

LESSON 6

Grade Level & Subject: High School Social Studies (History or Government)

Unit: Discovering the Rich History of the Michigan Supreme Court

Lesson: *Michigan United Conservationists Club (M.U.C.C). v. Michigan Secretary of State*: An issue of referendum

State Standards and Benchmarks:

Social Studies. Strand III. Civic Perspective. Standard III.1 Purposes of Government. All students will identify purposes of national, state, and local governments in the United States, describe how citizens organize government to accomplish their purposes and assess their effectiveness. Standard III.3 Democracy in Action. All students will describe the political and legal processes created to make decisions, seek consensus, and resolve conflicts in a free society. Strand V. Inquiry. Standard V.1 Information Processing. All students will acquire information from books, maps, newspapers, data sets, and other sources, organize and present the information in maps, graphs, charts, and time lines, interpret the meaning and significance of information, and use a variety of electronic technologies to assist in accessing and managing information.

Unit Outcome:

When this unit is finished, students will be able to: (1) conduct historical research/investigation using both primary and secondary sources, (2) describe the importance of the Michigan Supreme Court, (3) present, verbally and in written form, informed opinions about Court decisions and procedures, and (4) recognize how the Michigan Supreme Court affects their lives.

Lesson Outcomes:

Students will be able to:

- Conduct observational research
- Recognize procedures, processes, and justices of the Michigan Supreme Court
- Debate a case that was presented to the Court
- Analyze the oral arguments of this case

Rationale/Purpose for Lesson:

This lesson is an attempt to make students use what they already know to help them learn more about the Michigan Supreme Court. Students will learn to conduct observational research today. This is a type of research that is very commonly used in the fields of anthropology and psychology. Students will have to watch a Michigan Supreme Court session (or part of one) in order to fully grasp how the Court operates and how lawyers present their cases in front of the Court.

Resources/Materials required:

- MGTV video: “M.U.C.C. vs. Michigan Secretary of State” (or any other recording of a Supreme Court case the teacher finds interesting/relevant)
[If the teacher wishes to use an alternate case, he/she will want to choose a case heard since October of 1996, research that case via the State of Michigan Library – Briefs, decisions, etc. are available at the Law Library – and then contact MGTV to request a video copy of the session in which the case was heard: Michelle Webb or Shelly Hadley at MGTV, 111 S. Capitol Ave., 4th Floor, Romney Bldg., Lansing, MI 48909, 517/373-4250, (fax) 517/335-7342, www.mgtv.com]

Introduction:

Ask students if they know what observational research is. Ask them if they know of professions that make use of this type of research. Ask them to explain how and when such research could be useful. Tell them that they will learn something about conducting such research today. Tell them that they will be watching an MGTV video recording of a case heard by the Michigan Supreme Court. Their responsibility will be to identify the appellant, the appellee, the justices, the crier, the argument of the case, etc.

Procedures:

1. Play the video recording of the case to be studied (in this instance, the M.U.C.C. v. Michigan Secretary of State)
2. Inform students that they should definitely take notes paying careful attention to whatever they might recognize (i.e. appellee, the crier calling the Court to order, etc.) Tell them also to pay attention to the arguments of the case
3. Tell students to first identify the problem or argument in this case (MGTV helps with this by putting text on the screen that serves as an introduction to the case and provides the basic information about it)
4. Pause the tape and ask students if they know what “referendum” is. If they do not know, give them a definition and brief explanation
5. Continue with the tape
6. Tell students to listen to the lawyer from M.U.C.C. when he talks about referendum and difference between it and initiative. Once this is past, pause the tape again and ask students to define initiative. If they do not know, again, explain it to them
7. After the M.U.C.C. lawyer finishes presenting his case, stop the tape and ask students to state what the lawyer is arguing for. Tell them to hold other comments until the tape is finished
8. When the tape is done, tell students to take out a sheet of paper

9. Tell them they will have two minutes to write down any thoughts they have about the video. Tell them to write about what they saw heard, wondered about, agreed with, were confused by, etc.
10. At the end of this two-minute period, tell students to stop writing
11. Ask for volunteers to share their thoughts
12. Tell students that they may want to watch the video again
13. Give those students that want the opportunity to watch the whole or parts of the case again the chance to do so
14. Lead a discussion about the issue of the referendum and the arguments of this case
15. ***If the teacher wishes, she/he may do further research and obtain the Court's opinion on this case (or whatever other case is used today) so that students may also evaluate the Court's ruling

Closure:

Remind students that observational research is a tool not always used by historians because historians look at the past and do not have the luxury of being able to see what actually happened. They analyze written documents, accounts, and diaries, etc. to assess what happened in the past and then create a history. However, audio and video recordings allow historians to occasionally make use of observational research. Consider the recording of John. F. Kennedy's assassination, various Presidents' inaugural speeches, FDR's radio programs, etc. Stress that observational research does have its place in historical study and can prove quite useful to historians.

Guided study/Homework:

Students should write a brief synopsis of the case. This should take no more than a paragraph. As part of the same assignment, students will be expected to criticize or justify the argument of one side of this case. They can choose either side, but they must criticize or defend that argument. References should be made to the actual points made by the lawyers presenting for each side.

Assessment:

1. Participation will be observed by the teacher (especially when students are not watching the video...this might best be rectified/prevented with a quiz or with a "threat" of one.
2. The homework assignment will require some reading, a bit of writing, and some recollection of what was in the video.

Evaluation and Reflection: (To be completed by teacher after lesson has been implemented)

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1. Watch video recording of a case heard by the Michigan Supreme Court
2. Take notes during this viewing
3. Watch especially for: appellant, the appellee, the justices, the crier, the argument of the case, etc.
4. **Homework:** Write a 1-3 page paper. Include a brief synopsis of the case. This should take no more than a paragraph. As part of the same assignment, criticize or justify the argument of one side of this case. You may choose either side, but you must criticize or defend that argument. References should be made to the actual points made by the lawyers presenting for each side.

If you missed class, you should also:

1. Arrange to watch the video
2. Complete the homework assignment, making sure that your paper is at least 2 pages long.