

**Randolph Township Schools
Randolph High School**

Civil Law Honors Curriculum

*“When you are weak on the facts but strong on the law, pound the law.
When you are weak on the law but strong on the facts, pound the facts.
When you are weak on the facts and the law, pound the table.”*

-Oliver Wendell Holmes

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**Randolph Township Schools
Randolph High School
Department of Social Studies
Civil Law Honors**

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Randolph Township Schools

Mission Statement

We commit to inspiring and empowering all students in Randolph schools to reach their full potential as unique, responsible and educated members of a global society.

Affirmative Action Statement

Equality and Equity in Curriculum

The Randolph Township School district ensures that the district's curriculum and instruction are aligned to the state's standards. The curriculum provides equity in instruction, educational programs and provides all students the opportunity to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status.

N.J.A.C. 6A:7-1.7(b): Section 504, Rehabilitation Act of 1973; N.J.S.A. 10:5; Title IX, Education Amendments of 1972

RANDOLPH TOWNSHIP BOARD OF EDUCATION
EDUCATIONAL GOALS
VALUES IN EDUCATION

These statements represent the beliefs and values regarding our educational system. Education is the key to self-actualization, which is realized through achievement and self-respect. We believe our entire system must not only represent these values, but also demonstrate them in all that we do as a school system.

We believe:

- The needs of the child come first.
- Mutual respect and trust are the cornerstones of a learning community.
- The learning community consists of students, educators, parents, administrators, educational support personnel, the community and Board of Education members.
- A successful learning community communicates honestly and openly in a non-threatening environment.
- Members of our learning community have different needs at different times. There is openness to the challenge of meeting those needs in professional and supportive ways.
- Assessment of professionals (i.e., educators, administrators and educational support personnel) is a dynamic process that requires review and revision based on evolving research, practices and experiences.
- Development of desired capabilities comes in stages and is achieved through hard work, reflection and ongoing growth.

Randolph Township Schools
Department of Social Studies
Civil Law Honors

Introduction

The Civil Law Honors course is a survey of legal rights and responsibilities of American citizens with an emphasis on tort law, contract law, and family law. Elements will include those areas that are of practical importance to young adults and potential areas of concern to students in their immediate future. This semester-long course is intended as a companion to the Criminal Law course which will emphasis similarly focused areas of immediate concern to young adults in criminal areas of law.

Additional components of the curriculum will include survey materials of potential career objectives in the law field including careers as an attorney, paralegal, litigation support, and the criminal justice system.

Finally, the course will include a practicum which will permit the students to engage in mock trial programs within the class to enhance critical skills in analysis, evaluation, research, writing and public speaking, as students prepare for mock trial simulations.

The New Jersey State Core Content Standards in the Social Studies and the standards and goals established by the Randolph Township Board of Education will guide the course. This program will integrate and infuse information on New Jersey, the role of women, African-American and multi-cultural contributions, and social studies oriented vocations into the course of study, as mandated by the State of New Jersey.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
Curriculum Pacing Chart
Civil Law Honors

SUGGESTED TIME ALLOTMENT	UNIT NUMBER	CONTENT - UNIT OF STUDY
5 weeks	I	Foundations of Civil Law
3 weeks	II	Tort Law
3 weeks	III	Contract Law
3 weeks	IV	Family Law
4 weeks	V	Legal Practicum

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
UNIT I: Foundations of Civil Law

TRANSFER: Students will be able to apply their understanding of the principles of statutory law to design solutions to societal problems or issues.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p>	<p>The general purpose of law is to circumscribe actions and activities, establish rights and responsibilities, and provide a mechanism to resolve disputes, thereby allowing a society to function within generally agreed upon boundaries for the benefit of society as a whole.</p>	<ul style="list-style-type: none"> ● Why do humans create laws? ● Why should laws be created and enforced based on certain beliefs?
<p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p>	<p>General populations and to a large extent, individuals accede to civil law as a recognition of their mutual responsibility to support society, and as a way to regulate relations between individuals or groups.</p>	<ul style="list-style-type: none"> ● Why do members of society comply with its rules?
<p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p>	<p>KNOWLEDGE</p>	<p>SKILLS</p>
<p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical</p>	<p>Students will know: Major Enlightenment philosophers, including John Locke and Thomas Hobbes, wrote extensively on the law and legal rights, offering new ideas about natural rights and the social contract.</p> <p>The American legal system is based on an adversarial model, adapted from British legal tradition.</p>	<p>Students will be able to: Compare and contrast the legal views of selected Enlightenment philosophers and their impact on American legal tradition.</p> <p>Trace the origins of the American legal system to historical foundations.</p>

