

# BEHIND THE SCEN RELATED EDUCATI

The State Bar of Nevada's Law Related Education programs help students in grades K-12 learn about the law, the legal system, and their rights and responsibilities, through programs and activities that promote cooperative learning, problem solving, and

positive interactions between young people and members of the bar. There are many ways to learn more about these programs, and how to get involved, but probably the best way to explore LRE is firsthand – as two valued program supporters explain...



## MOCK TRIAL

BY HON. DAVID BARKER

You always get back more than you give when you volunteer. This idea comes to life when you help high school students participating in the Mock Trial program. I have coached mock trial teams for many years and have become a better lawyer and district judge through my experiences with Mock Trial.

If you think you have a good understanding of the rules of evidence, try teaching a group of smart high school kids how they work. I will never forget working with my first team and trying to explain the intricacies of character evidence from both a plaintiff's and defendant's perspective.

You are forced, by the nature of the competition, to open your mind and consider the facts from multiple points of view. You are asked to lead and nurture young minds in applying the law to those facts. Your objective is to help your team get the highest score by presenting a compelling case in chief and/or defending against an allegation and arguing relevant law.

I am not the least bit embarrassed to say that I have "borrowed" tactics and strategies from students I have taught or observed. I have always appreciated that they are closer to the mindset of your "average juror" than a trial lawyer.

There are two ways in which you can participate:

1. Find a friend and coach a team together. Two minds are always better than one. By sharing the responsibilities you are better able to deal with time conflicts that always come up in the weeks of practice before competition.
2. You be the judge. Many members of the bar volunteer their time to sit as scoring judges and/or to preside over Mock Trial competitions in February and March. If you cannot coach a team, I encourage you to volunteer in this important capacity. If you have ever questioned how a judge rules, come and "put on the robe" for a few hours. Put yourself to the test. I guarantee you will be a better lawyer for it.

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## Objectives of Mock Trial

- **Improve critical thinking, reading, writing, public speaking and listening skills**
- **Develop understanding and appreciation for the law, court procedures, and the judicial system**
- **Understand constitutional rights and responsibilities**
- **Recognize and reward students' academic and intellectual achievements**

## Authentic Assessment

Each year volunteer attorneys create a case designed to offer both sides challenging factual and legal hurdles. Mock Trial teams work with an attorney or a judge to prepare their cases – from both the plaintiff and defense perspective. Competitions at the regional and state levels are conducted in an actual courtroom and are scored by panels of lawyers, judges and legal support staff.

## It's Easy to Get Involved

The State Bar of Nevada and active volunteers are more than willing to help interested attorneys and school faculties in developing new teams and competing. A new case is released each fall. The mock trial competition material found online includes the case, competition rules, case law and rules of evidence. For more information about becoming involved with the Nevada Mock Trial program, please contact Kathleen Dickinson at [KathleenD@nvbar.org](mailto:KathleenD@nvbar.org).



**JUDGE DAVID BARKER** graduated from the University of California Irvine in 1981. He received his Juris Doctorate in 1984 from Pepperdine School of Law. He has served as a Chief Deputy District Attorney for the past 15 years. Barker is a member of the Southern Nevada Disciplinary Board and a coach with the State Bar of Nevada's high school Mock Trial program.

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## WE THE PEOPLE

BY MARC PICKER, ESQ.

Volunteering as a coach or coordinator for We the People has made me a better attorney.

I started working with We the People: The Citizen and the Constitution about eight years ago at Damonte Ranch High School in Reno. At the time, I thought I had pretty good knowledge regarding the U.S. Constitution, its history, the case law surrounding it and current Supreme Court interpretations.

I was wrong.

After spending hundreds of hours with elementary, middle and high school students involved in the We the People program, I have a better understanding of our rights and responsibilities under the Constitution. I have learned the law, I have a better understanding of the historical context and I am a better lawyer because of those students.

Working with these students has given me insight into how non-lawyers view constitutional issues, and why the law often seems not to work for those who need it the most. What I've discovered is that many people who find themselves drawn into the judicial system have nothing but what they see on "Law and Order" to guide them through the process. And, because many attorneys don't understand that, we don't adequately explain what is happening.

I now have a better understanding of why our judicial system appears to be

so confusing and arcane to participants. Our educational system has, all too often, failed to educate future citizens about their role in the system. Participatory programs such as We the People and others require students to research and understand these concepts on their own terms; then they are encouraged to put that research and understanding to the test. Can they convince their classmates? Can they convince parents and others of the positions they have chosen?

I also have a better understanding myself as to each person's responsibilities within the system. Unless these students meet their responsibility to protect each other's rights, they will have no rights of their own.

These students are the future leaders of our country. It gives me great hope when high school seniors show that they not only understand why the right to vote is important, but that they also appreciate their responsibility to educate themselves on the issues and the candidates so they may cast meaningful votes.



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You can hear students debate the need for stricter laws to safeguard societal security, versus the need to protect individual freedom – the classic contrast of the natural rights philosophy and classical republicanism. That too is a subject on which I found myself to be inadequately educated, despite a year of constitutional law in law school and years of high school and college government classes.

Until I started working with We the People, I don't think I fully appreciated the fact that the Constitution is a living, breathing document and that participation by every citizen is necessary to make the system work.

**MARC PICKER** received his law degree from University of California, Davis, School of Law. He practices in the areas of personal injury, criminal, civil and entertainment law at his Reno-based law firm, Marc Picker, Esq. Ltd. Picker has been a member of the State Bar of Nevada since 1988.