**Pro Se Court**

**Why use a Pro Se Court?**

Students learn to work with their peers to find evidence to justify a particular stance.

Students work in heterogeneous groups to find and synthesize information for the case.

Students are held individually accountable during the presentation of the case.

It helps prepare students for the reading/writing/presentation of the final hearing.

It demonstrates that there is contention and disagreement (by even the smartest of

people) in regard to the “big issues” of American democracy.

It’s highly engaging and kids love it!

**Steps of the Activity**

1. Share the background of a case with students. Check for understanding of the basic

issues. Ask questions to see if students can see the two (or more) major sides of the

issue.

2. Explain the directions of the whole activity and check for understanding.

3. Split students into three separate heterogeneous groups (petition, respondent, justice).

4. Work with student groups as they discuss and prepare their cases. (In regards to the

group of justices, make sure that they are formulating questions for the lawyers and

understand that they should make their decision based upon arguments given in court

and not on their personal opinions.)

a. Make sure that students write down their arguments/questions.

5. Have the petitioners line up against the wall. Then, have the respondents each stand in

front of one of the petitioners. Allow them a few minutes to set up their triad of desks for

the court.

6. “All Rise:” Bring in the justices while everyone is quiet and standing. Each justice will

find a court (desk triad).

7. Announce that the petitioner will give their arguments (1 minute to 90 seconds,

depending on your time frame.) Then, stop the class and announce that the respondent

will give their arguments. Allow each side a short rebuttal (30 seconds). Make sure that

everyone in the room is following the same time requirements (a gavel is a good tool).

8. The justice can stop and ask questions at any time.

9. Finally, ask the courts to be silent. The justices will have time to write down their

decision and reasoning. When they finish, they should quietly stand up. When all

justices are standing, have them each read their decision and record the decisions using

tally marks on the board.

10. Finally, read the result of the actual case and debrief.

**The Boston Massacre (Student Text)**

**On March 5, 1770, British soldiers fired on a mob of colonists in Boston. This incident, known as the Boston Massacre, enraged American colonists. Yet John Adams, future second president of the United States and cousin of Boston Patriot-leader (against the King and England) Sam Adams, ended up defending a group of hated British soldiers at their trials.**

In the years leading up to the American Revolution, the British sought to establish firm control over their American colonies. In the British view, the colonies had **prospered** (successful) because British troops had protected Americans from the French, Spanish, and Indians. The king's chief minister proclaimed in **Parliament** (British Governing body that makes laws) in 1763: "Great Britain protects America; America is bound to yield **obedience** (obey)." Parliament then set on a course of passing laws to control trade, stop **smuggling** (bringing goods in the country and selling them without following the laws), restrict settlement beyond the Appalachian Mountains, and raise **revenue** (money) from the colonies. Historically, the colonies had experienced little control or interference by the British, so they considered these laws **oppressive** (cruel) and began to resist. Much of the resistance took place in Boston.

One target of American outrage was customs collectors, whose job was to stop smugglers and collect taxes. They sometimes conducted searches under [writs of assistance](http://douglass.speech.nwu.edu/otis_a34.htm). These were general **warrants** (order from judge that allows the police to search your belongings) that allowed them to search any house for smuggled goods. When customs officials in 1768 seized [John Hancock's ship](http://www.colonialhall.com/hancock/hancock.asp) on charges of smuggling wine, Boston **mobs** (angry group of people) attacked them. The British government ordered two regiments of soldiers to occupy the town. About 700 British regulars (foot soldiers) marched with fixed **bayonets** (guns with swords on the end) into Boston. The people refused to take the troops into their homes, so units of soldiers were **quartered** (housed) in public buildings and warehouses.

The troops trained on Boston **Common** (town square) and stood guard in front of government offices, including the Customs House. The occupying army and the townspeople grew to hate each other. The soldiers, wearing distinctive red coats and armed with muskets and swords, intimidated the people with insults and threats. Boston workmen, sailors, and teenage **apprentices** (training for a trade/job) cursed at the redcoats and challenged them to fistfights. Meanwhile, the [Sons of Liberty](http://earlyamerica.com/review/fall96/sons.html), a radical Patriot organization led by [Sam Adams](http://www.webcom.com/bba/ch/sadams/sadmsbio.html), agitated for an end to the military occupation.

**The Boston Massacre**

On Friday, March 2, 1770, an off-duty British soldier asked a group of Boston rope makers if there was any work. One of the rope makers replied there was. "Go clean my outhouse," he **jeered** (yelled). A fight broke out. The soldier was knocked about and then fled. But a little while later, the soldier returned with friends and a **brawl** (fight) erupted. One of the soldiers, Matthew Killroy, and one of the rope makers, Samuel Gray, would meet again soon in much bloodier circumstances.