<p>event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.A.14.b - Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual, and evaluate the impact on public policies.</p> <p>6.1.12.A.2.e - Explain how judicial review made the Supreme Court an influential branch of government, and assess the continuing impact of the Supreme Court today.</p>	<p>The United States Constitution codifies and protects the rights of individuals against the state thereby forming the backbone of the American legal system. In certain circumstances, a citizen whose constitutional rights have been violated can sue the government in civil court.</p> <p>Civil Law is the branch of the law dealing with private rights of individuals, groups or businesses including, but not limited to, contracts, personal injury and dissolution of marriages.</p> <p>The integral parts of the civil law process, including the parties to a civil suit and criminal prosecution, the applicable burdens of proof, and the limitations, if any, on the dual prosecutions of civil and criminal cases.</p> <p>VOCABULARY & KEY TERMS: Civil law, plaintiff, defendant, burden of proof, preponderance of the evidence, beyond a reasonable doubt, double jeopardy, legal precedents, substantive law, procedural law</p>	<p>Enumerate the basic protections of the United States Constitution.</p> <p>Apply the protections from the Constitution to modern examples.</p> <p>Define criminal law and civil law.</p> <p>Compare and contrast the areas of interest for criminal and civil law.</p> <p>Distinguish between civil and criminal cases and critique the limitations, if any, of dual prosecution.</p>
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ASSESSMENT EVIDENCE: Students will show their learning by:

- Choosing a societal problem or issue, and using the principles of statutory law, designing a bill/law solving it that would garner legislative approval.
- Applying the criminal and civil burdens of proof to an existing court case, paying specific attention to the evidence relied on by both the plaintiff and the

defendant, and supporting your opinion using textual evidence as to the outcome of the case.

KEY LEARNING EVENTS AND INSTRUCTION:

- Readings based on real cases regarding religious freedom, freedom of expression, national security, student drug testing, etc.
- Analyze evidence used by the plaintiff and the defense in a given case to guide argumentation for conviction/acquittal and/or liability/no cause of action.
- Identify and discuss key components and criteria of model bills/laws such as rationale, regulation, enforcement, time frame, etc., and use those criteria to draft a piece of legislation.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
Unit I: Foundations of Civil Law

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
5 Weeks	<p>Foundations of Civil Law</p> <ul style="list-style-type: none"> ● Composition of Federal & State Courts ● Parties in a Civil Case ● Burdens of Proof: Criminal vs. Civil ● Double Jeopardy ● Legal Precedents ● Substantive Law vs. Procedural Law ● Thomas Hobbes & John Locke: Natural Rights and the Social Contract ● What is Law? And the Sources of American Law 	<p>Daley, J. (Ed.). (2006). <i>Landmark decisions of the Supreme Court</i>. Mineola, NY: Dover Publications.</p> <p>Hobbes, T. (1988). <i>Leviathan</i>. London: Penguin.</p> <p>Lindsay, C.L. (2005). <i>The college student's guide to the law</i>. Lanham: Taylor Trade Publishing.</p> <p>Locke, J. (1988). <i>Two Treatises of Government</i> (3rd ed.) P. Laslett, (Ed.). Cambridge: Cambridge University Press.</p> <p>Friedman, L.M. (1993). <i>Crime and punishment in American history</i>. New York: Basic Books.</p> <p>Miller, G.D. (2001). <i>Criminal law (New Jersey practice)</i>. St. Paul, MN: West Group.</p> <p>Robinson, P. (1999). <i>Would you convict? Seventeen cases that challenged the law</i>. New York: NYU Press.</p> <p>Schauer Fredrick. (1996), <i>Philosophy of Law: Classic and Contemporary Readings with Commentary</i>, Harcourt Brace College Publishers, New York, NY.</p> <p>“New Jersey State Bar Foundation Publications Educational Guide to the Law for Jurors” (2nd Edition).</p>

