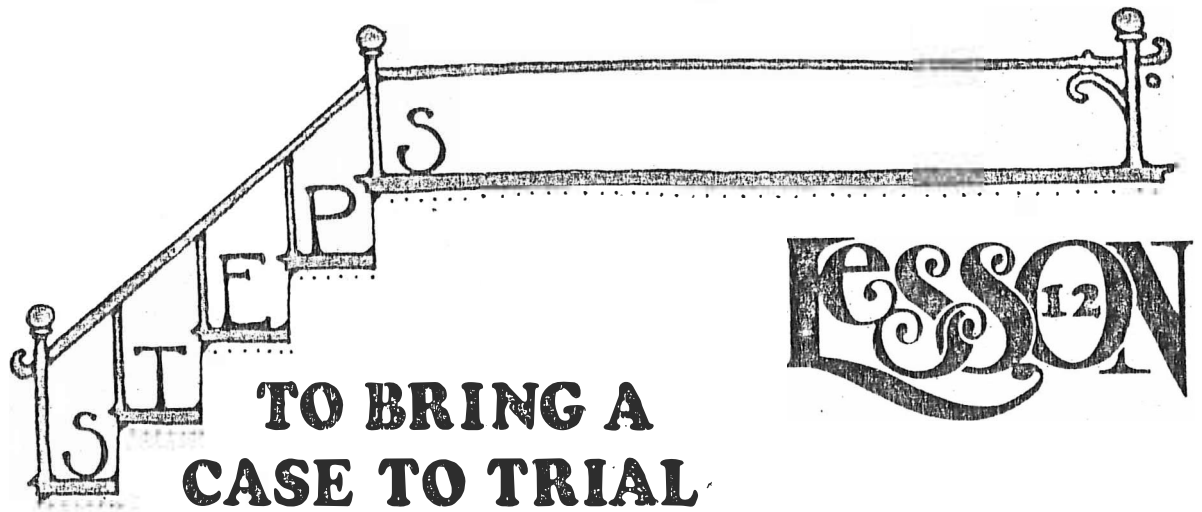
ASKING QUESTIONS

LESSON 10

Objective:

Students should learn different questioning procedures.

- **COMMUNITY RESOURCE:** Your first mocked trial is coming up in the next few lessons. It is a very good time to have either an attorney or a judge visit your classroom. If you ask for an attorney, be sure to ask for one who has trial experience, and who would be pleased to help you either prepare for or critique the mock trial. I bring this to your attention at this point because you can either use the attorney as a resource in helping your students get ready for the mock trial, or you could ask the attorney in on the day of the trial to critique it.



Objective:

Students should go over the general procedure for a Trial.

- You might want to use a simulation game called "The Jury Game" during this lesson. The Jury Game is a simulated voir-dire, in which students play the roles of jury members, two opposing attorney's and the judge. The roles they play are highly structured; each receives a detailed card describing how to play the role. In addition to emphasizing the "FAIRNESS" that we must keep in mind when selecting jurors, this game also gives the students an opportunity to practice their questioning skills. A worksheet which focuses on how to ask effective questions, and gives samples of each, is included. It is a highly enjoyable classroom activity, and strongly recommended. The simulation game can be obtained by calling Dr. Frank Greenough, Anchorage School District Social Studies Consultant, at 333-9561.

RIGHTS GRANTED TO THE ACCUSED DURING CRIMINAL TRIAL PROCEDURES



Objective:

Students should discuss problems relating to rights of the accused.

- At the end of this Teacher's Manual you will find a re-written Bill of Rights. Although it is difficult to maintain the meaning of the original document when the wording is changed, we have tried to do our best. Hopefully, any discrepancies that do exist will be outweighed by the increased "readability" of the re-written document.
- In analyzing cases such as those presented in Lesson 15, you have an opportunity to have your students practice a more rigorous, analytical type of thinking than they usually do. See the section towards the back of this Teacher's Manual entitled "CASE-STUDIES" for further information, about how to analyze legal cases.

CRIMINAL TRIAL PROCEDURE



Objective:

Students should discuss pre-trial procedure in the criminal court system.

- PLEA-BARGAINING is not allowed in Alaska. (See page 109)
- Now is the time to take your students on a field trip to the Court House. During the pilot program a slide show/cassette presentation was developed by a member of the Court House staff and the Anchorage School District Audio-Visual Services. This slide show/cassette presentation is intended to be an introduction to the experience the students will have when they visit the Court House. You should make every effort to do this with your class before going to the Court House. It will save you lots of time when you get down there, so that your students can be placed directly into the trials for observation. The slide show/cassette presentation will explain to your students what they will see when they go to the Court House. To obtain this, call Bob Penn at the Audio-Visual Services of the Anchorage School District.

THE PROBLEM OF BAIL



Objective:

Students should discuss the problems of fairness that relate to the bail system.

- **COMMUNITY RESOURCES:** Bringing a Bail Bondsman to the class would be appropriate here. The Bail Bondsmen in Anchorage are very friendly and are willing to talk with students. Call the Community Resources Office of the Anchorage School District and ask them to contact Fred "the Bail Bondsman" for a visit to your class.
- On Page 112 a "Values-Line" appears. If you have little experience with the teaching method known as "Values-Clarification" see the brief analysis of it which appears towards the end of this Teacher's Manual.

When using a Values-Line, you could ask your students to:

- (1) Stand at the line (row at a time if you have many students);
- (2) Draw a slash through the line, and initial it, at the point which reflects their own feelings and values.

If you like a well-decorated room, you could make a "Values-Line" by stretching some yarn across the room. The students would write their names on index cards which would be attached to the line by paper-clips. If you leave the line up for several days or weeks, students might move their names along the line as their self-awareness develops through class discussion.

VALUES CLARIFICATION

The following information is intended to help those of us who had little personal experience with Values Clarification as a classroom teaching strategy. It has been adapted from

Personalizing Education: Values Clarification and Beyond, by Leland and Mary Howe, Hart Publishing Company, Inc., N.Y., 1975.

I. WHAT IS VALUES CLARIFICATION?

Values Clarification is not an attempt to teach students "right" and "wrong" values. Rather, it is an approach designed to help students prize and act upon their own freely chosen values. Thus, Values Clarification is concerned with the process by which students arrive at their values rather than the content of these values. To implement the Values Clarification approach in the classroom, the teacher uses strategies which help students learn to:

1. Choose their values freely.
2. Choose their values from alternatives.
3. Choose their values after weighing the consequences of each alternative.
4. Prize and cherish their values.
5. Share and publicly affirm their values.
6. Act upon their values
7. Act upon their values repeatedly and consistently.

These seven steps have come to be known as the valuing process of choosing, prizing, and acting. For a detailed discussion of this valuing process and the Values Clarification approach which grows out of it, consult Values and Teaching by Raths, Harmin, and Simon or Readings in Values Clarification by Kirschenbaum and Simon.

Why is it that Values Clarification is an important teaching strategy for lawrelated education?

Because, when confronted with legal problems and issues which

reflect several different sets of social values, the students are likely to experience varying degrees of confusion and conflict regarding their own values.....so, the time is right to do some clarifying exercises.

II. GUIDELINES FOR USING THE STRATEGIES:

The following guidelines must be followed if the strategies are to be used successfully:

1. The teacher must be accepting and non-judgmental of student responses. Nothing kills personal inquiry quicker than verbal or non-verbal indications that the teacher is looking for and willing to accept only "right answers." The teacher must never use values clarification strategies to moralize or teach "correct values."
2. The teacher must encourage other students to be accepting and non-judgmental, thus promoting a climate of respect, trust, openness, and diversity in the classroom.
3. The teacher must respect, and demand that others respect, individual privacy. He must allow students to "pass" or not participate in any personal inquiry and values activities.
4. The teacher must not grade students on the personal or values content of their written and verbal responses.
5. The teacher must respect and protect the confidentiality of student responses and not report personal information gained via the strategies to individuals outside the classroom.
6. The teacher must model the behavior he hopes to elicit from students and be willing to open himself to personal inquiry even if the questions that students ask are difficult. Of course, the teacher also has the right to "pass." The teacher should participate in the strategies whenever possible. Frequently, particularly in the lower grades, she may need to wait until all the students have answered before giving her own answer, because many students will have trouble accepting the idea that the teacher is not necessarily supplying the "right" answer. The teacher may need to repeat each time she answers, "This is my value but it doesn't have to be your value. I believe that each person has a right to hold his own values, even if they are very different from mine."

III. QUESTIONING STRATEGY:

Frequently, the value of the classroom activity will depend on the quality of the questions asked during the follow-up of the activity. Your questions must be neutral. That is, they must not suggest a "right" value; they must not lead the student

to a value decision predetermined by the teacher. Consequently, the ways in which questions are asked -- the actual words chosen -- become very important. The kinds of questions you will want to ask are those which will help the student:

1. Express his values, attitudes, beliefs, and viewpoint;
2. Clarify his position or feelings;
3. Examine the reasons for his views;
4. Consider the alternatives;
5. Analyze the consequences related to his position and other alternatives;
6. Make decisions about what is "right" or "good."

Now, we all know that it's "easier said than done." We have to get down to the real nittus-grittus (that's legal latin for "nitty-gritty") and figure out how to ask those sorts of questions. Below is a little chart which provides samples of how you might begin each of the types of questions described above:

Expression of Position:	Where do you stand? How do you feel about....?
Definition/Clarification of Position:	What do you mean by....? Could you explain that further?
Reasons for Position:	Why do you think you feel that way? How do you think you arrived at that view?
Alternatives to Position:	What are some alternative to your position? How might this be approached in another way?
Consequences of Position:	What might be the result if...? What effect might that have upon...?
Evaluation of Position	Which appears most desireable? functional? Why?

