

# CAPS American Justice for All

## UNIT 1: Foundations of the American Justice System

### ESSENTIAL QUESTION

**What are the foundational principles and legal topics that form the basis of the American justice system?**

### BIG IDEAS

- **Understanding Constitutional Rights and Civil Liberties**
- **Exploring Criminal Law and Procedures**
- **Examining Ethical and Moral Considerations in Legal Practice**

### GUIDING QUESTIONS

#### Content

- What are the key provisions of the United States Constitution and how do they shape our legal system and individual rights?
- How does the criminal justice system function, from investigation and arrest to trial and sentencing?
- What ethical standards and professional responsibilities guide legal professionals in their practice of law?

#### Process

- How can students analyze landmark Supreme Court cases to understand the interpretation and application of constitutional principles?
- What strategies and methodologies are effective for conducting legal research, analyzing case law, and preparing legal arguments?
- In what ways can students engage with legal experts, including judges, attorneys, and legal scholars, to deepen their understanding of legal concepts and practices?

#### Reflective

- How have your perceptions of the American justice system evolved throughout this unit, and what implications do they have for your role as a citizen?
- What ethical dilemmas or challenges have you encountered in exploring legal issues and case studies?

## FOCUS STANDARDS

### Foundations in Law Course No. 44305

#### BENCHMARK 1: UNDERSTAND, DESCRIBE, AND APPLY THE CONSTITUTIONAL FOUNDATIONS FOR U.S. LAWS Competencies

- | #    | DESCRIPTION   |
|------|---|
| 1.1  | Describe the three primary sources for our laws.  |
| 1.2  | Explain the role, importance, pros and cons of precedent and stare decisis for case law, and when courts decline to follow precedent.   |
| 1.3  | Explain the role that the U.S. Constitution plays in limiting the powers of the executive, legislative, and judicial branches.  |
| 1.4  | Explain why the U.S. Constitution does not regulate the conduct of individuals.   |
| 1.5  | Explain the two ways that the 14th Amendment expanded the reach of the U.S. Constitution.   |
| 1.6  | Describe the process for amending the U.S. Constitution.  |
| 1.7  | Identify the provisions of the U.S. Constitution that create the three branches of the federal government.  |
| 1.8  | Describe the process in the U.S. Constitution for creating and amending U.S. statutes and explain how that process has changed with recent changes made by Congress.  |
| 1.9  | Describe how federal agencies use regulations to execute U.S. statutes and the limits imposed by the U.S. Constitution on the power of those agencies.  |
| 1.10 | Describe the process in the U.S. Constitution for nominating and confirming justices to the federal courts and explain how that process has changed with recent changes made by Congress.   |
| 1.11 | Compare and contrast the roles of the three branches of the U.S. government and explain the limits on the power of those branches.  |
| 1.12 | Apply the case method to analyze court opinions, compose case briefs that synthesize the facts and legal principles from those opinions, and effectively communicate that analysis both in and out of the legal community.                    |
| 1.13 | For the elements of law learned under this benchmark, apply those elements to specific fact patterns, differentiating between relevant and irrelevant facts, using appropriate legal terminology, and building well-reasoned legal arguments. |

#### BENCHMARK 2: IDENTIFY, ANALYZE, AND EXPLAIN RELEVANT RESEARCH SOURCES Competencies

- | #   | DESCRIPTION  |
|-----|--|
| 2.1 | Locate and assess relevant research sources, including primary sources, using information technology tools.                              |
| 2.2 | Differentiate between credible and unreliable sources for information about legal issues.  |
| 2.3 | Locate and analyze current developments in the law, including recent decisions from the U.S. Supreme Court and the Kansas Supreme Court. |
| 2.4 | Differentiate between relevant and irrelevant facts, and between credible and unreliable sources for information about legal issues.     |

- 2.5 Demonstrate appropriate legal citations for the research sources.
- 2.6 Apply the case method to analyze research sources, compose case briefs that synthesize the facts and legal principles from those sources, and effectively communicate that analysis both in and out of the legal community.