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
UNIT II: Tort Law

TRANSFER: Students will be able to apply their knowledge of tort law to contemporary examples by evaluating and analyzing fact patterns in both hypothetical and actual scenarios.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p> <p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical</p>	<p>Tort law is a series of legal rules that govern the actions of individuals and entities and establishes duties of care that are owed to others. Tort law also provides an avenue within which one party can seek redress of the wrong they have suffered.</p>	<ul style="list-style-type: none"> ● Why should society regulate private behavior? ● What is the best mechanism for individuals and entities to redress wrongs they have suffered?
	<p>Tort law is designed to financially punish those who undertake unreasonable behavior that results in injury to another or to another's property or reputation.</p>	<ul style="list-style-type: none"> ● How should society determine what constitutes unreasonable behavior? ● How should society determine the appropriate level of restitution for behavior deemed to be unreasonable?
	<p>A tort is based upon a wrongdoing that generally does not give rise to criminal sanctions, and is recoverable by an individual or entity, not by society as a whole. However, some torts are also prosecutable as criminal acts.</p>	<ul style="list-style-type: none"> ● Why might society choose to criminalize certain civil wrongs?
	<p>KNOWLEDGE</p>	<p>SKILLS</p>
	<p>The students will know: The American legal system holds persons accountable for wrongdoings, even if those wrongdoings do not rise to the level of violation of criminal law.</p>	<p>Students will be able to: Analyze a fact pattern and assess whether the described action is considered actionable in civil law.</p>
	<p>The recourse for violation of civil law is generally limited to</p>	<p>Recognize the elements of damages required in a civil</p>

<p>event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p>	<p>monetary compensatory damages, paid to the victims of the wrongdoing.</p> <p>Some civil actions constitute egregious behavior that warrants punitive damages in addition to compensatory damages.</p> <p>An award of punitive damages is a way of using the civil justice system to deter the future behavior of a particular offender as well as others in society.</p> <p>Civil and criminal actions are not mutually exclusive and a specific wrongdoing may have both civil and criminal consequences.</p> <p>There are three categories of torts: intentional torts, negligence, and strict liability.</p> <p>Intentional torts include the following: assault, battery, intentional infliction of emotional distress, false imprisonment, defamation (slander & libel), trespass, nuisance, conversion, and patent & copyright infringement.</p> <p>A negligent act involves conduct that falls below the standard established by law for protecting others against unreasonable risks of harm. In order for a plaintiff to recover monetary damages, he/she must prove four elements: the defendant owed a duty of care to the plaintiff, the defendant violated that duty, the breach caused the plaintiff injury, and the plaintiff suffered damages.</p> <p>Strict Liability is known as liability without fault due to the significant danger posed by the activity or product, and is imposed even if the defendant acted in a reasonable and prudent manner and took all necessary precautions.</p>	<p>matter and evaluate the value of damages based upon a civil wrongdoing.</p> <p>Analyze civil actions that warrant additional punitive damages.</p> <p>Evaluate the effectiveness of punitive damages to shape behavior of wrongdoers in society.</p> <p>Evaluate actions that have both civil and criminal responsibility and analyze the necessity for pursuing both remedies in certain circumstances.</p> <p>Analyze actions and determine whether they constitute an intentional tort, an act of negligence, or a strict liability type activity.</p> <p>Identify the specific intentional tort at issue and determine if the necessary elements are present to constitute a successful lawsuit.</p> <p>Determine if an action is an act of negligence and evaluate whether all of the elements are present to ensure a successful lawsuit.</p> <p>Analyze scenarios and determine if the conduct is of the type subject to strict liability and determine evaluate whether all of the elements are present to ensure a successful lawsuit.</p>
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	Vocabulary & Key Terms: Assault, battery, intentional infliction of emotional distress, false imprisonment, defamation, slander, libel, trespass, attractive nuisance doctrine, nuisance, conversion, patent & copyright infringement, defenses, consent, privilege, self-defense, defense of others, defense of property, compensatory damages, punitive damages, nominal damages	
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ASSESSMENT EVIDENCE: Students will show their learning by:

- Analyzing the facts of case scenarios, citing evidence from within, and articulating which tort may have been committed.
- Analyzing a news story involving a tort law scenario and explaining in writing what factors could result in either a finding of liability or no cause of action based on the required elements.