Below are sample sets of questions which may help to give you an idea of how to phrase the follow-up questions to your activity.

Set #1:

How do you feel about the (choice, action, situation) faced
by _____?

What other ways could _____ (have acted/solved
his problem)?

What would you have done?

Have you ever faced a similar problem?

What did you do?

What were the consequences of your action?

Set #2:

How do you feel about what took place?

Do you think such things happen often? Why?

What different attitudes do people have toward this problem?

What is your attitude?

Is there anything you can do about it? Is there anything you want to do?

What might happen if you did something?

Set #3:

What problem or problems are brought out or dramatized in this selection/picture? Which of these problems is your greatest concern to you?

Think of all the different possible ways that there are to solve or cope with this problem. List them.

Which of these alternatives do you think are the best solutions to the problem? Do your feelings support your thinking? If not, can you explain this?

Have you ever done anything about this problem in the past? Was it consistent with what you now think and feel is the best solution?

What were the consequences of what you did?

Can you think of anything you would want to do concerning this issue?

Others:

What are the consequences of the decisions we have made and the actions we have taken?

What are some alternative ways we could have handled that?

Are we making decisions and taking action that we want to take?

Are we proud of our actions?

Are we proud of our city?

Are we choosing freely?

What do our actions say about what we value?

Are our decisions and actions contradictory?

Is this really the kind of city we had in mind?

What are the problems we face?

What have we learned?

How do we feel about what is going on?

ROLE PLAYING

The following information is intended to help those of us who have have little personal experience with Role Playing as a classroom teaching strategy. It has been adapted from

Three Teaching Strategies for the Social Studies, by
Bruce Joyce, Marsha Weil and Rhoada Wald, Science
Research Associates, Inc., 1972

DESCRIPTION OF THE STRATEGY:

In role playing as a teaching strategy, students explore human relations problems by enacting or improvising problem situations and then discussing the enactments. Role playing gives participants a rich sample of human interaction to analyze in order to clarify behavioral alternatives, values, and conflicts. At the same time, because it is role-playing rather than a realistic situation, the participants can analyze their own behavior and submit their behavior to criticism without the punitive consequences likely to occur when a real conflict is explored. For example, in a role playing situation one can behave dishonestly and then carry on a discussion of honesty and dishonesty and one's own feeling about it. Through role playing one can also enter into unfamiliar roles. The class bully or leader can experience how it feels to be left out, shy, or made fun of. Role playing may also be considered a general process in which social problems are dealt with through action. Students define the problem, delineate alternatives, experience the consequences through role playing, and analyze the consequences. As a process, role playing develops inquiry skills and provides practice in decision making.

Role playing is not likely to be successful if one simply suggests it to the students, tosses out a problem situation, persuades a few children to act it out, and then conducts a discussion about their enactment. One well-developed model of role playing suggests that the activity consists of nine steps.*

1. Warm up the group;
2. Select the participants;
3. Prepare the observers;
4. Set the stage;
5. Enact;
6. Discuss and evaluate;
7. Reenact;
8. Discuss and evaluate;
9. Share experiences and generalize.

These steps are described in a chart on the following pages.

This particular role playing model was developed by Fannie and George Shaftel.

STEP	ACTIVITY
1. Warm up the group	<p>Identify or introduce problem with a</p> <ul style="list-style-type: none">● simple, narrative, description <p>Make problem explicit</p> <ul style="list-style-type: none">● use examples● ask student for examples <p>Speculate on or interpret story</p> <ul style="list-style-type: none">● "How might the story end?" or "What is Sam's problem and what can he do about it?"
2. Select participants	<p>Describe roles</p> <ul style="list-style-type: none">● ask students what the character look like, what they feel like and what they might do. <p>Choose role players</p> <ul style="list-style-type: none">● volunteers only● avoid child who will give "adult-oriented, socially acceptable" interpretationit dampens discussion.
3. Set the stage	<p>Get inside the problem</p> <ul style="list-style-type: none">● Give students a few (2-3) minutes to plan their actions. No need to plan dialogue. (Pre- pare observers during this time) <p>Restate Roles</p> <ul style="list-style-type: none">● Ask players to introduce them- selves to the class. <p>Set line of action</p> <ul style="list-style-type: none">● When they return to the class, ask a few questions; e.g., where the enactment is taking place, whether anyone else is present, etc. Be sure the stu- dents in the class have all their questions answered so that they understand the role play.

4. Prepare the Observers

Assign observation tasks

- "Now when you watch, consider..
Is it realistic?
Which actions helped and
which actions hurt?
What alternatives might have
been enacted?
How did X-actor feel?"

5. Enact

Begin Role Play

Maintain role play

Break role play

- whenever one alternative has
been "played out."

6. Discuss and evaluate

Focus on action in role play

- behaviors and consequences

Shift to alternative proposals

- expected consequences

7. Reenact

Play revised roles, suggested next
steps or behavioral alternatives

- this is the time when the stu-
dents can try out their alter-
natives, safely, to determine
what the consequences might be.

8. Discuss and evaluate

As in step 6

9. Share experiences and
generalize

Share similar experiences

Formulate general principles of
conduct.

CASE-STUDY

I. WHAT GOOD IS IT?

The CASE STUDY approach

- encourages student thinking at the higher cognitive levels of analysis, synthesis and evaluation;
- is appropriate for teaching concepts;
- lends itself to a variety of teaching styles and uses.

II. ANATOMY OF A LEGAL CASE:

1. Title of case; name of story.
2. Facts - a description of the circumstances which occurred that raised the legal question.
3. Issues - The legal problem(s) which result from the factual situation - posed as a question.
4. Arguments - The different reasons presented by the two adversaries for resolving the issues in favor of their respective sides.
5. Decision - How the Court answered the issue. The conclusion they came to.
6. Reasoning - What factors the Court took into consideration in reaching their decision on the issue.

III. MATERIALS:

"Cases" can be actual court opinions, hypothetical stories, real stories (non-legal), films and filmstrips, incidents from literature (e.g., the Ugly Duckling, Aesop's Fables), newspaper stories, historical narratives.

COMMUNITY RESOURCES

- MEDIA -

The materials contained in local newspapers and other community publications can be very useful in a law studies program. The editorials and letters to the editor usually provide a wide range of viewpoints on current controversies and issues at the local, state and national levels, and are particularly useful in encouraging students to compare and contrast various points of view on a subject and to formulate conclusions based on reason and critical analysis.

The politically and socially oriented cartoons frequently appearing in newspapers can also be used by the law studies teacher to promote classroom discussion and to develop visual analysis skills in students.

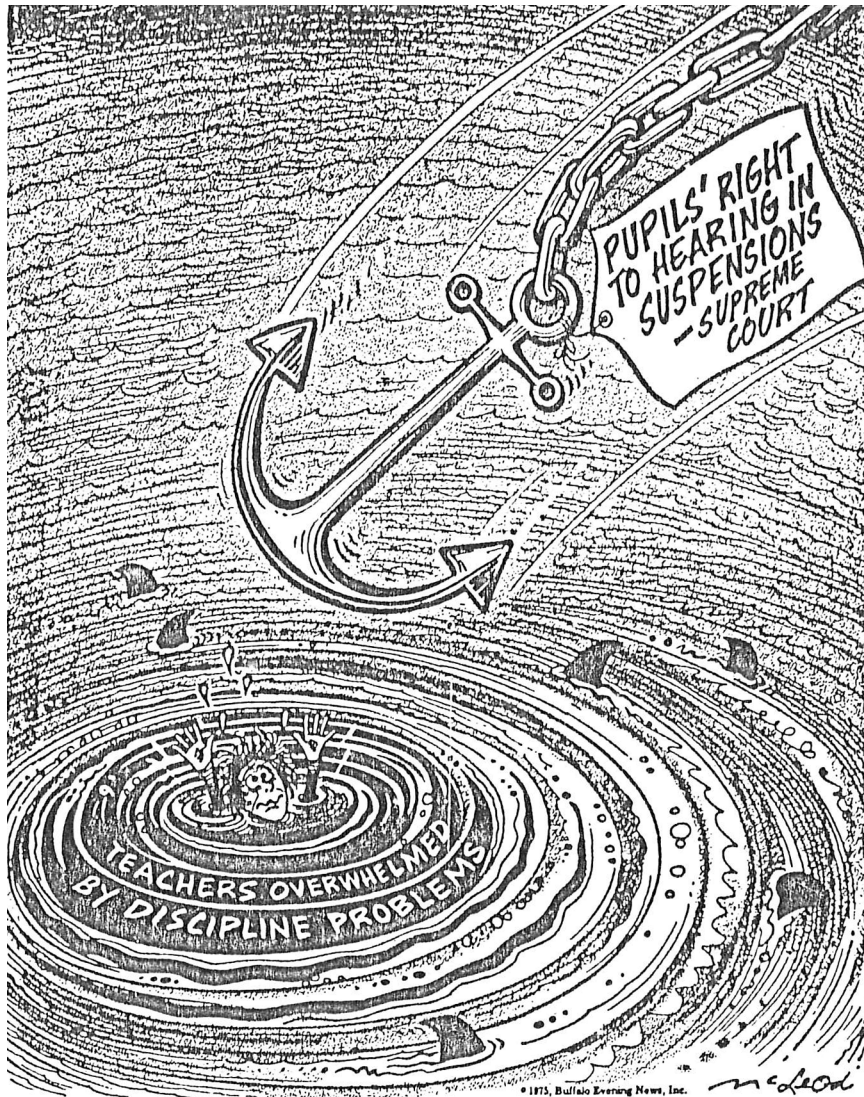
An approach developed by the New York State Education Department* to encourage VISUAL ANALYSIS of graphic materials by students relies upon five types of questions asked in the following sequential order:

- 1) *Identification Questions*—focus on the elements in the visual.
- 2) *Relationship Questions*—establish associations between or among the elements in the visual.
- 3) *Analysis Questions*—center on interpreting the central theme or meaning of the visual.
- 4) *Application Questions*—seek to apply the main idea in the visual to different situations and/or new settings.
- 5) *Personalization Questions*—promote student expression and reflection upon their own beliefs and values as they relate to the central theme of the visual.

