

Board	Waterloo Catholic District School Board
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SHSM sector	ENG, ENV, CSE
Course code and course title	CLU 3E - Understanding Canadian Law, Grade 11, Workplace Preparation
Name of CLA	Mock Trials - Energy and the Environment
Brief description of CLA	In this CLA students will learn the difference between intentional and non-intentional tort law and the roles of the members of a court case. The CLA will culminate with a series of mock trials based on energy and environmental issues that have impacted Ontario and the World.
Key Search Terms (Do not use SHSM, CLA, Course Code or Sector)	Mock trial, law, courtroom
Duration	7 -8 hours

Overall expectations	<ul style="list-style-type: none"> • use appropriate research methods to gather, organize, evaluate, and synthesize information; • apply the steps in the process of legal interpretation and analysis; • explain, discuss, and interpret legal issues using a variety of formats and forms of communication. • describe the process for taking a civil case to trial and resolution;
Specific expectations	<ul style="list-style-type: none"> • define a tort and distinguish between intentional torts (e.g., assault and battery, trespass, libel and slander) and unintentional torts (e.g., negligence); • identify (e.g., by creating a chart) the courts that try civil actions; summarize the options available for bringing a civil case to resolution (e.g., Alternative Dispute Resolution, pre-trial settlement, trial); • express opinions, ideas, arguments, and conclusions, as appropriate for different audiences and purposes, using a variety of styles and forms (e.g., mock trials, case studies, interviews, debates, reports, papers, seminars), as well as visual supports (e.g., graphs, charts, organizers, illustrations); • distinguish among opinions, facts, and arguments in sources; • draw conclusions based on analysis of information gathered through research and awareness of diverse legal interpretations (e.g., case studies); • compile summary notes in a variety of forms and for a variety of purposes (e.g., research and preparation for debates, oral presentations, mock trials, tests, examinations);
Catholic graduate expectations (if applicable)	<ul style="list-style-type: none"> • exercises the rights and responsibilities of Canadian citizenship; • respects the environment and uses resources wisely;

Essential Skills and work habits	<p>[Check off the Essential Skills and work habits that are addressed in this CLA.]</p>
	<p style="text-align: center;">Essential Skills</p> <p><input checked="" type="checkbox"/> Reading Text</p> <p><input checked="" type="checkbox"/> Writing</p> <p><input checked="" type="checkbox"/> Document Use</p> <p><input checked="" type="checkbox"/> Computer Use</p> <p><input checked="" type="checkbox"/> Oral Communication</p> <p>Numeracy</p> <p><input type="checkbox"/> Money Math</p> <p><input type="checkbox"/> Scheduling or Budgeting and Accounting</p> <p><input type="checkbox"/> Measurement and Calculation</p> <p><input type="checkbox"/> Data Analysis</p> <p><input type="checkbox"/> Numerical Estimation</p> <p>Thinking Skills</p> <p><input type="checkbox"/> Job Task Planning and Organizing</p> <p><input checked="" type="checkbox"/> Decision Making</p> <p><input checked="" type="checkbox"/> Problem Solving</p> <p><input checked="" type="checkbox"/> Finding Information</p> <p style="text-align: center;">Work Habits</p> <p><input type="checkbox"/> Working Safely</p> <p><input checked="" type="checkbox"/> Teamwork</p> <p><input type="checkbox"/> Reliability</p> <p><input checked="" type="checkbox"/> Organization</p> <p><input checked="" type="checkbox"/> Working Independently</p> <p><input checked="" type="checkbox"/> Initiative</p> <p><input type="checkbox"/> Self-advocacy</p> <p><input type="checkbox"/> Customer Service</p> <p><input type="checkbox"/> Entrepreneurship</p>

Instructional/Assessment Strategies

Teacher's notes

Day 1 – Introduction to Tort Law

Teacher directed review of what Tort Law is

Review includes:

- Introduce Tort Law using clips of “Erin Brockovich” or a “A Civil Action” to introduce topic
- Definition of Tort Law and differences between Unintentional and Intentional Torts
- Completing worksheet (Appendix A) on intentional vs unintentional torts

Day 2 – Participants in a Trial. Who Am I?

