

YOU BE THE JUDGE – THE UNITED STATES SUPREME COURT IN REVIEW

OUTREACH TO STUDENT AND ADULT AUDIENCES

A number of years ago my youngest son, who is now in his third year of law school, saw me preparing to leave one evening and asked me where I was going. I told him I was going to a meeting where I would explain to a group of people how our justice system worked. He considered this briefly and then asked, “Why would they want to listen to you ?” I heard myself replying, “Because outside this house there are people who think I’m pretty important.”

In fact, studies have shown that American citizens want to better understand their system of justice and they like hearing about it from judges. There is a healthy reservoir of good will that our citizens have for the courts, notwithstanding the occasional high profile case that may stir up controversy. Jurors generally go home after service as friends of the judiciary. While we know the job that is being done by our court system, most people don’t know how the system is working and there is a great deal of misinformation being spread around. Doing a good job is the best way to gain the public’s support and trust. But we all know in this media age of 30 second spots and bumper sticker wisdom that being right and doing the right thing is not always enough. That is why the ABA and others suggest that judges get out and help educate the public on the way the judicial system works and the challenges it faces.

Public education about the law can take many different forms. One program that has been developed in Kansas has the advantages of being properly professional and appropriate, is relatively easy to do, and is liked by the audiences to whom it is presented.

You Be The Judge – The United States Supreme Court in Review, was developed by three Kansas Court of Appeals judges in the mid-1990s. The program started in a lecture format where judges would review recent U. S. Supreme Court decisions and take questions. The programs were presented to high school students. One early morning presentation was not going well and the students were obviously bored. In desperation the judges involved the students in the discussion of the cases to try to wake them up, asking for their opinions on the issues involved. The students became much more interested and animated. When they discussed it later the judges decided to experiment with more audience participation. Within a year they were pulling people out of the audience to play the parts of the litigants, lawyers, judges and justices.

The cases that were selected for presentation lent themselves to easy guidance of the audience members by the judges through the facts and legal issues so the audience members didn't need to be prepared beforehand. Props were introduced, such as judges' robes, large stuffed (drug) dogs, and specimen jars, to illustrate the cases. The presentations became better with a little practice. High schools were the first audiences. We expanded to colleges, junior highs and adult groups; especially senior citizens groups who are always looking for programs.

The hardest part of the program is coordinating appearances with the schools. If judges can establish good relationships with the local schools it becomes much easier. This is a good thing in itself. The Kansas Bar Association and the Kansas Council for the Humanities help us by advertising the availability of the programs. Many judges have participated in the program. In the last 14 years there have been over 400 presentations to over 50,000 people. In 2006 there were 17 presentations made for the observance of Constitution Day to 3500 students. Some presentations have been made on local public access channels and on school distance learning networks. The program is presented annually to the Kansas Boys State and Girls State. It was presented at Girls Nation in 2010. Many groups are surprised when they find that judges are willing to provide such a quality program.

Generally, the program starts with introduction of the judges and a brief discussion of our court system and the reason for our system of checks and balances and separation of powers. The judge then presents two U. S. Supreme Court cases in a total time period of about 50 minutes. The program can be shortened or lengthened. We have developed materials for a number of cases along with suggestions for staging them. They are not difficult to do. We try to leave time at the end for questions. There are always questions.

You Be The Judge allows judges to appear before the public in an appropriate fashion and help better educate people about our judicial system in an interesting and entertaining way. The program not only gives the people attending an opportunity to learn more about our justice system, but it gives the judges a chance to put a human face on the judiciary. We believe this helps dissipate some of the misinformation and misperceptions that are sometimes spread about the courts and judges. When this program is evaluated by teachers and adult group sponsors it always gets high marks.

Judges and others interested in the program are encouraged to contact Judge Joe Pierron of the Kansas Court of Appeals, 301 S. W. 10th Avenue, Topeka, Kansas, 66047-1507, 785-296-5408, pierronj@kscourts.org. We will be glad to provide scripts and other materials and discuss the possibilities with you.