



Civil Discourse and Difficult Decisions: Legal Skills as Life Skills – A Realistic Courtroom Simulation with a Federal Judge and Attorneys

[Civil Discourse and Difficult Decisions](#) is a [national initiative of the federal courts](#) that is available to and readily useable by state courts. The program brings high school, college, and law school students into courtrooms for legal proceedings that arise from situations in which law-abiding young people can find themselves. These realistic court hearings (not mock trials) are conducted in-person and [virtually](#).

Learning Objectives – Benefits to Students: Student feedback indicates that their courtroom experience teaches and reinforces life skills of civility and solid decision-making; puts a human face on the diversity of the legal system, opens career paths, and motivates young people to serve willingly on juries when called. In addition to offering broad participation across learning styles, skills, aptitudes, and dispositions, the program also prepares students for exams that focus on landmark Supreme Court cases. The courtroom simulation is one of the [six proven, research-based practices](#) for improving civics education.

Format and Duration are Adaptable. The flagship program [Civil Discourse and Difficult Decisions](#) is a three-hour in-court experience, however, it can be modified for a 90-minute experience and can be offered as a virtual event.

Time Commitment.

Preparation – Teachers and Students. There is no advance classroom work to prepare the students. That happens in the courtroom during the event.

Preparation – Judge and Attorney Volunteers. The only preparation required is a 45-minute review of the web materials and a 15-minute virtual orientation meeting with the attorney volunteers and the outreach manager/program coordinator. **Attorney volunteers have two roles:** 1) coaching the student attorneys; 2) coaching the student jurors. All materials are posted on <uscourts.gov>. One example is [Elonis v. U.S. and a fictional cyberbullying scenario](#). Start with **the Activity Download**. The agenda and all materials are in Word so that they can be customized.

Participation is Inclusive. Every student and learning style can participate in the jury deliberations that are the centerpiece of the program. In addition, some students serve as attorneys, coached by adult attorneys. In some instances, several students may sit on the bench with the presiding judge.

Involvement of Adults in the Community. Students take the Reality Check Quiz and the Civility Self-Reflection Tool in the courtroom. However, to involve family members and support systems, they can be taken with adults in the lives of the students. These tools stimulate important conversations on civility in conflict resolution, and decision-making skills in daily life.

Learning Outcomes. Participants leave the program with sharpened tools for civil discourse and decision-making and a heightened awareness of situations they may not realize can have legal and long-term consequences. They have a rare opportunity to interact in small groups with a federal judge and attorneys. In doing so, they experience the differences between media portrayals of court professionals and processes and what happens in real life. They also are welcomed into the legal community and its career options.

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Civil Discourse and Difficult Decisions: How it Works

1. Civil Discourse Skill Building

At the beginning of the event, students use a civility self-reflection tool to assess their typical responses to conflict. During the event, they discuss their own civil discourse attitudes, behaviors, language, and standards of behavior. They use these insights to set ground rules for civil discourse during jury deliberations in the courtroom.

3. Scenario

To prepare for the courtroom arguments, students read a one-page fictional scenario that is based on a landmark case decided by the Supreme Court of the United States. Attorneys also present the information verbally.

4. Simulation

Student attorneys, working with attorney volunteers, prepare for and present arguments before the judge(s) and the jury. The volunteers coach students through each of these roles, and students are provided with a handout to suggest key messages. Student attorneys may use these scripted talking points (or not) as a reference for their own arguments. While the student attorneys prepare, the student jurors work with attorneys to do an issue-spotting activity and talk about jury deliberations.

During the hearing, the student attorneys present their arguments, the student judges ask them questions, and the jurors observe. After the arguments, the student judges retire to the judge's chambers and come to a decision, while the student jurors deliberate in the courtroom. When everyone returns to the courtroom, the judge leads a discussion on the decision and the show-of-hands (not unanimous) verdict.

Student Roles: In the courtroom simulation, students have three roles:

1. **Student Judges:** Some sit on the bench with the presiding judge and question the student attorneys;
2. **Student Attorneys:** Some are lawyers who argue the case before the judge and jury; and
3. **Student Jurors:** The rest serve as jurors who must decide the outcome of the fictional, teen-relevant scenario.

5. Candid Conversation

The last segment is a discussion with the judge and attorneys of the Reality Check Quiz, a list of scenarios in which young people can find themselves that can result in legal and long-term consequences. The closing question-and-answer session with the judge and attorneys on any topic is a highly rated candid conversation on topics and issues raised by the participants.