KEY LEARNING EVENTS AND INSTRUCTION:

- Students will analyze evidence used by the plaintiff and the defense in a given case to guide argumentation for a verdict of liability or no cause of action.
- Students will analyze case scenarios to determine if a tort has been committed based on the required elements, and determine what the appropriate damages should be, and identify potential defenses a defendant could raise to avoid liability.

**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
Unit II: Tort Law**

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 Weeks	<p>Intentional Torts</p> <ul style="list-style-type: none"> ● Battery ● Assault ● Intentional Infliction of Emotional Distress ● False Imprisonment ● Defamation (Slander & Libel) ● Trespass & the Attractive Nuisance Doctrine ● Nuisance ● Conversion ● Patent & Copyright Infringement ● Defenses to a Tort Lawsuit <p>Negligence</p> <ul style="list-style-type: none"> ● Four Elements of a Negligence Lawsuit <p>Strict Liability</p> <ul style="list-style-type: none"> ● Unreasonably Dangerous Activities ● Keeping Dangerous Animals ● Defective Products ● Defenses 	<p>New Jersey Statutes Annotated, http://lis.njleg.state.nj.us.</p> <p>New Jersey Supreme Court and Appellate Division Cases, http://www.judiciary.state.nj.us/opinions/index.htm.</p> <p>Levmore, Saul. <i>Tort Law</i>, Foundation Press, New York, NY, (1994).</p> <p>Journal of Tort Law, Berkeley Electronic Press, http://www.bepress.com/jtl/.</p>

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
UNIT III: Contract Law

TRANSFER: Students will be able to develop original contracts and be able to analyze and evaluate real world contracts.		
<p>STANDARDS/GOALS:</p> <p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p>	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
	Contract law is designed to enforce agreements associated with the exchange of goods, property or services for the protection of businesses, consumers, and workers and ensures the free flow of commerce.	<ul style="list-style-type: none"> • What is the nature and importance of a contract?
	Contracts, both formal and informal, are legally binding and have the capacity to reach into many aspects of our daily actions.	<ul style="list-style-type: none"> • What agreements should be enforceable by society?
	Remedies resulting from the breach of a contract can include both monetary damages and non-monetary damages (e.g., specific performance of a contractual duty), and vary based on the severity of the breach.	<ul style="list-style-type: none"> • What should be the appropriate remedies resulting from a breach of a contract?
	KNOWLEDGE	SKILLS
	<p>The students will know:</p> <p>A contract is any agreement enforceable by law.</p> <p>Elements of a contract are: offer, acceptance, consideration, and mutuality.</p>	<p>Students will be able to:</p> <p>Determine the legality of a contract based on elements present.</p> <p>List the elements required to form a contract.</p>