## KEY LEARNING EXPERIENCES

- Exercises based on historical or hypothetical legal cases, focusing on constitutional rights and criminal procedures.
- Field trips to local courthouses, where students observe courtroom proceedings and interact with legal professionals.
- Guest lectures or panel discussions featuring legal experts discussing current legal topics and challenges.
- Case study analyses of significant legal decisions and their impact on society and individual rights.
- Debates and discussions on controversial legal issues, encouraging critical thinking and perspective-taking.
- Legal writing assignments, such as case briefs, memos, and opinion letters, to develop analytical and communication skills.

# CAPS American Justice for All

## UNIT 2: Specialized Areas of Law

### ESSENTIAL QUESTION

**What are the diverse areas in law and law enforcement and their implications for individuals and society?**

### BIG IDEAS

- Exploring Civil Law and Legal Remedies
- Understanding Law Enforcement Practices and Procedures
- Investigating Contract Law and Business Transactions

### GUIDING QUESTIONS

#### Content

- What are the fundamental principles of civil law, including torts, contracts, property, and business law?
- How do law enforcement agencies investigate crimes, gather evidence, and ensure procedural fairness while safeguarding public safety?
- What legal rights and protections are afforded to individuals in civil disputes, and how do alternative dispute resolution methods contribute to conflict resolution?

#### Process

- How can students analyze legal statutes and case law to understand the rights and responsibilities of individuals in civil and criminal contexts?
- What insights can students gain from interacting with law enforcement officers, observing their daily operations, and discussing their challenges and dilemmas?
- In what ways can students apply their understanding of contract law principles to negotiate and draft legally binding agreements in business transactions?

#### Reflective

- How has your exploration of civil law and law enforcement practices deepened your understanding of legal rights and responsibilities in different contexts?
- What ethical dilemmas or challenges have you encountered in examining civil legal issues

and law enforcement procedures?

## FOCUS STANDARDS

### Foundations in Law Course No. 44305

#### BENCHMARK 3: DEMONSTRATE A FOUNDATIONAL UNDERSTANDING OF TORT LAW

##### Competencies

- | #   | DESCRIPTION   |
|-----|---|
| 3.1 | Differentiate and distinguish tort duties from duties imposed by: moral obligations, contract obligations, and criminal laws.   |
| 3.2 | Differentiate between intentional torts, negligence, and strict liability.  |
| 3.3 | Identify the elements of negligence (e.g. duty, breach, causation and damages) and apply those elements to specific fact patterns.  |
| 3.4 | Identify the elements of various intentional torts (e.g. assault, battery, trespass, and defamation) and apply those elements to specific fact patterns.  |
| 3.5 | Identify the elements of products' liability ("strict liability") and apply those elements to specific fact patterns.   |
| 3.6 | Identify defenses to tort claims and apply those defenses to specific fact patterns.  |
| 3.7 | Identify recoverable damages for tort claims and apply those damages to specific fact patterns.   |
| 3.8 | Apply the case method to analyze tort cases, compose case briefs that synthesize the facts and legal principles from those cases, and effectively communicate that analysis both in and out of the legal community. |

#### BENCHMARK 4: DEMONSTRATE A FOUNDATIONAL UNDERSTANDING OF FAMILY LAW

##### Competencies

- | #   | DESCRIPTION   |
|-----|---|
| 4.1 | Identify the major areas of family law.   |
| 4.2 | Describe the requirements and legal impact of marriage and cohabitation.  |
| 4.3 | Describe the requirements and legal impact of pre-marital and post-marital agreements.  |
| 4.4 | Describe the legal consequences of domestic violence.   |
| 4.5 | Describe the requirements and legal impact of divorce, annulment, and legal separation.   |
| 4.6 | Describe the requirements and legal impact of child custody and child support.  |
| 4.7 | Describe the legal impact of child abuse and child neglect.   |
| 4.8 | Apply the case method to analyze family law cases, compose case briefs that synthesize the facts and legal principles from those cases, and effectively communicate that analysis both in and out of the legal community. |

#### BENCHMARK 5: DEMONSTRATE A FOUNDATIONAL UNDERSTANDING OF WILLS, TRUSTS, AND ESTATES

##### Competencies

#	DESCRIPTION
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- 5.1 Identify the major areas of Estate Law.
- 5.2 Describe the processes and property distribution for intestate succession.
- 5.3 Describe the requirements for a valid will, and the process and principles used to interpret wills.
- 5.4 Describe the requirements for a valid trust, and the process and principles used to interpret wills.
- 5.5 Describe the process for administering estates.
- 5.6 Apply the case method to analyze family law cases, compose case briefs that synthesize the facts and legal principles from those cases, and effectively communicate that analysis both in and out of the legal community.