These questions are sequenced so that each successive type of question is highly dependent upon those which have preceded it. This approach may be used with pictures, charts, graphs, maps, cartoons, and any other visuals.

* This approach is fully discussed in Teaching About the Law, by Ronald Gerlach and Lynne Lamprecht, W.H. Anderson Co., 1975.

SAMPLE APPLICATION OF THIS QUESTIONING APPROACH:



'Catch!'

The following discussion guide represents an application of the questioning approach described above, to the cartoon appearing here.

- 1) Identification Question
 - Describe all the things you see in the drawing.
- 2) Relationship Question
 - How are the things contained in the drawing related to each other?

anchor—tag
sharks—person
whirlpool—sharks
whirlpool—person

[MORE]

3) Analysis Questions

- What point is the artist attempting to make through the drawing?
- What is the central theme of the drawing?

4) Application Questions

- Do you think this would apply to our school?
- Can you think of other situations that might be similar to this one?
—in the school setting? —in the community?

5) Personalization Questions

- How do you feel about the artist's viewpoint? Do you agree or disagree with it?
- What, if anything, do you think should be done concerning this subject? How? Why?

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LAW-RELATED FILMS

LAW-RELATED FILMS

BELOW ARE ALL THE FILMS LISTED IN THE ANCHORAGE SCHOOL DISTRICT

INSTRUCTIONAL MEDIA CATALOG, WHICH SEEM TO DEAL WITH LAW-RELATED EDUCATION.

ON THE PREVIOUS PAGE, THESE FILMS ARE ARRANGED BY TOPIC; HERE, THEY ARE
ARRANGED BY NUMBER.

- R. B.

F-110
POLICEMAN WALT LEARNS HIS
JOB
BFA, 1958 P-I
10 min. Color
Shows a young police "Rookie" going through basic training with other policemen and his first day on the job.

F-118
HOW A BILL BECOMES A LAW
FLEET, 1960 S
15 min. B&W
Shows each step involved in making a bill a law. Covers all possible ways of creating new laws, illustrating them with drawings, maps, graphs and charts and actual scenes of government groups in action.

F-121
T-MEN OF THE TREASURY DEPT.
MOT, 1948 I-S
18 min. B&W
Dramatizes the duties of the T-Men of the Treasury Department. Tells the story of the six law enforcement agencies and depicts the close cooperation that prevails among the enforcement units. Shows smugglers and "scratchers" trying to outwit the T-Men.

F-122
CONSTITUTION OF THE U.S.
EBF, 1956 I-S
22 min. Color
Shows the personalities, the differences and the needs which create the compromises out of which the United States constitution emerged.

F-166
WHY WE RESPECT THE LAW
Coronet, 1950 S
14 min. B&W
Explains the importance of law in keeping order in a society. Shows that respect for the law is developed by a realization that law represents accumulated wisdom, that it is in harmony with laws of nature and that it is necessary to prevent trouble.

F-602
STATE LEGISLATURE
ACA, 1948 I-S
22 min. B&W
Illustrates the work of the state legislature by tracing the progress of a bill. Shows how a bill originates, is passed through the legislature and is signed by the governor. Includes a sequence showing the law being tested in the state supreme court.

F-617
A LAW IS MADE
McGraw-Hill, 1961 S
28 min. B&W
An animated chart explains the steps through which a bill becomes a law. Follows the housing act of 1959 from its genesis to its approval by the president. Narration by Senator Joseph Clark of Pennsylvania.

F-620
F.B.I. (FEDERAL BUREAU OF
INVESTIGATION)
McGraw-Hill, 1957 I-S
27 min. B&W
Describes the history, personnel, training methods and laboratory techniques of the F.B.I. under the leadership of Edgar Hoover. Shows how certain famous cases have been solved.

F-655
THE POLICEMAN
EBF, 1955 P-I
11 min. Color
Follows a policeman on his regular day's work. Explains the use of the two-way radio communication on motorcycles and cars. Illustrates pedestrian and vehicular traffic safety, rescue work and apprehension of a speeding driver.

F-758
THE TRUE STORY OF AN
ELECTRON
CF, 1962 S
56 min. Color
Follows an actual congressional election campaign from the primaries to the post election evaluations. Discusses volunteer workers financial support, registration, publicity and get out the vote projects.

F-795
SPEAKER OF THE HOUSE
JOU, 1964 S
21 min. Color
Examines responsibilities and activities of the speaker of a typical state assembly during the course of a legislative day. Speaker is shown fulfilling his double role as politician and lawmaker.

F-827
THE SUPREME COURT
EBF, 1954 S
18 min. B&W
Discusses history and function of the supreme court. Relates how the court gained its power to determine the constitutionality of federal and state laws. Indicates supreme court procedure in making decisions.

F-1235
EQUALITY UNDER LAW: Lost Generation of Prince Edward County
 EBF, 1967 S
 25 min. Color
 When Prince Edward County, Va. closed its public schools rather than integrate them, a generation of Negro children lost four years of education. The Prince Edward case was fought in state and federal courts; a Supreme Court injunction reopened the schools and 99% of the white children continued to attend private school.

F-1236
JUSTICE UNDER LAW: The Gideon Case
 EBF, 1966 S
 23 min. Color
 Shows the concept of justice in terms of the case of Gideon vs. Wainwright (1963). Designed to encourage student inquiry and class discussion.

F-1244
INTERROGATION AND COUNSEL
 CF, 1967 S
 22 min. Color
 The first film is an introduction to one of the profound conflicts of a free society, how a government is to enforce order while providing justice and a maximum of freedom to the individual.

F-1463
BILL OF RIGHTS IN ACTION: Freedom of Religion
 BFA, 1966 I-S
 21 min. Color
 In an emergency hearing lawyers argue the constitutional issues in a transfusion case in which the life of an unborn child is threatened because of the beliefs of the parents. This dramatic film is opened.

F-1466
JUSTICE BLACK & THE BILL OF RIGHTS
 BFA, 1969 S
 32 min. Color
 Associate Justice Hugo M. Black, of the Supreme Court, has been called the Court's philosopher. In this interview with CBS News Correspondents Eric Sevareid and Martin Agronsky, Justice Black discusses the possible conflict between constitutional law and morality; freedom of speech; and police powers versus the right of the accused.

F-1487
DAYS OF WHISKEY GAP
 NFBC, 1966 S
 29 min. B&W
 Film tells the story of the Northwest Mounted Police and how they tamed the wild Canadian West. Illustrated with rare photographs, artists' sketches, and interviews with oldtimers and veterans of the original force.

F-1620
JUSTICE, LIBERTY AND LAW
 CF, 1971 S
 22 min. Color
 The first film is an introduction to one of the profound conflicts of a free society, how a government is to enforce order while providing justice and a maximum of freedom to the individual. The film sets the Bill of Rights in historical perspective and introduces the specific amendments.

F-1632
GOVERNING THE STATE
 McGraw-Hill/Con, 1970 S
 11 min. Color
 The Governor's role and the role of the state legislature are examined as they formulate, discuss and pass legislation for the good of the people living in the state.

F-1655
WHY WE HAVE LAWS
 LCA, 1971 K-P
 10 min. Color
 An animated story introducing the basic concept of laws. Concludes that no one can live peacefully without rules and that if people help make their own laws they will usually make fair ones.

F-1657
SHEPPARD CASE: FREE PRESS VS FAIR TRIAL BY JURY
 EBF, 1970 I-S
 26 min. Color
 A study of the trial of Dr. Sam Sheppard in 1954. Documentary footage of key figures and reenactment of the crime reveal the conflict between freedom of the press and the right of the accused. Also included are excerpts from the Supreme Court's decision in 1961, reversing the original verdict.

F-1706
FREEDOM TO SPEAK: PEOPLE OF NEW YORK VS IRVING FEINER
 EBF, 1967 S
 23 min. Color

Based on the case of Feiner vs. New York, this case study examines and investigates the basic freedom of expression. The case of a college boy convicted of disorderly conduct is followed by an analysis of the majority and dissenting opinions of the justices.

F-1707
SPEECH AND PROTEST
 CF, 1969 S
 22 min. Color

Third in a series on the Constitution. The film presents enacted episodes with provision to stop the projector for discussion between sequences. For the teacher who is prepared to encourage inductive learning.

F-1761
THE STRUGGLE FOR WOMEN'S RIGHTS
 SND, 1972 I-S
 15 min. B&W
 A pictorial cavalcade of the people, places and events that have given impetus and leadership to the struggle for women's rights.

F-1819
WHY WE HAVE ELECTIONS -- THE KING OF SNARK
 LCA, 1973 P
 9 min. Color
 A tale set in a mythical kingdom demonstrates the concept of holding elections to select government officials.