<p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p>	<p>Certain groups of people lack the ability to contract, including those with mental incapacity, those under the influence of alcohol or drugs, and minors.</p> <p>There are many different types of contracts, including oral, written, express, implied, bilateral and unilateral. Each type of contract is agreed to by all parties involved and have specific criteria that make them legal.</p> <p>Unenforceable contracts may arise due to lack of capacity, entering into agreement under duress, undue influence, misrepresentation/fraud, non-disclosure, public policy, mistake, and/or impossibility.</p> <p>A party to a contract is considered in breach of that contract if the party does not adhere to a material element to a contract or makes it impossible to adhere to a material element of the contract.</p> <p>The damages for breach of a contract are generally limited to compensatory damages incurred by the aggrieved party, if the actions of the breaching party are deemed egregious.</p> <p>Remedy for the breach of a contract can include compensatory, incidental and punitive damages. Remedies can also include non-monetary damages including performance of contractual obligations.</p>	<p>Evaluate the capacity of a party to be able to enter into a contract.</p> <p>Distinguish the key elements that classify the different type of contracts.</p> <p>Identify requirements needed for an enforceable contract.</p> <p>Interpret the rights of parties in a contract and how the contract can be discharged.</p> <p>Analyze the actions of the parties of a contract in order to determine if a party committed a breach of contract or if the breach was only to an element of the contract, and whether that breach was material.</p> <p>Analyze the potential damages for a breach of a contract and determine the appropriate remedy assigned to parties to a contract for a breach of the contract</p>
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<p>6.1.12.A.16.b - Analyze government efforts to address intellectual property rights, personal privacy, and other ethical issues in science, medicine, and business that arise from the global use of new technologies.</p> <p>6.3.12.D.1 - Analyze current laws involving individual rights and national security, and evaluate how the laws might be applied to a current case study that cites a violation of an individual's constitutional rights.</p> <p>8.1.12.D.2 - 2 Evaluate consequences of unauthorized electronic access (e.g., hacking) and disclosure, and on dissemination of personal information.</p>	<p>VOCABULARY & KEY TERMS: Contract, oral contract, written contract, express contract, implied contract, bilateral contract unilateral contracts, breach, offer, acceptance, consideration, cosign, ratify, unconscionable, fraud</p>	
<p>ASSESSMENT EVIDENCE: Students will show their learning by:</p> <ul style="list-style-type: none"> Analyzing case scenarios and determining if a contract was in place, if a breach took place and what steps should be taken to remedy the situation. Critiquing student drafted contracts to determine if they contain the required elements and proposing suggested revisions. <p>KEY LEARNING EVENTS AND INSTRUCTION:</p> <ul style="list-style-type: none"> Students will create their own contract based on personal interest for an upcoming life event (i.e., rental agreement, career contract, sales contract) containing the four essential elements of contract law. 		

**RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
Unit III: Contract Law**

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
<p style="text-align: center;">3 Weeks</p>	<p>Contract Law</p> <ul style="list-style-type: none"> ● Elements of a contract ● Types of contracts ● Ability to contract ● Unenforceable contracts ● Interpreting contracts ● Breach of a contract ● Defenses ● Remedies 	<p>New Jersey Statutes Annotated, http://lis.njleg.state.nj.us.</p> <p>New Jersey Supreme Court and Appellate Division Cases, http://www.judiciary.state.nj.us/opinions/index.htm.</p> <p><i>Second Restatement of Contracts.</i>, The American Law Institute (2013).</p> <p>Lord, Richard A., <i>Williston on Contracts 4th Edition</i>. West Publishing Company.</p> <p>Calamari and Perillo: <i>Hornbook on Contracts</i>, West Publishing Co., St. Paul, MN (2009).</p> <p>Hillman, Robert., <i>A Principles of Contract Law</i>, West Publishing Co., St Paul, MN (2010).</p> <p>Blum, Brian A., <i>Contracts, Examples & Explanation</i>, Aspen Publishers, NY, NY, (2007).</p>

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
UNIT IV: Family Law

TRANSFER: Students will be able to use their knowledge of family law to be able to better understand their own experiences and relationships.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p>	<p>The word “family” can be used to describe a variety of relationships. Laws and government have an influence on individuals and families throughout their lives and one's rights may be granted or denied based on being defined as part of a family.</p>	<ul style="list-style-type: none"> ● How does the definition of “family” impact the law?
	<p>Family relationships, although private, are influenced by laws and government. The law outlines the basic rights and responsibilities of parents, married persons, and people in non-traditional relationships.</p>	<ul style="list-style-type: none"> ● Why might society impose regulations on family life? ● In what ways does the law affect the family?
	KNOWLEDGE	SKILLS
	<p>Students will know: Marriage is a legal contract between two people. It creates legal duties and requirements for each party, such as financial support, property ownership, and benefit entitlement.</p>	<p>Students will be able to: Discuss the legal aspects and duties of marriage and apply to real-life scenarios.</p>