Teacher will introduce roles of the people who would be part of a trial in preparation for Mock Trial

Review includes:

- Teacher will introduce roles in a courtroom using diagram (Appendix B) and explain each
- Students will be assigned a role description (Appendix C) and will each prepare to be asked Yes or No questions by the class (excluding are you a). Class will have to guess each role based on responses to questions
- Students will fill in worksheet (Appendix D) on Participants in a Trial

Day 3 - Guest Speaker (if available)

- Business and Education Partnership (www.bus-edpartnership.org)
 - Assistant Crown Attorney or a Lawyer that specializes in Environmental LawSuggested topics – Tort Law, roles of the people in the courtroom etc.

Day 4 and 5 – Computer Lab for additional research, view videos and type out their project

- Break the class into groups of a minimum of 4 and a maximum of 6.
- Handout Mock Trial Assignment (Appendix E)
- Assign each group a topic. The topics included in this package are the BP oil spill (Appendix F & G), wind turbine construction in Ontario(Appendix H & I), and the transportation of nuclear materials through the Great Lakes from Owen Sound to Sweden (Appendix J & K),. More possible topics are included in Appendix L
- Each member of the group will have to take a specific role. These include Plaintiff or Defense Attorney, Expert Witness, and a person affected by the situation. Each group must be represented by an Attorney, who can have more than one witness.
- The groups are to use the information in the appendices to gather information and evidence to support their case. They can also use the internet to find more supporting arguments. All work must be completed on the assignment planning worksheet (Appendix M),

Day 6 – Presentations

- Each group must present their side of the case in a mock trial-like setting, the teacher will play the role of the judge. The rest of the class is the jury.
- After each side presents their case the judge can ask the class (jury) for their opinion on the information presented in the case and be asked to make a ruling.
- At the end of the presentation, each group member must submit the completed worksheet with their research into their teacher

Context
 [Describe the workplace context for the CLA.]

This CLA is applicable for anyone interested in environmental/energy issues, activism, or any environmental/energy worker involved in industry to help determine potential legal aspects/consequences in their field of work.

Strategies
 [In point form, describe the sequence of instructional and assessment strategies that will support the intended learning. Attach all student handouts and worksheets.]

See Lesson Plan attachment for full explanations of this CLA. There are numerous ways to modify and expand on this activity as well.

Assessment and Evaluation of Student Achievement
 [List all assessment and evaluation strategies and tasks and attach handouts, tests, assignments, exercises, etc.]
 [As you plan, keep the following important considerations in mind:

How will we know students are learning?	How will we know students have learned?
Formative Evaluation of Tort Law worksheet (Appendix A)	Summative Evaluation of the Mock Trial Planning Sheets. (Appendix M) according to the rubric (Appendix E)
Formative Evaluation of their ability to correctly identify the participants of a trial. (Appendix C)	Summative Evaluation of their performance in their role in the Mock Trial. according to the rubric (Appendix E)
Formative Evaluation of Participants of a Trial worksheet (Appendix D)	Other Observation, participation in class discussions, and rubrics
Students will demonstrate the full range of learning through written tasks, performance tasks, and conferencing.	

Strategies/Tasks	Purpose [Assessment for, as, and of learning]
1. Tort Law Worksheet	Assessment for learning on the students' understanding of intentional and unintentional tort cases.
2. Who am I? Activity	Assessment for learning on the students' understanding of the roles in a courtroom.
3. Participants of a Trial Worksheet	Assessment for learning on the students' understanding of the roles in a courtroom.
4. Mock Trial	Assessment of learning on the students' ability to research and prepare arguments for a trial, and to fully demonstrate the roles in a courtroom.

Assessment tools

See attached evaluation rubric and appendices

Differentiation

Differentiation will be based on:

Readiness X

Learner Profile X

Interest X

Differentiation will take place through:

Content X

Process

Product X

Learning Environment X

Additional Notes/Comments/Explanations

Prior completing this CLA, students should have experience evaluating the reliability of the sources for their arguments and collecting data and information to support an argument.

There are numerous ways to modify and expand on this activity as well.

Resources

Authentic workplace materials

Human resources

Guest Speaker - Assistant Crown Attorney or a lawyer that specializes in environmental law.