F-1856
CAUGHT!
 CC, I-S
 25 min. Color
 A new and unique film with an impactful message: "Shoplifters and thieves beware...You're going to get caught!"

F-1883
NO WALLS: A PRISON FILM
 CF, 1972 S
 26 min. Color
 A mountain prison camp where the men work on the roads and hillsides. A film about their feelings on doing time, on society and rehabilitation.

F-1986
SERVANTS OF THE PEOPLE
 SND, 1974 S
 52 min. Color
 Four members of the U.S. House of Representatives give insight into the workings of one of the most powerful legislative bodies.

F-1998
HERITAGE IN BLACK
 EBF, 1972 I-S
 27 min. Color
 A 200 year panorama that stretches from the first struggles of black people to be free of chains to today's struggles to be free of invisible bonds. Reveals the black man's intense participation in American life--fighting for other people's freedom and making important contributions to science, industry, education, music, labor movement, sports.

F-2054
CHANGING THE LAW
 BFA, 1968 P-S
 23 min. Color
 Illustrates that two major antithetical forces are being applied in attempts to change law. One is outside the law, one is responsive to law.

F-2096
WHY WE HAVE TAXES: THE TOWN THAT HAD NO POLICE-MAN
 LCA, 1970 P
 7 min. Color
 The simple idea of taxation to accomplish a common goal is shown. The film concludes with examples of modern services provided by taxes.

F-2097
WHY WE HAVE LAWS: SHIVER, GOBBLE AND SNORE
 LCA, 1970 P
 7 min. Color
 Using a humorous trio of characters, this film shows why rules are necessary, and goes on to develop the concept of laws.

F-2099
TROUBLE WITH THE LAW
 LCA, 1973 I-S
 16 min. Color
 A college student involved in an auto accident rejects the standards by which the court finds him guilty, and decides that justice has not been served by the legal process.

THE BILL OF RIGHTS AND OTHER
AMENDMENTS TO THE U. S. CONSTITUTION

On the next page you will find a copy of the Bill of Rights plus some other amendments, all of which have been re-written so that they are more "readable" to your kids. Throughout each of the different books we're using, references are made to various amendments, and the kids are supposed to flip to the back of the book and read the amendments in order to complete the lessons. In their original language, the amendments to our Constitution are pretty tough reading. . . .to kids they're nearly impossible to understand. Although I have not come close to achieving a re-write on the 5th or 6th grade level, I hope I've cleared up the mess a little. Some comments you should keep in mind if you intend to use the "revised" Amendments:

- I've made them easier to read partly by choosing words which the kids might be more familiar with, but also by simply cutting out much of the detail. You should familiarize yourself with the original wording of the particular amendment so that you know what parts of it I've left in and what parts of it I've left out.
- Don't forget that the original wording is still available in the back of your books. (for Lawmaking and Police). Perhaps you might want to use the re-write first, and when your kids have a basic understanding of what the amendment says, go to the full amendment for the details.
- If you can contribute by revising what I've written. . . even just a little bit. . . .please do.
- I've left some of the terms which might appear at first to be "technical," from the students' viewpoint, e.g., "due process" and "equal protection." This is because your students should become familiar with these concepts; they are important phrases.
- The Bill of Rights includes the first 10 amendments. I also included the 14th Amendment because of its importance, and the 26th Amendment and the proposed Equal Rights Amendment because of their recent history.

BILL OF RIGHTS AND AMENDMENTS TO THE U. S. CONSTITUTION

United States citizens have these freedoms:

1 st:

- .religion
- .speech
- .press
- .to gather together peacefully
- .to ask the government to correct injustices.

2 nd:

United States citizens have the right to keep and use firearms for national security.

3 rd:

Soldiers denied lodging in citizens' homes.

4 th:

United States citizens have the right to privacy for themselves, their houses and their belongings. All searching and taking of possessions must be reasonable. A search warrant is required. It must list the place to be searched and what is taken.

5 th:

United States citizens have the right to refuse to testify against themselves.

6 th:

United States citizens have the right to:

- .a speedy and public trial
- .a jury trial in a criminal case
- .face their accusers.

7 th:

United States citizens have the right to a jury trial in civil matters.

8 th:

United States citizens have the right to reasonable bail, fines and punishment.

9 th:

United States citizens have more rights than those that appear here.

10 th:

Some powers are given to the Nation. Other powers are reserved for the States.

14 th: United States citizens have the right to equal protection of the laws. No one should lose their life, liberty or property without due process of law.

26 th: United States citizens have the right to vote if they are 18 years old or older.

PROPOSED AMENDMENT: "EQUAL RIGHTS AMENDMENT" (ERA)

United States citizens have the right to be free from discrimination because of sex.



Grim Judge Stereotype Proves False

By JUDY SHULER
Times Staff Writer

Beyond the glass confines of the Alaska Supreme Court chambers, the April sun was a heady distraction.

Within, Associate Justice Robert C. Erwin reflected the season in his own way, fitting his ample frame into a long-sleeved nylon shirt imprinted with one of those many - colored surrealist designs. A herringbone tweed sports jacket lurked somewhere in the background.

The hall door leading into his chambers was open; his walls were covered with the artwork of his five young children.

If, it should occur to you that this loquacious, casually dressed man were the antithesis of everything you would expect in a supreme court justice, Erwin would be delighted.

"People are basically afraid of judges," Erwin said, musing that they might be afflicted by some sort of Mt. Olympus complex.

"If you complain to a judge, you get struck by thunder," he translated.

In his own way, Erwin is attempting to dispel that myth.

"I'm more informal than most judges," he said, admitting that his four fellow justices on Alaska's Supreme Court may look askance at his lack of conformity.

But more important than fitting into a judicial mold, he feels, is reaching out to the public, hearing their complaints about the judicial system, and making the necessary changes.

"The only reason for my existence is because the public needs judicial services," he said, and they ought to be getting some value for their tax dollars.

Alaska's Supreme Court is charged with the responsibility for administration of the entire court system. Over-all administration is a major problem area, he said, and one that particularly interests him. Therefore he gets many of the complaints and assignments that focus on court administration.

Son of a Standard Oil regional manager in Seward, Erwin grew up with a business orientation and got his undergraduate degree from the University of Colorado business school in 1956 prior to attending the University of Washington law school.

The court system, he says, should run with the efficiency of a big business.

He is chairman of a nine-man task force instructed to analyze and implement the recommendations of outside

efficiency expert Ernest Friesen. The sluggishness attributed to the court system is what results, Irwin said, when anything starts small and suddenly grows big.

Without much notice, Anchorage suddenly spawned a large urban court that had to use modern methods.

"You can see it coming, but it's upon you before you can do something about it," he said.

For a long time the court could accommodate informal requests from lawyers to set cases at a certain time, Erwin added, but now the court must manage all cases before it.

Litigation has become a financial disaster, he said, and it is incumbent on the court to make the process as speedy and easy as possible. Since he was appointed to the Supreme Court in 1970, legal services have risen in cost from about \$35 per hour to about \$65 per hour, he estimated.

"We have to realize that for all the people who come in, getting their case before the court is the most important thing in their lives. People can live with a bad decision; they can't live with no decision."

Erwin is also the Supreme Court's representative on the nine-man Commission on Judicial Qualifications. It is a misnomer, he pointed out, because it looks into alleged misconduct by judges but has no role in determining their fitness for appointment to the bench.

A week ago he attended a conference on judicial discipline sponsored by the American Judicature Society in Miami, where he learned that some states are involved in a big way. New York, for example, has just appropriated \$1 million for a permanent complaint bureau to evaluate judges.

Any complaints against Alaskan judges are investigated promptly, according to Erwin, who added that a large percentage come from disappointed litigants who rather should go the route of appeal.

But the concept of evaluating judges is a good one, Erwin said, and Alaska is one of the few states now undertaking an evaluation of each judge through its Judicial Council.

"I don't see it as an insult that someone wants to look over my shoulder," Erwin added. "I figure they pay me \$50,000 a year, and one of the privileges they get is looking over my shoulder."

Annual salary for each of the justices, regardless of their tenure on the court, is \$52,992.

Supreme Court staff includes the clerk of court in Juneau; five deputy clerks, three in Juneau and two in Anchorage; a secretary for the clerk; and a secretary and two law clerks for each justice.

Retired Supreme Court Justice John Dimond, Juneau, also fills in during vacations or when a justice must disqualify himself from a case.

This year the Supreme Court payroll totals \$819,000; the entire budget adds up to \$1,125,000. The budget request for the next fiscal year is \$1.3 million, according to Arthur Snowden, administrative director of the court system.

An avowed Democrat, Erwin was admittedly surprised by his appointment to the Supreme Court by then Gov. Keith Miller, a Republican. Justices must stand for election three years after appointment, and every 10 years thereafter.

He freely discloses that he does not view his present position as a life-time proposition.

"There are a lot of things I'd like to do," he said, quickly adding that politics was not one of them.

What he misses most about private practice, Erwin said, is the satisfaction of helping people on a personal basis.

"Here everything you're doing may be 10 years away. You can't see the results as well."

Erwin served as district attorney in Nome, Fairbanks and Anchorage for about five years before entering private practice with what was then Hughes, Thorsness and Lowe in Anchorage.

"I'm very family-oriented," he said, and "I like to spend a lot of time with them. I want to grow up with my family and watch the world through their eyes."