<p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.6 - Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.8 - Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p>	<p>Family law applies to single people in nontraditional relationships and courts have ruled that unmarried adults who live together can make contracts regarding their earnings and property rights.</p> <p>Parents (biological and/or those who assume guardianship through marriage, adoption, or foster care) are legally responsible to care for, support, and control their children.</p> <p>If a married couple decides to end their marriage, they have two legal options: separation or divorce. During a separation the couple remains legally married, while a divorce is a legal end to the marriage.</p> <p>Divorce disputes may arise over alimony, property division, and child support/custody.</p> <p>VOCABULARY & KEY TERMS: Marriage, common law marriage, marital property, cohabitation agreement, paternity, child support, emancipation, family responsibility laws, child abuse/neglect, foster care, adoption, separation, divorce, custody</p>	<p>Categorize the various relationships that are defined by law.</p> <p>Analyze the consequences, rights, and responsibilities of people in the various relationships defined by law.</p> <p>Evaluate the various responsibilities and purposes of said responsibilities of individuals toward minors.</p> <p>Assess the legal issues raised by separation/divorce, including custody, alimony, child support, and property division.</p>
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6.1.12.D.2.b - Explain why American ideals put forth in the Constitution (i.e. due process, rule of law, individual rights) have been denied to different groups of people throughout time.

8.1.12.C.1 - Develop an innovative solution to a real world problem or issue in collaboration with peers and experts, and present ideas for feedback through social media or in an online community.

ASSESSMENT EVIDENCE: Students will show their learning by:

- Analyzing case details about a divorce proceeding to fill out a case information sheet outlining the important details, division of property, custody information, etc.
- Drafting their own divorce complaint based on the typical faults for a divorce.

KEY LEARNING EVENTS AND INSTRUCTION:

- Students will read and analyze family law case scenarios to gain a deeper understanding of the legalities of family life.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
Unit IV: Family Law

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
3 Weeks	<p>Family Law</p> <ul style="list-style-type: none"> ● Introduction to Family Law ● Marriage ● Non-traditional Relationships ● Financial Responsibility ● Property Ownership ● Parent-Child Relationships ● Separation and Divorce 	<p>New Jersey Statutes Annotated, http://lis.njleg.state.nj.us.</p> <p>New Jersey Supreme Court and Appellate Division Cases http://www.judiciary.state.nj.us/opinions/index.htm.</p> <p>Oliphant, Robert, <i>Examples and Explanations: Family Law 3rd Ed.</i> Aspen Publishers, New York, NY, (2008).</p> <p>Duncan, Roderic, <i>A Judge's Guide to Divorce: Uncommon Advice from the Bench</i>, Consolidate Printers, Inc., Berkeley, CA.</p> <p>Abrams, Douglas E., <i>Children and the Law: Doctrine, Policy and Practice, 4th Ed.</i> (American Casebook Series American Casebook Series, West Publishing, (2010).</p> <p>New Jersey State Bar Foundation publications Child Custody for Educators and School Mental Health Professionals http://www.njsbf.org/images/content/1/1/11094/childcustody.pdf.</p>

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
UNIT V: Legal Practicum

TRANSFER: By participating in a mock trial, students will understand the complex dynamics of a courtroom and will apply their legal training to a relevant court case.

STANDARDS/GOALS:	ENDURING UNDERSTANDINGS	ESSENTIAL QUESTIONS
<p>Common Core:</p> <p>RH.11-12.1 - Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.</p> <p>RH.11-12.2 - Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.</p> <p>RH.11-12.3 - Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.</p> <p>RH.11-12.4 - Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).</p>	<p>Rights can only be safeguarded by a reliable and impartial judicial system, which includes a neutral and detached magistrate, a trial by jury, and proof constituting a preponderance of the evidence.</p>	<ul style="list-style-type: none"> • How does our adversarial system of justice safeguard the rights of an injured party?
	<p>A civil case is comprised of many stages designed to ensure the parties receive a fair hearing. However, the process is a lengthy one and a misstep in any one stage may be enough to justify the setting aside of the verdict and a costly retrial.</p>	<ul style="list-style-type: none"> • Is the American adversarial system of justice too complicated?
	<p>Complex rules of evidence have been established to govern the procedures by which witnesses are examined and evidence introduced in order to ensure a criminal defendant receives a fair trial.</p>	<ul style="list-style-type: none"> • What makes evidence reliable? • What types of evidence should be admitted in court and under what circumstances? • If some evidence is excluded, is a trial really a search for the truth?
	KNOWLEDGE	SKILLS
	<p>Students will know:</p> <p>The various stages of a civil trial process, what each stage entails and the purpose they serve in ensuring that both parties in the case receive a fair hearing.</p>	<p>Students will be able to:</p> <p>Analyze fact patterns to develop arguments for use in mock court proceedings.</p> <p>Evaluate which arguments will be most effective in a court</p>