## BENCHMARK 6: RESEARCH AND EXPLAIN CAREER DEVELOPMENT FOR LEGAL ASSISTANTS AND ATTORNEYS

### Competencies

- | #    | DESCRIPTION   |
|------|---|
| 6.1  | Describe the admission requirements and selection process for law school.   |
| 6.2  | Describe the American Bar Association process for accrediting law schools.  |
| 6.3  | Describe the job placement process used by law schools.   |
| 6.4  | Explain the difference between academic and informal on-the-job training for legal assistants.  |
| 6.5  | Describe the American Bar Association process for accrediting academic training for legal assistants.   |
| 6.6  | Describe the job placement process used by schools that offer academic training for legal assistants.   |
| 6.7  | Describe various job search strategies for attorneys and legal assistants.  |
| 6.8  | Compare and contrast educational requirements for legal assistants and attorneys.   |
| 6.9  | Compare and contrast educational requirements and benefits for legal assistants and attorneys.  |
| 6.10 | Compare and contrast employment opportunities for legal assistants and attorneys.   |
| 6.11 | Identify situations where legal assistants or attorneys may interact with tort law and explain how their foundational knowledge of tort law may benefit them.     |
| 6.12 | Identify situations where legal assistants or attorneys may interact with family law and explain how their foundational knowledge of family law may benefit them. |

## BENCHMARK 7: IDENTIFY AND EXPLAIN ASPECTS OF THE LEGAL WORKPLACE

### Competencies

- | #   | DESCRIPTION   |
|-----|---|
| 7.1 | Identify workplaces for legal assistants and attorneys, including government jobs, private law firms, and NGOs.                                 |
| 7.2 | Identify common fields of legal specialization.   |
| 7.3 | Identify common law office management issues, including client-billing arrangements, ownership structure, and employee-compensation structures. |
| 7.4 | Identify technology that is commonly used in the legal workplace.   |

## KEY LEARNING EXPERIENCES

- Mentorship with law enforcement officers to gain firsthand experience of policing practices and community interactions.
- Case studies and legal analyses of significant civil and criminal cases, focusing on legal principles, court decisions, and societal implications.
- Simulations of civil litigation, criminal investigations, and law enforcement operations to simulate real-world legal scenarios.
- Guest presentations by attorneys specializing in civil law and law enforcement professionals, sharing practical insights and career pathways in these areas.
- Legal research projects on current legal controversies or policy debates within civil law and criminal justice, culminating in presentations or policy briefs.
- End of term essays and journal entries documenting personal reflections and growth in understanding civil law, law enforcement practices, and their impact on individuals and communities.

# CAPS American Justice for All

## UNIT 3: Justice in Action

### ESSENTIAL QUESTION

How does the American justice system operate in practice, and what are its strengths and limitations?

### BIG IDEAS

- Examining Live Trials and Courtroom Proceedings
- Exploring Law Enforcement Practices and Procedures
- Investigating Correctional Systems and Rehabilitation Programs

### GUIDING QUESTIONS

#### Content

- What are the roles and responsibilities of key professionals within the criminal justice system, including judges, prosecutors, defense attorneys, and jurors?
- How do law enforcement agencies investigate crimes, gather evidence, and ensure procedural fairness while safeguarding public safety?
- What are the objectives of correctional systems, and what approaches are used to rehabilitate offenders and reduce recidivism rates?

#### Process

- How can students critically analyze courtroom proceedings and trial strategies to evaluate the effectiveness of legal advocacy and decision-making?
- What insights can students gain from interacting with law enforcement officers, observing their daily operations, and discussing their challenges and dilemmas?
- In what ways can students engage with correctional facilities and community-based organizations to understand the realities of incarceration and inmates reentry into society?

#### Reflective

- How have your perceptions of the criminal justice system been shaped by observing live trials, interacting with legal professionals, and visiting law enforcement agencies and correctional facilities?
- What ethical considerations and complexities have you grappled with in exploring the operations and impact of the justice system?