Erwin and his wife Monica, whom he met in Nome, are the parents of Janet, 11; Andrew, nine; Kristina, eight; Bobbi, seven; and Mike, five.

His position on the state's highest court actually allows more time with his family than private practice did, he said, and his work is "reasonably current all the time."

One reason is his ability to read fast. Erwin said he reads a whole page at a time, at the rate of about 5,000 words per minute. And he claims almost total recall.

Thus, said Erwin, while his present job is an interesting one, it is less demanding on his time than on that of his fellow justices.

Down the hall on the fifth floor of the state court building are the chambers of Associate Justice Roger G. Connor,

Justices Enjoy Their Jobs

whose wool suit, cigarette holder and silver wire glass frames neatly fit his judicial role.

Last week Connor had just returned from a three-week ski trip to Sun Valley with his children, Roger Jr., 15, and Sibella, 13, who now live in Seattle.

Justices are entitled to 30 working days of vacation per year, but "I don't think any of us have taken the full amount," he said.

While at Sun Valley, Connor, who will be 50 in two weeks, won a bronze medal in giant slalom competition, in international masters championships sponsored by the ski resort.

Skiing is his primary sport, he said, and "I find it a great antidote for the pressures of the job."

During the summer he runs, hikes and bikes, to stay in shape for skiing.

His program is not structured, he said, and "I'm not one of those grim-lipped people, but I think it's very important in doing mental work for a living, to stay physically fit."

People may not understand the pressures inherent in decision-making, Connor said, explaining that it exists because "you can see forces at work. You can see ramifications for the public. If you have any sensitivity, you would feel the emotional pressure of it."

"People often have the misconception of a judge as someone sitting away from the pressures of every day life who rules the way he feels at the moment," Connor added.

Yet the public as a whole has retained more faith in the judiciary than in other areas of government, he ventured, and it survived the ravages of Watergate intact.

"I regard the judiciary as one of the last institutions where people get personal treatment of their problems rather than being treated by a faceless bureaucracy," he said.

In the last 15 to 20 years, Americans have increasingly looked to the courts for solutions to problems, Connor said, and some of them "I'm not sure should be treated by the court."

Can you make everything a judicial process, he reflected, or should some things be left to the legislative process or the workings of private life?

Racial desegregation came to mind as an example. And one of the biggest issues today, he said, is the question of "standing" to assert a claim in court.

A case before the U.S. Supreme Court, *Sierra v. Morton*, considers the extent to which the Sierra Club can raise environmental issues in court.

Too broadly defined, standing would give any person the right to bring any issue to the court; a definition that is too narrow would not permit enforcement of the law.

While the bulk of past environmental cases have been heard in the federal courts because they involved federal lands, Connor predicted that more will be heard in the state Supreme Court in the next few years.

Connor also expects to see their case load rising, due to simple population increase and the fact that "whenever you have a boom, you're bound to have an increase in frictions."

Normally there are 60 or more cases before them awaiting decision, he said, and anywhere from 10 to 20 could have major import.

Connor was appointed to the Supreme Court in December of 1968, when the court was expanded from three to five members.

During his first three years the cases were of constitutional magnitude and set new patterns, he said, and "since then we've been refining and consolidating land-mark principles."

Although they get difficult public law cases every year, he said, they have done more work lately in private law, in the relations of people to people, the law of tort and civil wrong.

Reacting to the liberal label sometimes pinned on Alaska's Supreme Court, Connor said "my own view is that we're more or less in the mainstream of American judicial thought, based on my reading."

Connor was born in New York City, and moved to Juneau with his mother at the age of six after the death of his father.

Prior to earning his law degree from the University of Michigan in 1954, he worked as a merchant mariner, mostly in Alaskan waters. After a year in the Juneau law firm which included Chief Justice Robert Boochever as a partner, he worked as a U.S. attorney in Juneau.

From 1959 to 1961, in the closing years of the Eisenhower administration, Connor served as executive assistant in the criminal division, U.S. Department of Justice, Washington, D.C. He counts it as valued experience for his present position, along with his private practice in the eight years before his Supreme Court appointment.

All of the five justices are former prosecutors in some capacity, he said adding "that's not uncommon in Alaska. I think it's valuable background. It gives you awareness of one side of the problem."

"I sometimes look out the window at the tugs working out in the bay," he said turning toward the sun-sparkled waters, "and I think 'wouldn't it be nice to be first mate on one of those again?' There's a certain nostalgia for something you've done in the past."

There's nothing like having to commit a decision to writing to test its soundness, he said, and Connor writes his at a high hatch cover table which allows him to spread out his papers. The stool is made of a smaller hatch cover, but he usually stands, claiming his thinking is sharper.

Threads of white are finding their way into the luxuriant black eyebrows and hair of Edmond Burke, most recent appointee to the Supreme Court and at 40, its youngest member.

Sworn in a year ago last Sunday, he has found that having three justices in Anchorage, one in Fairbanks and one in Juneau has proved less of a problem than he had expected. Justices frequently travel during three weeks out of four to meet for oral arguments and conferences. And since most of the case load and the majority of the members are found in Anchorage, justices from Fairbanks and Juneau usually come here.

In addition, the clerk of the Supreme Court, Donna Spragg Pegues, travels to Anchorage from Juneau for a few days about once every six weeks.

Total travel budget, which would also cover movement of law clerks and expenses for attending any conferences, this year stands at \$54,000. That amount was included in the \$1.1 million budget listed earlier.

An Anchorage Superior Court judge since 1970, Burke finds the Supreme Court pace quite different from trial court. Most of his work is done in the skeleton library on the fifth floor or in his office, either alone or with a law clerk.

"For me that's been quite a nice change," he said.

But the biggest change has been working in concert.

"As a trial judge I just had to make up my mind, make a ruling and that's it," he explained. "Here it's a corporate product. Three of us have to agree before we even have a decision. It takes longer, obviously, in some cases, than if you just had one man to make up his mind."

But in some ways the group decision is an easier one.

"When you're out there by yourself as a trial judge, it's a very lonely place to be," he said. "You often feel like you're on the end of a limb with a saw in your hand. You can't discuss it with anybody, including your wife."

Once in a position to send cases up to the Supreme Court for review, he has found nothing in the nature of the cases to surprise him. Burke did expect more criminal cases, however, while the majority are actually civil cases.

In 1975, 334 cases were filed with the Supreme Court, up from 278 in 1974.

Of those 334 cases, 145 were civil appeals; 68 appealed criminal convictions; five appealed juvenile convictions; 83 were petitions for review of some court ruling before final judgment in a lower court; 23 were sentence appeals, which can be filed by a defendant who contends a sentence is too

severe, or by the state if it feels the sentence was too light; four were bar association appeals involving admission or discipline; and six were matters in which the Supreme Court has original jurisdiction.

The court handed down 122 written opinions in 1975.

Cases are assigned to each justice by the clerk on a rotating basis, for re-

ch and the drafting of an opinion which is circulated among the other justices. If he proves to have a dissenting opinion, the case is reassigned.

Most actions are taken as a court, but individual justices are empowered to handle routine matters such as a motion for additional time to file a brief.

One of the most significant rulings to come out of his first year on the high court, Burke said, was that which abandoned contributory negligence and adopted comparative negligence.

Under the former doctrine, a person could not be awarded damages caused by the negligence of someone else if the plaintiff himself was found negligent in any way.

Comparative negligence allows some recovery, based on allocation of the proportion of fault.

Cases involving the state's limited entry fisheries law and oil and gas leasing in Kachemak Bay are obviously significant, Burke said, but their code of judicial conduct prohibits discussion while they are still pending.

The state Supreme Court can deny a petition for review, but unlike the U.S. Supreme Court, it cannot refuse to hear any appeal.

In Burke's opinion, anyone who labels Alaska's highest court as liberal simply hasn't read the decisions of the court.

Nobody likes to be misquoted or misunderstood, he said, but it's in the nature of the game "and you just have to take a little flak now and then."

His desk is directly in front of a large north window, with the chair facing a spectacular view of Knik Arm and Mt. McKinley. The desk parallels glass not so much for the view, he said, as to capture the daylight.

More of his work is actually done in the windowless library, he added, and his desk is usually so cluttered he can't find what he is looking for.

"So I start a new desk in the library or on a table," he explained. "I may have three or four going at one time."

He often works weekends at the office, Burke said.

"It's not that I'm being noble. I enjoy the work, and it's easier to work here than at home," he added.

"How anyone could do this kind of work with a three-year-old hanging around your neck I don't know. I can't."

Burke and his wife, June, are the parents of young Kathleen.

The son of California Superior Court judge who recently died, he was graduated from Humboldt State College and taught junior high science classes for three years before entering Hastings Law School.

He graduated in 1964 and came to Alaska three years later when he went to work in the attorney general's office in Juneau. Burke soon moved to Anchorage as an assistant district attorney, back when he was "30 pounds younger," as he puts it, and had gone into private practice when he was tapped for the Superior Court bench.

His diversion from the pressures of the court is a Super Cub on floats, which he owns with his former law partner. During the summer he heads toward the Iliamna area for fishing.

"The great thing about a rainbow," he said, "is that you can take him off the hook, turn him loose and you don't have to pack anything."

Associate justices elect their own chief justice, with the state constitution requiring a leadership change every three years. Last August Justice Robert Boochever of Juneau was chosen by colleagues to succeed Justice Jay Rabinowitz of Fairbanks.

Born 58 years ago in New York City, Boochever grew up in Ithica, N.Y., and earned undergraduate and law degrees from Cornell University.