<p>RH.11-12.5 - Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.</p> <p>RH.11-12.7 - Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.</p> <p>RH.11-12.9 - Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.</p> <p>WHST.11-12.1.A-E - Write arguments focused on discipline-specific content.</p> <p>WHST.11-12.4.A - Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.</p> <p>NJCCCS:</p> <p>6.1.12.D.4.e - Analyze the impact of the Civil War and the 14th Amendment on the development of the country and on the relationship between the national and state governments.</p> <p>6.1.12.A.14.b - Analyze how the Supreme Court has interpreted the Constitution to define the rights of the individual, and evaluate the</p>	<p>Some of the rules of evidence, the philosophical reasoning behind them, and their practical application in a trial.</p> <p>The elements and requirements essential to conduct a mock trial exercise by creating opening and closing statements, as well as detailed sets of questions to be used during a direct and cross-examination.</p> <p>VOCABULARY & KEY TERMS: Plaintiff, Defendant, Judge, Complaint, Answer, Counterclaim, Third-Party Complaint, Case Management Conference, Motion Practice, Pre-Trial Conference, Jury Trial, Opening Statement, Direct Examination, Cross-Examination, Closing Statement, Jury Instructions, Verdict, Relevance, Privilege, Opinion Testimony, Expert Testimony, Competency, First-Hand Knowledge, Hearsay, Impeachment, Admissibility.</p>	<p>proceeding.</p> <p>Analyze evidentiary rules and procedures.</p> <p>Synthesize evidentiary rules to address issues of reliability in presentation of evidence and courtroom procedures.</p> <p>Write and present opening and closing statements.</p> <p>Engage in analysis and evaluation of hypothetical fact patterns and synthesize strategies for presentation of materials in a mock trial setting.</p>
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<p>impact on public policies.</p> <p>8.1.12.A.2 - Produce and edit a multi-page digital document for a commercial or professional audience and present it to peers and/or professionals in that related area for review.</p>		
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ASSESSMENT EVIDENCE: Students will show their learning by:

- Preparing a written summary of the mock trial case, which shall include the identification of the relevant issues and a review of the evidence related to those issues.
- Drafting either an opening or closing statement, or a detailed set of questions for the direct and/or cross-examination of a trial witness.
- Participating in the mock trial in their assigned role (plaintiff’s attorney, defense counsel, witness) by delivering an opening or closing statement, by examining a witness, or by acting the part of a trial witness.

KEY LEARNING EVENTS AND INSTRUCTION:

- Students will create and/or act out various proceedings in the civil trial process to prepare for the mock trial.

