

How to Analyze a Court Case

Lesson from the Courts in the Community curriculum
Find out more about [this program](#) and discover [additional lesson plans about how state courts operate](#).

Objective: Students will be able to identify what it means to think fairly, and obtain the skills to dissect court cases and scenarios for relevant issues and consider the facts presented.

Inquiry Questions

- Is it possible to be fair and objective in analyzing a court case? Why or why not?
- Is the fairness and objectivity standard still relevant? Would another standard be more relevant?

Colorado Academic Standards

- **SS.HS.4.2.EOf.** Evaluate the role of the judicial system in protecting life, liberty, and property for all persons in the United States

Activities: Class discussion; homework assignment.

Grade Level: High School

Anticipated classroom time: 45-60 minutes

Teacher Background Information

Introduction

By former Colorado Supreme Court Chief Justice Nancy Rice

The legitimacy of trials depends on the notion that trials represent a “search for the truth.” In addition, in our system of justice, juries are supposed to base their verdicts on “what really happened.” We are all, to some extent, captives of our own backgrounds. Nevertheless, as lawyers and judges, we have to put aside our biases and prejudices, and think objectively about the cases presented to us.

The first step in analyzing a case is to analyze the witness statements. Not all witness statements need to be given the same weight, as some witness statements may be misleading as a result of misperception, forgetfulness, mistake, wishful thinking, reticence, embarrassment, or ignorance. Often, opposing witnesses will tell completely different versions of what they perceive as the truth.

Thus, we sometimes have to decide which witness is telling the truth. To make this decision, ask yourself whether the witness experienced the events herself, or whether someone else told her about them and she is just speculating about what happened. In addition, ask yourself whether the witness has a good reason to lie — for example, she might get money or stay out of jail if her version is believed. Remembering that there are two sides to every story, objectively ask yourself, “What makes sense here? Which story is the most logical?”

Next, it’s important to match the witness statements to the “real” evidence in the case — pictures, documents, weapons, blood tests, contracts, and other evidence of that sort. If a witness’s testimony is completely contradicted by the “hard, cold facts,” then it’s unlikely to be objective true.



Finally, remember that a case is decided on more than just its facts. An objective assessment of the applicable statutes and controlling case law is always necessary.

Class activities

1. Write the following definitions of objective and fairness on the board: (from Merriam Webster Dictionary):
Objective: expressing or dealing with facts or conditions as perceived without distortion by personal feelings, prejudices, or interpretations
Fairness: ability to judge without personal feelings or interests and to make specific judgments in a particular case.
2. Briefly discuss the following definition for objective and fair and its application to legal decisions and ask the following questions:
 - Is it possible to be objective in deciding a court case?
 - What does it mean to be fair?
3. Divide the students into groups of three or four and randomly hand out one scenario to each group. Have students discuss in groups.

Scenario 1: A high schooler is at a party, and it's nearing midnight. He knows he needs to leave soon to make his curfew, but none of his other friends are leaving. He finally decides to leave, not wanting to risk being grounded. On his way home, he is stopped for speeding and given a \$75 ticket. He thinks this is unfair, since he was only leaving the party to obey his parents' rules. If he had stayed at the party, he wouldn't have been pulled over at that time, and he would have saved his driving record and wallet. Was it unfair of the police officer to give him a ticket?

Scenario 2: A new girl is trying out for the soccer team. At her former high school, she was the captain of the team and excelled at the sport. During her tryout, she trips three times, doesn't kick a single ball into an empty goal, and allows five goals to be scored on her. She doesn't make the team. She knows she was having a bad day and believes she is better than most of the girls who made the team. Was it unfair of the soccer coach not to give her another chance? Should the coach have granted her a spot on the team based on her reputation?

Scenario 3: A boy is finishing his government homework during study hall. A girl comes up to him, explains that she didn't have time to do the assignment, and asks to copy his answers. He reluctantly agrees. A few days later, the teacher calls both of them into the classroom and comments on the similarity of their answers. In fact, the teacher says, their responses are identical and asks for an explanation. Both students remain silent. The teacher says she has no choice but to give them both failing grades. Was it unfair of the teacher to give the boy who did his own homework the same punishment as the girl who copied?

4. Have groups read one scenario at a time and have a class discussion.
5. If time, read the synopsis of the appellate court case to be argued at your school. Or, if you are teaching this lesson separately from having an appellate court visit, you can look at past court cases that have been used for [Courts in the Community](#).
6. Discuss with students how they would rule and why.
7. If there isn't time, you can assign as homework. Additionally, the case will be discussed in "How to Argue a Case in Appellate Court" if you feel students need more context before reviewing the court case