When he was appointed to the Supreme Court in 1972, he said the privilege of sitting on a court like the Alaska Supreme Court had been an ambition since law school.

Four years later he finds it "very exciting working on really difficult issues of law," he said in a telephone conversation. As chief justice he is looking more intently at general administration of the court system, for him "more of a new area," he said.

The office of chief justice carries more administrative duties, but not necessarily more power, as policy decisions are shared by all members of the court.

Boochever spent last week in St. Paul, Minn., at a conference of chief justices called by Chief Justice Warren Burger of the U.S. Supreme Court. It centered around the 50th anniversary of publication of an article entitled Causes of Popular Dissatisfaction With the Administration of Justice, by Harvard professor Roscoe Pound.

Some of those causes for dissatisfaction still exist, he said, and although Alaska's unified court system is considered a model, it does not answer all problems in the administration of justice.

The state Supreme Court will continue to get a large number of public impact cases concerning state law, Boochever predicted, adding that the oil industry has created quite a few of public interest.

Shortly after his election as chief justice, Boochever announced plans to tour the Arctic to view first-hand the problems of justice in the Bush. So far he has visited Bethel, and villages of the lower Yukon and Kuskokwim Rivers.

His 26 years of private practice in Juneau also took him into other rural areas, he said.

The court is currently looking at the magistrate system, and problem-solving boards more in line with the old village councils to determine how they might fit into the judicial system.

Among the decisions Boochever listed as particularly memorable were the abolition of contributory negligence; unconstitutionality of the appointment of Andy Warwick as commissioner of administration when he had served in the legislature which raised the commissioner's salary; an opinion delineating the constitutional and statutory rights of prisoners; and a split decision that high schools were not mandatory in all communities.

Rabinowitz is an 11-year veteran and senior member of the Supreme Court. When he was appointed there were only three members, writing 75 to 80 opinions a year.

"The greatest change is volume," he said, but the quality of legal work also is much higher.

According to Rabinowitz "the level of appellate advocacy is generally excellent in the state, both in written briefs and oral arguments."

Alaska remains a new state and the court still is receiving a high percentage of first opinion questions, a factor that makes the job "very challenging and exciting," he said.

In the past few years he has seen a trend toward bringing trial judges and other members of the court system into the policy-making process.

Statistics and analyses are taking the guess-work out of administration. Rabinowitz added, and the court now has the ability to study its own system.

There are arguments for putting all five justices under one roof, he said.

"On the other hand, functionally we have practically achieved that under frequent meetings. The state is very sectionalized, and regions are very jealous of their justices," he added. "I know the Tanana Valley Bar Association is very appreciative of having a justice available for immediate decisions."

Judges Say Court Is Most Misunderstood Branch

By MARGARET SCHMIDT
Times Staff Writer

Of the three branches of government — legislative, executive and judicial — the least understood appears to be the last.

Clothed in the pomp and majesty of the 13th century, this facet of government deals more directly with more people than the other two combined.

Because it is so little understood, claimed judges at all levels, the courts become the whipping boys of society.

But, said Ralph Moody, presiding judge of the state Superior Court in Anchorage, "the court system is merely the whipping boy of what society has permitted.

"Society as a whole can't escape its responsibility by calling the courts lenient, and the courts can't escape their responsibility by saying some other segment is to blame.

"The greater responsibility society has to itself, the less (work) we will have in the courts."

Despite this lack of knowledge and for whatever reasons, (they vary from judge to judge) the court system is being used more and more.

District Court Judge Laurel Peterson sees the rise in caseload at all levels as a result of greater public interest in all segments of the governmental process.

Superior Court Judge James Singleton viewed the increased caseload as a result of decisions handed down by the U.S. Supreme Court under Justice Earl Warren, which encouraged people to use the courts more.

Moody, the very picture of an austere judge, said he believed people today are being led to believe "everything should be decided judicially. It might be because they have greater faith in the court system than in the other levels of government. People are led to believe they'll get a fair shake (in court) because of the adversary process, where everything is brought into the open.

"Perhaps they feel this is not so in other branches of government."

Moody, whose functions as Superior Court presiding judge are primarily administrative but who spends half his time on the bench, said he sees personal injury suits as proliferating at the fastest rate.

This, he said, is because of the concept, which he described as good, that "people should be responsible for what they build or make, and people who use these products should also be responsible for their proper use."

In his area, where he presently deals with domestic relations cases on a rotating system, Singleton noted a tremendous increase in the numbers of persons processing their own divorces without benefit of lawyers.

This, said Singleton, presents no problem if there are no children and no complicated property matters.

Also, he added, there is a definite increase in uncontested divorces. Where six years ago, he said, he might handle three to five of these a day, the number has increased to between 10 and 12 daily.

The reason, he said, is "a greater willingness to get divorced."

A similar trend Outside, he said, can be attributed to a nationwide loosening of grounds for divorce, but since Alaska has had incompatibility as a grounds since 1937, the same reason does not apply here.

"When I first came to the bench (in 1970)," said Singleton, "there seemed to be more drug related activity than there is today. Of course, I may be overlooking this aspect, but again it could be shifting from drugs to alcohol."

Peterson confirmed this latter statement. Drunk driving and other alcohol related misdemeanors, said Peterson, are handled mostly at the District Court level.

One trend which deeply concerns Singleton, he said, is the increase in the number of serious crimes being committed by juveniles.

Unlike adults, children are not legally charged as criminals but are labelled instead delinquents if, under the age of 19, they commit an act which, if committed by an adult, would be judged criminal.

However, Singleton said, he has reports of 11 and 12 year olds committing robberies armed with a gun, and "it's very rare for delinquents to have guns. They usually use knives."

Additionally, he said, there is a substantial increase in felony - type crimes of all descriptions being committed by youngsters, and a corresponding increase in the number of girls involved in these types of crimes.

Singleton hastened to add, however, that, beginning with a small base such as Alaska's, "it's easy to say we have a rash of serious juvenile crime, but there may be only one or two incidents where previously there were none. It's easy to exaggerate statistics."

Singleton attributed this rise to the state's increasing population, and thoughtfully added that perhaps the increase in the number, and therefore availability, of lawyers, may also have some effect on the numbers of these cases reaching the Superior Court.

This availability of lawyers to represent children, a right granted by the state legislature about three years ago, was scored by Moody.

This system, Moody claimed, is "encouraging the kids to have contempt for the system."

After all, he added, it is a lawyer's job to do what his client wants, as long as it is within the law. Moody said this could lead to getting a child off on a technicality, where the best interests of that child might be better served by rehabilitation or treatment.

Such a system, Moody added, prompts a child charged with delinquency to attempt to "beat the system, rather than find a solution to his behavior. It's training people to be non-law-abiding

citizens."

Singleton said he finds child custody hearings the most difficult to ponder, rent as they are by emotion. His second greatest discomfort on the bench is out of sentencing.

In both instances, he said, "you're trying to resolve a present dispute about something that happened in the past. In child custody cases, you have to project what might happen in the future, based on what happened in the past, and in most instances what happened in the past may not apply in the future."

The same, he said, applies in criminal sentencing. It evolves into a prediction of the future based on past events that may no longer be relevant.

For that reason, Singleton explained, "the court is least likely to have a good batting average" in criminal sentencing. This is not so evident, he added, in cases dealing with commercial law, for while these too deal with past events, they generally "operate within fairly definite legal rules."

Both Moody and Singleton conceded that judges are, after all, only human and prone to mistakes.

"We make mistakes, no question about it," Moody said, "but we (the courts) are not the answer to all of society's ills."

"The general concept of the courts is that we are the salvation of society. Actually, we are only designed to make a determination of guilt or innocence in criminal cases. When it comes to reforming criminals, we're not experts and society shouldn't expect us to be.

"If they want us to do it, society has to provide us with the ability to do it."

Moody added that people are led to believe the courts can do much more than they can, and this leads to disillusion when the system can't follow through its decisions.

For example, Moody said, the court may award a debt collection, but if the party doesn't pay there's no way the court can collect that money.

Pomp, Majesty Mark System

He gave another example. If the court adjudges someone innocent by reason of insanity, and soon afterwards that person is released because competent doctors can find no trace of insanity, the courts are the first blamed. Yet, Moody said, it was not the court which released that individual.

"There's never a clear cut answer," Moody said. "If there were, there would be no litigation in many instances. A judge must assess who to believe, what testimony is more reasonable. You can sit there and think about it but sooner or later you have got to make a decision. That's the name of the game."

Certainly, said Moody and Singleton, in every case someone walks away dissatisfied.

"That's the name of the game too," Moody said with a slow smile. "Somebody is dissatisfied in every decision. Sometimes everybody's dissatisfied."

To Singleton the pomp and ceremony still attendant on court proceedings serves a useful purpose, to somewhat soften the blow for the losing parties. By the sheer formality of the proceedings, he explained, the parties involved consider they have received open, just treatment. Still, he added, "the loser's satisfaction turns on his willingness to accept the decision.

"The major thing I do as a judge is to try to defuse emotion. I must pay sufficient attention so that I can ease a situation if tension begins to build."

Neither Moody nor Singleton have been threatened by "losers," although both have been shouted at and one unhappy lady threw a microphone at Singleton.

On the bench Singleton, generally an erudite and voluble young judge, displays a calm reticence and only occasionally intrudes into the proceedings.

Moody, on the other hand, comes across as "the old man of the tribe," the historical perception which, Singleton contended, society has of its judges.