On the evening of Monday, March 5, a lone British **sentry** (soldier) guarded the entrance to the Boston Customs House where officials collected import duties for the king. The sentry got into an argument with a barber's apprentice and swung his musket at him, hitting the boy on the head. Other apprentices gathered, daring the sentry to fight. "Bloody lobster back!" they yelled, **taunting** (teasing) the soldier and his red coat.

By about 9 p.m., the crowd around the Customs House steps had grown to about 50 to 100 people. Some began to throw snowballs and chunks of ice at the sentry. He loaded his musket. "Fire, damn you, fire, you dare not fire!" the crowd taunted.

The sentry finally called for help when a group of about 25 American sailors arrived, yelling, whistling, and carrying wooden clubs. A tall, **stout** (strong) man named [Crispus Attucks](http://www.pbs.org/wgbh/aia/part2/2p24.html) led this noisy band. Part Indian and black, Attucks pushed his way to the front of the crowd, club in hand.

[Captain Thomas Preston](http://odur.let.rug.nl/~usa/D/1751-1775/bostonmassacre/prest.htm), officer of the guard, turned out a squad of six privates and a corporal. In the squad was Private Matthew Killroy, who had been involved in the rope-maker brawl. The soldiers marched with their muskets and bayonets to the Customs House to join the beleaguered sentry. They lined up facing the crowd. The corporal then ordered the soldiers to load their muskets with two lead balls per gun. Capt. Preston stood behind his men.

From 300-400 people had now gathered. "Lobsters!" "Bloody backs!" "Fire! Why don't you fire?" many shouted. Some threw snowballs, ice, oyster shells, and even lumps of coal at the soldiers. Crispus Attucks and others struck the soldiers' musket barrels with sticks and clubs. Attucks yelled, "Kill them! Kill them! Knock them over!"

Then, someone from the back of the mob threw a club that hit Pvt. Montgomery, knocking him to the ground. "Damn you, fire!" someone shouted. Enraged, Montgomery rose to his feet and fired his musket killing Crispus Attucks. Soon, most of the other soldiers were erratically firing into the mob. When Pvt. Killroy fired, rope-maker Samuel Gray fell dead. As the men began to reload, Capt. Preston ordered, "Stop firing! Stop firing!" Five men lay dead or dying in the bloody snow.

Capt. Preston managed to march his men back to their barracks. Acting Governor [Thomas Hutchinson](http://ourworld.compuserve.com/homepages/ronmcgranahan/HUTCH.HTM), a strong **Tory Loyalist** (Loyal to the King and England), finally arrived to try to calm the people. "Let the law have its course," he pleaded.

The next day, Sam Adams led a huge protest meeting demanding that all British soldiers be ordered out of Boston. Reluctantly, Gov. Hutchinson made an agreement with the British army commander to remove the soldiers to a **fortified** (fort) island in Boston Harbor. Boston residents lined the streets to insult and curse the redcoats as they **evacuated** (left) the town.

On March 13, the colony's attorney general issued 13 indictments for murder. There would be three trials. Capt. Preston would be tried first followed by a separate trial of the eight soldiers. Four customs officers, accused of shooting into the crowd from the Customs House windows, would be tried last.

*Constitutional Rights Foundation*

Pro Se Court

What is the name of this case?

I am the **Prosecutor**/ **Defendant**/ **Justice** in this case.

The prosecutor’s, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of prosecutor), main arguments in this case are:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of defendant), main arguments in this case are:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Justice asked these questions:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?

The decision of the justice was in favor of the **prosecutor**/ **defendant** because

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The actual decision in this Supreme Court case, with a vote of \_\_\_\_\_\_ to \_\_\_\_\_\_ was for the **prosecutor**/**defendant**. The primary reason this decision was made was

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Pro Se Court**

**Collaborative Group Notes**

Main Arguments: Evidence

What important vocabulary can I use?

What other cases and current events help me understand this case?

Pro Se Supreme Court

What is the name of this case?

I am the **petitioner/respondent/** **Justice** in this case.

The petitioner’s, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of petitioner), main arguments in this case are:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The respondent’s\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of respondent), main arguments in this case are:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The justice asked these questions:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_?

The decision of the justice was in favor of the **prosecutor**/ **defendant** because

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The actual decision in this Supreme Court case, with a vote of \_\_\_\_\_\_ to \_\_\_\_\_\_ was for the **petitioner/respondent**. The primary reason this decision was made was

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_