## FOCUS STANDARDS

### Foundations in Law Course No. 44305

#### BENCHMARK 8: IDENTIFY AND EXPLAIN LEGAL ETHICS AND REGULATION OF THE LEGAL PROFESSION

##### Competencies

#	DESCRIPTION
8.1	Explain the licensing and certification process for attorneys and legal assistants.
8.2	Identify the major ethical issues for legal assistants and attorneys, including confidentiality, conflict of interest, and unauthorized practice of law.
8.3	Explain the process for disciplining attorneys, including the entities involved and the potential disciplinary actions.
8.4	Explain the role of professional organizations in regulating and improving the legal profession.

#### BENCHMARK 9: APPLY FOUNDATIONAL KNOWLEDGE TO REAL WORLD SCENARIOS

##### Competencies

#	DESCRIPTION
9.1	Identify situations where citizens may interact with tort law and explain how a foundational knowledge of tort law may benefit them.
9.2	Identify situations where citizens may interact with family law and explain how a foundational knowledge of family law may benefit them.
9.3	Identify situations where citizens may interact with wills, trusts, or estates, and explain how a foundational knowledge of wills, trusts, or estates may benefit them.

## KEY LEARNING EXPERIENCES

- Field trips to observe live trials, court proceedings, and legal hearings, followed by debriefing sessions and discussions with legal professionals.
- Visits to correctional facilities and rehabilitation programs to learn about inmate rehabilitation, reentry initiatives, and alternative sentencing options.
- Panel discussions featuring criminal justice experts, including judges, prosecutors, defense attorneys, law enforcement officials, and correctional officers.
- Reflective journaling documenting students' observations, insights, and reflections on the American justice system in action.

# CAPS American Justice for All

## UNIT 4: Professional Skills Development through Career Exploration

### ESSENTIAL QUESTION

**What are key professional skills needed to prepare future professionals in a career they are exploring?**

### BIG IDEAS

- **Holistic Skill Development:** Prioritize a diverse set of skills beyond technical expertise and including an entrepreneurial mindset.
- **Experiential Learning:** Hands-on experiences, internships, apprenticeships, and project-based learning opportunities provide career exploration opportunities.
- **Mentorship and Networking:** Facilitate mentorship programs and networking events to connect young professionals with experienced individuals in their field.

### GUIDING QUESTIONS

#### Content

- What are effective communication strategies and tools used in specific professions?
- Why are critical thinking, problem-solving and adaptability important?
- How can professional skill development bridge the gap between theoretical knowledge and practical application and enhance understanding of future career opportunities?
- How can mentors offer guidance, advice, and valuable insight most effectively?

#### Process

- How can students learn about their current strengths and opportunities for development?
- How can experiential learning opportunities holistically create opportunities to practice professional skills?

#### Reflective

- How does professional skill development foster lifelong learning and development?
- How can I take these skills and transfer them to post secondary and future career opportunities?

## FOCUS STANDARDS

### CTE Professionalism Standards

- 1.1 Act as a responsible and contributing citizen and employee.
- 1.2 Apply appropriate academic and technical skills.
- 1.4 Communicate clearly, effectively and with reason.
- 1.5 Consider the environmental, social and economic impacts of decisions.
- 1.6 Demonstrate creativity and innovation.
- 1.7 Employ valid and reliable research strategies.
- 1.8 Utilize critical thinking to make sense of problems and persevere in solving them.
- 1.9 Model integrity, ethical leadership and effective management.
- 1.10 Plan education and career path aligned to personal goals.
- 1.11 Use technology to enhance productivity.
- 1.12 Work productively in teams while using cultural/global competence.

### CAPS Professional Profile

**Skills:** Communication, Collaboration, Time Management, Conflict Resolution, Critical Thinking, Interpersonal Relationship, Creativity, Leadership

**Attributes:** Adaptability, Curiosity, Self-awareness, Drive, Confidence, Enthusiasm, Resourcefulness, Integrity, Empathy

**Actions:** Networking, Interviewing, Goal Setting, Professional Manner

## KEY LEARNING EXPERIENCES

- Experiential learning opportunities such as project presentations, apprenticeships, client projects and internships.
- Interview opportunities with community members.
- Mentorship events where students are connected to professionals in their chosen careers.
- Development of digital portfolios and resume building that are industry standard and can grow with students.