Such a view, Singleton expounded, presupposes a

"tribe," a homogeneous community with a like point of view. Anchorage, he added, is not reflective of this "tribe" quality, presenting instead a heterogeneous community with divergent views.

"Even if it were a tribe," Singleton quipped, "some of us don't qualify as old men."

For that reason, the heterogeneous composition of the community, dissension often surrounds the court system and judges' decisions.

Some of the criticism, Singleton said, is certainly warranted.

"If the criticism is that we're using 13th century concepts to deal with 20th century problems, then it's true," Singleton elaborated. "Lawyers are tradition-oriented.

"If the objection is that we're less efficient than we need be and not coming to grips with, or not being responsive to the community, then that's true too.

"If the criticism is that the courts are making decisions more properly defined as political decisions, a good argument could be made that that is the case. But consider, how have the courts acted historically? The line between the judiciary and the legislative functions has not been firmly fixed."

Further complicating the dissensions, Singleton said, is that much of the court system remains unclear to the general public. Courts do not, he said, receive as much publicity as the other branches of government, yet the "average citizen is more influenced" by court actions than by the actions of the other two branches. Singleton cited the vast numbers of people processed through small claims courts, traffic courts, and so on. Yet these activities seldom generate news, he said, although they "impact the community tremendously."

Singleton does not demur on the point that judges have made bad decisions. The system, he said, lends itself to mistakes, for "in most cases you don't know — how can you know — if you're right or wrong?"

As for the charge that judges are in league with criminals to destroy society, Singleton said it is nonsense.

Again, he said, judges are accused of wishy-washy liberalism. This, too, he con-

sidered inaccurate. Judges, he said, are generally of a conservative cut of cloth.

Leniency in sentencing was the only "don't know" area Singleton conceded to.

Most judges, he said, are particularly conscientious in reviewing all the facts presented and in attempting to strike a balance, but "reasonable men can always differ if a particular sentence is protective of the community or not."

However, as Moody noted, it is the judge up there on the bench who must make the decision. The person who has problems making up his mind, the presiding judge said, has problems on the bench.

Moody said he believes that the longer a judge sits on the bench, the better qualified he becomes to handle all types of cases.

Moody is himself a long-standing member of the bench. He was appointed to the Superior Court by former Gov. William Egan in 1962, and is into his second term as presiding judge. He first filled this function from 1964 to 1969. He was renamed presiding judge, overseeing 10 Superior Court justices in the third judicial district, in November 1975.

A graduate of the University of Alabama law school, Moody came to Alaska in 1946 with the Office of Price Administration. He lasted exactly two weeks in that job. After a training stint in Juneau, Moody was sent to Anchorage. On the plane he heard of an opening with the Corps of Engineers, and on the ride from the airport into town sewed up that job.

Before coming to Alaska he served six years in the Signal Corps, spending time in both the European and Pacific theaters during World War II.

He remained with the Corps of Engineers about 18 months and in 1947 was appointed assistant U.S. attorney in Anchorage, a post he held until 1951 when he went into private practice. In 1960 he was named state attorney general and two years later received the appointment to the bench.

An avid outdoorsman, Moody was once noted around town as the judge who walked his massive St. Bernard to work every morning from his Cordova Street home. The dog, he laughed, would then be picked up by Mrs. Moody and taken home.

Singleton was named to the Superior Court in 1970 at the age of 31, one of the youngest ever in the state. A native of the San Francisco area, Singleton first came to Alaska while still in law school.

His only alternative at home, he said, would have been to become a minor cog in a huge legal machine, and he wanted some small law firm experience before he submitted.

It was love at first sight and upon graduation from the University of California at Berkeley in 1964, Singleton returned to Alaska. He went into private practice, and from 1966 to 1970 he served as chairman of the state's Local Boundary Commission.

In 1970 he resigned to become chairman of the south-central committee of the Republican party, but left soon afterward for the Superior Court slot.

Singleton and his wife Sandra have one son, Mathew, two and a half, and "another on the way."

New Rules To Govern Small Claims Actions

New rules governing the filing and processing of small claims suits in all district and magistrate courts in the state are being put into effect this month by the Alaska court system. These rules adopted by the Alaska Supreme Court clarify previous small claims procedures and further simplify the small claims process.

The small claims system was established several years ago to provide a simple, informal means for processing law suits for claims of \$1,000 or less which do not involve complex legal questions, such as claims for unpaid bills or debts, recovery of damages or return of personal property.

The system is designed to permit a person to file his own small claims suit or to defend himself in such a suit without the aid of a lawyer, although lawyers are not prohibited from assisting in small claims suits. The new rules, however, do require that a person or business such as a collection agency must be represented by a lawyer or legal intern when attempting to collect on a note held on assignment.

With the adoption of the new rules, standardized forms and instructions are being provided in all district and magistrate courts in the state. These include separate small claims packets for those filing small claims suits and for those defending themselves in

these suits. A handbook also is being prepared to explain the small claims system and procedures.

Individuals or businesses intending to file a small claims suit can obtain a small claims packet from any district or magistrate court which contains the necessary summons and complaint forms, the latter requiring a simple statement of the claim and amount sought. When completed a person can ask the court to have the complaint and summons delivered by certified mail, or he can arrange for delivery by a process server.

The court, in turn, will provide each defendant with the forms and instructions he will need to file an answer to the suit and any counterclaim he might have.

Under the new rules the defendant will have 20 days in which to file an answer to a small claims suit instead of the 14 days previously required. While the rules do not permit entry of a default judgment if the defendant cannot be located, the rules do provide that a refusal to accept a complaint and summons can still lead to a default judgment if no answer is filed.

When an answer and any counterclaim has been filed the people involved in a small claims suit will be notified by

the court of the time and place for a trial. If an agreement is reached before a trial the court will enter an appropriate judgment.

GLOSSARY

- ACQUIT To be found not guilty
- ACQUITTAL In a criminal case, a finding that the defendant is not guilty.
- ADMENDMENT * An addition or change to a bill, statute or constitution.
- ALLEGE To make or state an accusation.
- APPEAL Take a case to a higher court for review.
- ARRAIGN. To bring a prisoner to the bar of the court to answer the matter charged upon him.
- ARRAIGNMENT. The bringing of the accused before a judge to hear the complaint so the accused may enter a plea of guilty or not guilty. The judge may decide to set bail during the arraignment.
- ARREST Taking a person under control by lawful authority.
- ASSAULT. An intentional threat which would reasonably make the person threatened feel in danger of physical harm.
- ATTORNEY Lawyer, counsel
- AUTHORITY. Legal right to control--power.
- BAIL Money that the judge makes the accused person pay to the court to make sure the accused will show up at the trial. The bail money is usually lost if the accused does not show up at the trial. People who can not pay bail must stay in jail until their trial. Bail is returned after trial.
- BAILIFF. An officer of the court who has charge of the accused person while he or she is in the courtroom.
- BATTERY. An intentional and unprovoked harmful physical contact by one person with another person.
- BILL A proposed law presented to a lawmaking body.

BOND A promise to pay a sum of money if the terms of bail are not faithfully performed.

BRIBE. To give or promise something in order to induce someone to do something illegal.

BURGLARY The breaking and entering the premises of another with the intent to commit a crime.

CAMPAIGN The organized effort by different political candidates or organizations for the special purpose of getting someone elected to a government office or some item approved by the voters, such as a tax levy.

CHAMBERS A place where a judge hears matters not requiring action in court.

CHARGE 1) An instruction given to the jury by the judge;
2) An accusation made by legal authorities.

CITIZEN. A person is a citizen of a state or nation if he or she is born there, or chooses to become a citizen of that state or nation. Citizenship gives certain rights, but also imposes some responsibilities.

CIVIL CASE A lawsuit to enforce a right or gain payment for a wrong (other than a criminal offense) done to a person or party by another person or party.

CIVIL LAW. The rules which regulate legal affairs between private persons, such as contracts and other agreements.

CLERK. Court official who keeps court records, official files, etc.

CLIENT A person who engages the services of a specialist or an institution.

COMPLAINT. The first paper filed in a lawsuit which states the wrong done to the plaintiff by the defendant and a request for a remedy by the court.

CONCEIVABLE. Believable; imaginable

CONFESSION Owning up; telling one's mistakes or wrongdoings.

CONFRONTATION. Meeting face to face.

CONSTITUENT. The basic plan and principles according to which a state or country is governed.

CONTEMPT. A willful disregard or disobedience of the court. Any act calculated to embarrass, hinder, or obstruct the court in the administration of justice.

CONTINUANCE. The adjournment or postponement to a subsequent day of an action pending in a court.

CONTRACT. An agreement between two or more persons where one makes a promise in exchange for something of value.

CONVICTION. In a criminal case, a finding that the defendant is guilty.

CONTRIBUTORY NEGLIGENCE. Negligence on the part of the plaintiff that helped cause his or her injury.

COP A PLEA. To plead guilty to a crime that carries a lesser penalty.

COUNSEL. Lawyer.

COURT. Place where judges hear lawsuits, where lawyers represent each side and witnesses give testimony for the jury to reach a verdict and the judge to make a judgment.

COURT INJUNCTION. An order requiring the person or persons to whom it is directed to do or (more commonly) not to do a particular thing.

CRIME. Any act considered harmful to the general public that is forbidden by law and punishable by a fine, imprisonment, or death.

CRIMINAL CASE. A lawsuit by the government to try to find an accused person guilty of committing a crime.

CROSS-EXAMINE. To examine, through questioning, a witness called by the opposing side, usually with the purpose of disproving his testimony: The defense counsel cross-examines witnesses called by the prosecuting attorney.