Print resources

http://www.health.gov.on.ca/en/public/publications/ministry_reports/wind_turbine/wind_turbine.pdf

Textbook: Law in Action: Understanding Canadian Law. 2003

Video resources

- <http://rightthingtodo.ca/video.php>
- <http://www.hourlytv.com/news/associated-press/2011/04/scientists-gulf-health-close-to-pre-spill-level/>
- http://www.fox10tv.com/dpp/news/gulf_oil_spill/oil-spill-perception-vs-reality/
- <http://www.wind-watch.org/documents/health-studies-and-wind-turbines/>
- <http://www.youtube.com/watch?v=5sutK3bCPrY>
- <http://www.youtube.com/watch?v=4FjER9VJ7CM&feature=related>
- <http://www.cbc.ca/news/canada/montreal/story/2011/03/08/pol-nuclear-mohawks.html>
- http://www.fox10tv.com/dpp/news/local_news/baldwin_county/ag-troy-king-files-suit-against-bp
- <http://video.foxbusiness.com/v/4194418/alabama-ag-on-cleaning-up-oil-spill/>

Satire piece on Wind Energy

- <http://www.abovetopsecret.com/forum/thread724866/pg1>

Software

- N/A

Websites

Other Topics for Investigation

For more information on Nuclear Reactors

- <http://www.iicph.org/steam-generators>
- <http://beyondnuclear.squarespace.com/canada/>

Water Quality

- ISSUE: INCO water pollution in Port Colborne
 - <http://www.dominionpaper.ca/articles/3545>
 - <http://www.minesandcommunities.org/article.php?a=1138>
 - <http://www.bloomberg.com/apps/news?pid=newsarchive&sid=aRogax3DPwao>
 - <http://m.theglobeandmail.com/report-on-business/industry-news/the-law-page/ruling-could-flood-polluters-with-lawsuits-observers-say/article1646534/?service=mobile>

Chemical Valley

- ISSUE: Chemical Pollution is affecting the health of the first nation people around Sarina.
- <http://www.cbc.ca/news/canada/windsor/story/2010/11/01/windsor-ecojustice-chemical-valley-lawsuit.html>
- <http://rabble.ca/babble/environmental-justice/gender-bending-chemicals-ontario-lawsuit-presentation>
- <http://www.cbc.ca/news/canada/windsor/story/2010/11/02/windsor-sarnia-pollution-lawsuit.html>
- <http://www.lambtonshield.com/ecojustice-lawsuit-on-behalf-of-aamjiwnaang-residents-takes-another-step-forward/>

Environmental

ISSUE: Bird Deaths

- <http://www.torontoobserver.ca/2011/04/20/suit-over-bird-deaths-a-north-american-first-lawyer-says/>
- <http://www.ecojustice.ca/media-centre/press-releases/migratory-birds-case-back-in-court-in-building-death-lawsuit>
- <http://www.thestar.com/news/gta/article/777024--scarborough-highrise-a-death-trap-for-birds>

ISSUE: Protecting Killer Whales

- <http://www.cbc.ca/news/canada/british-columbia/story/2008/10/08/bc-killer-whale-lawsuit.html>
- <http://www.cbc.ca/news/canada/british-columbia/story/2009/02/25/tech-killer-whale.html>
- <http://www.ecojustice.ca/media-centre/press-releases/lawsuit-forces-canada-to-protect-endangered-killer-whales/>

ISSUE: Fracking

- <http://www.cbc.ca/news/canada/new-brunswick/story/2011/05/24/nb-southwestern-lawsuit-hydro-fracking-551.html>
- http://ca.rss.news.yahoo.com/s/cbc/110524/canada/canada_newbrunswick_nb_southwestern_lawsuit_hydro_fracking551
- <http://www.fracking-lawsuit.com/>

Other resources

Accommodations

- Individual Education Plans (IEP) should be followed at all times. Be sure to consult the SERT for additional information and suggestions;
- additional time may be needed for diagnostic, formative and summative assignments;
- the activities and lessons outlined in this CLA allow for flexibility in the delivery of the material. Alternating teaching strategies can help students who are not progressing at the appropriate level;
- font can be increased for those students that have vision problems;
- class rules, behaviours, and due dates should be posted in the classroom and talked about so that all students are aware of the expectations;
- if possible, more individual instruction time can be allotted to students in need;
- can account for student work habits when considering assignments;
- provide opportunities for enrichment for exceptional students;
- provide time for peer-to-peer teaching;
- use audio aids if needed;
- provide alternate assessment opportunities that are geared towards students strengths or areas of interest;

List of Attachments

[Attach all related materials e.g., student worksheets, tests, rubrics]