CURFEW. A time set by the authorities after which certain persons (usually juveniles) are not allowed to be out on the streets or in public places. Sometimes exceptions are made such as when juveniles are accompanied by an adult. They may then be allowed to be out after the curfew time.

CUSTODIAL

ARREST. An arrest which involves holding a person to answer a criminal charge; the mere issuance of a ticket for a simple traffic violation would not ordinarily be a custodial arrest.

CUSTODY. In the keeping of the police or court.

DAMAGES. Money that a court orders paid to a person or party (usually the plaintiff) who has suffered a loss by another person or party who caused the loss (usually the defendant).

DANDER Anger; temper.

DEFENDANT. A person against whom a legal action is brought.

DEFENSE. The evidence offered by the party against which a legal action is brought.

DEFENSE

ATTORNEY The lawyer who defends the defendant or the accused person.

DEGRADING. Disgraceful or debasing; dragging down one's moral character.

DEHUMANIZING Depriving of human qualities.

DELINQUENCY. A term used in place of the word "crime" when youths, or juveniles under a certain age are involved (the age varies from state to state).

DEPOSITION Statements a lawyer gets from witnesses before a trial.

DETENTION. The act or state of keeping in custody; confinement.

DETERENCE. A way to discourage or prevent a person from committing a crime.

DISORDERLY

CONDUCT. Acts against the public peace defined by law as disorderly and injurious to the rights of others.

DIVULGE. To reveal, or make public.

DUE PROCESS. Fair treatments.

ENDEMIC. Characteristic of a place or people; prevalent among a group of people.

ENFORCE. To require obedience to a rule or a law.

EVIDENCE Facts; proof; a statement or a thing that makes clear something is true or happened.

FACT Something that exists and is real.

FARCE. Something that is absurd, ridiculous, or has no meaning.

FELONY A very serious crime such as murder, armed robbery, etc. where imprisonment is usually for more than one year.

FORNICATION. Unlawful sexual intercourse.

FRISK. A pat-down given by police on the outside of a suspect's clothes in search of weapons:

GRAFT. Taking advantage of one's position to gain something dishonestly; anything acquired by such illegal methods.

GRAND JURY A jury which hears complaints and accusations of a crime and which can make formal accusations or indictments after which the accused is tried in court.

GRAND LARCENY. Theft of property worth more than a certain amount of money as set by law.

GRIEVANCE. A complaint about a real or imagined wrong.

GUILLOTINE An instrument for beheading, with a heavy blade that slides down between two vertical guides.

HEARING. A listening (A meeting between the judge or the examiner, parents, and the accused juvenile where each side is presented in a fair manner in order to make the decision about what will happen to the juvenile.)

HERESY A belief opposed to church doctrine or dominant opinion.

HOLE Isolation; a small room without windows where a prisoner is confined for extraordinary punishment.

IMMORTALITY. . . . Everlasting life.

IMMUNITY A privilege granted to a person, making him or her exempt from legal prosecution or punishment concerning a particular case.

IMPARTIAL. . . . Fair; without prejudice.

INCORRIGIBLE So bad that it is believed one can't change for the better.

INDETERMINATE SENTENCE A prison sentence for an unspecified number of years.

INDICTMENT A formal accusation of the commission of a crime against a person by a grand jury.

INTERPRET. . . . To make clear the meaning of.

JOY-RIDING Stealing a car with the intent to return it after taking a ride. Some state laws make a distinction between joy-riding and outright auto theft, but most do not.

JUDGE. . . . A person appointed or elected to hear and decide questions of law in court cases, and to make certain that fair procedures are used.

JURISDICTION The geographical area in which a court can hear and decide legal matters.

JURY. A group of people (usually twelve), chosen by law and satisfactory to both sides of a lawsuit, to decide the facts of a case.

JUVENILE COURT A court of summary jurisdiction which without a jury hears cases and determines punishments of youthful delinquents.

LARCENY. Theft of any kind.

LAW. A system of rules made by a government to protect society; a statute or act passed by the legislature.

LAWYER A person who has been licensed to represent others in legal matters.

LEGISLATURE. . . . A body of elected representatives of the people which passes, or refuses to pass, bills introduced by members of the legislature.

LENIENT. . . . Mild, not harsh or severe.

LIABILITY. . . . A legal responsibility, obligation, or debt.

LITIGATION A lawsuit; the process of making a lawsuit; the process of making a claim in court.

LOBBYIST Person who tries to influence the members of a legislative body to stop or to push through bills.

LOITERING. . . . Standing around idly without any real purpose or goal. Just hanging around.

MALICE An intentional doing of a wrongful act without good cause, with intent to do injury. Evil intent.

MANDATORY. . . . Obligatory; required.

MANSLAUGHTER The unlawful killing of another without malice, which may be either voluntary or involuntary.

MIRANDA WARNINGS The warnings law enforcement officials are required to give suspects before questioning can begin, as specified by the Supreme Court ruling in the case Miranda v. Arizona.

MISDEMEANOR. . . . A less serious crime such as resisting arrest or petty larceny (property of small value), where the imprisonment cannot be for more than one year.

MOCK Make believe.

MURDER The unlawful killing of another person that is planned in advance with evil intent (malice aforethought).

ORDINANCE. . . . A local law or regulation issued by a municipality or other local government authority.

PENALTY. . . . Punishment.

PENANCE. . . . An act that is performed to make up for wrongdoing.

PENITENTIARY A state or federal prison for those convicted of serious crimes.

PERJURY. . . . Lying which under oath.

PETIT (PETTY)
 JURY A trial jury which decides questions of fact in a court case.

PETIT LARCENY. . . . Theft of property worth less than a certain amount of money as set by law.

PETITION Ask earnestly (Citizens can sign a petition to make a formal request to do something).

PLAINTIFF. The person or party who files a complaint and brings a legal action against another person or party.

PLEA An accused person's answer to an indictment.

PLEA BARGAIN An informal arrangement between the prosecution and defense, approved by a court, in which a criminal defendant pleads guilty to lesser charges than those brought against him or her by indictment.

POLITICS The study of how government operates.

PRECEDENT. Using previous court decisions for guidance in deciding questions of law in a similar case.

PREDICT... Forecast or tell beforehand.

PRE-TRIAL
 HEARING. A presentation of testimony and arguments to the judge occurring before the trial.

PROBABLE CAUSE Reasonable grounds for belief, required by the Fourth Amendment to the Constitution, before any search of the area protected by that amendment can be made.

PROBATION. A method of treating juvenile delinquents by releasing them in care of their parents or other guardian, but under certain specified conditions, including supervision by an officer of the court, called a probation officer.

PROSECUTOR Lawyer who defends the interest and the rights of the people of the state against the defendant in a criminal trial.

PUNITIVE Relating to punishment; inflicting punishment.

RECIDIVISM Repetition of criminal acts by one person.

RECOGNIZANCE * * * An obligation entered into before the court to do some particular act; release on personal recognizance (rather than bond) would be a release on a defendant's personal promise to appear before the court when required.

RECORD The official written report on proceedings in a court of law.

REHABILITATE * * * Making over to a good condition.

REPEAL To take back an existing law.

REPORTER * * * * The court reporter records court proceedings and later makes good copies of some of them. Good records are important when a case is appealed to a higher court.

RESIST To oppose by using direct action or some kind of force.

RESPONSIBILITY * Having an obligation.

RETRIBUTION. The act of giving or receiving punishment that is regarded as equal in severity to the crime committed.

REVENGE/
VENGEANCE * * * * Injury or punishment that is inflicted in return for an injury or insult.

SEARCH An examination of a person or that person's personal property, house, or other premises in order to locate anything that could be used as evidence in a legal proceeding.

SEARCH
WARRANT. * * * * A court order authorizing the police to make a search in a certain place.

SENTENCE The punishment or penalty given by the judge to a person convicted of a crime after the jury has given the verdict.

SHOPLIFTING. Stealing goods which are displayed for sale in a store.

STATUTE. A law passed by a state legislature or the Congress of the United States.

STEREOTYPE . . . To lump people together in one group or category and then to believe that everyone in that group or category is exactly alike,

SUBPOENA . . . A court order to appear in court to give testimony.

TAKE INTO CUSTODY. . . Placed under the physical control of (not necessarily meaning arrested).

TESTIMONY. . . Evidence given by a witness under oath.

TORT . . . A wrong done to another person other than a criminal act.

TRANSCRIPT . . . A written copy.

TRIAL. . . A legal case in a court decided by a judge and jury.

TRIAL JURY . . . A group of citizens that listens to the evidence presented in a courtroom and gives its verdict; also called petit jury.

TRUANCY. . . Unauthorized absence, usually from school.

VANDALISM. . . Deliberate defacement or destruction of property.

VERDICT. . . The decision made by the jury during a trial.

VIOLATE. . . Break.

VOIR DIRE. . . The questioning of possible jurors by the judge and the lawyers to decide whether they are acceptable to decide the case.

WAIVER A written statement giving up some right, interest, or the like: He signed a waiver on his piece of property.

WARRANT. . . . A written document, issued by a judicial officer, authorizing a law enforcement officer to make an arrest, seize property, make a search, or carry out a judgment.

WITNESS. . . . A person who has information as to what he or she has seen or otherwise observed about a case.

WRIT OF HABEAS

CORPUS . . . Used to find out if the detaining or imprisonment of a person is unlawful.

ZONING

ORDINANCE. . . A public regulation specifying the kind of structure which can be built in a particular area.