RANDOLPH TOWNSHIP SCHOOL DISTRICT
CIVIL LAW HONORS
Unit V: Legal Practicum

SUGGESTED TIME ALLOTMENT	CONTENT-UNIT OF STUDY	SUPPLEMENTAL UNIT RESOURCES
4 weeks	<p>Legal Practicum</p> <p>Stages of the Civil Trial Process</p> <ul style="list-style-type: none"> ● Filing and Serving the Necessary Paperwork ● Case Management Conference ● Motion Practice ● Pre-Trial Conference ● Trial, Verdict & Collecting a Monetary Judgment <p>Rules of Evidence</p> <ul style="list-style-type: none"> ● Relevance ● Competency ● Privilege ● Opinion & Expert Testimony ● Hearsay ● Impeachment <p>Evidentiary Procedures</p> <ul style="list-style-type: none"> ● Introducing Documentary Evidence ● Introducing Physical Evidence ● Qualifying an Expert 	<p>Rules Governing the Courts of the State of New Jersey http://www.judiciary.state.nj.us/rules/</p> <p>Korzen, John, <i>Make Your Argument: Succeeding in Moot Court and Mock Trial</i>, Kaplan Publishing, New York, NY 2010.</p> <p>Trumbull-Harris, Jill, <i>Mock Trials: Preparing, Presenting, and Winning Your Case</i>, National Institution for Trial Advocacy, New York, NY, (2001).</p> <p>Wellman, Francis L., <i>The Art of Cross Examination</i>, Touchstone Books, Simon & Schuster, New York, NY, (1997).</p> <p>Mauet, Thomas A, <i>Trial Techniques</i>, 7th Edition, Aspen Publishers: 2007.</p> <p>New Jersey State Bar Foundation Materials, NJSBF Vincent J. Apruzzese Mock Trial Competition http://www.njsbf.org/educators-and-students/programs/hsvincent-Mocktrial.html.</p> <p>The American Mock Trial Association, http://www.collegemocktrial.org/mock/2011_Championship_program.pdf.</p> <p>American Bar Association Resources, http://www.americanbar.org/groups/public_education/resources/Educational_resources/teaching_resource_guides/Resources_for_Teachers_students.html.</p> <p>National High School Mock Trial Resources, http://www.nationalmocktrial.org/.</p> <p>Street Law Mock Trial Resources, http://www.streetlaw.org.</p>

APPENDIX A

RANDOLPH HIGH SCHOOL CIVIL & CRIMINAL LAW BENCHMARK ASSESSMENT: A MOCK TRIAL EXERCISE

The quarterly benchmark will be the preparation, rehearsal and participation in a mock trial exercise. The class will be divided into teams of students representing both the plaintiff and defendant in a civil or criminal trial.

The chosen cases will give the students an opportunity to argue the black letter law they have learned during the semester, prepare and examine witnesses, and practice giving opening and closing statements.

STEP ONE: ESTABLISHING LEGAL TEAMS

The class will be divided into trial teams representing both the prosecution and the defense. Each team will be comprised of students who will serve as attorneys and witnesses. An attorney from each side will be matched with a witness or be assigned the task of drafting and presenting an opening and/or closing statement. Each paired attorney-witness will be responsible for preparing and performing a direct examination and/or a cross-examination of one of the opposing team's witnesses. The remaining attorneys will be assigned to conduct opening and/or closing statements.

STEP TWO: INITIAL PREPARATION & SUMMARY OF CASE

Each student will be responsible for reviewing the case materials that will be distributed in class and preparing a summary of the case. The summary shall include the following:

A summary of the facts of the case.

A summary of the applicable law and legal principles in the case.

A summary of the proofs necessary to establish the legal requirements of the case from the perspective of both sides of the case.

Due Date for Written Summaries: See Schedule of Assignments

STEP THREE: PREPARATION OF DIRECT/CROSS EXAMINATIONS AND OPENING/CLOSING STATEMENTS

Each paired attorney-witness shall provide a final draft of their direct testimony and anticipated cross-examination. The direct testimony will be limited to 10 minutes of testimony. Cross-examination will be limited to 10 minutes of testimony. Any re-direct examination will be limited to 5 minutes. These time limitations will not include any interruptions to hear issues or

objections raised by the opposing side. The questioning of witnesses shall be conducted according to the Model Rules of Mock Trial contained within the packet of case materials.

Each attorney assigned to present an opening and/or closing statement will provide a final draft of their statement. Opening and closing statements will be limited to 10 minutes. There will be no objections by the opposing side during opening or closing statements. Any objections to these statements can be made after both sides have given their opening/closing.

Time for practice and preparation will be permitted during class time for the purpose of preparing witnesses, reviewing testimony, and rehearsing parts. However, students will also need to spend time outside of class preparing their written work and practicing their assigned role.

Due Date for Written Submissions: See Schedule of Assignments

Students may submit drafts of their openings, closings or trial questions for review prior to the final due date.

STEP FOUR: THE MOCK TRIAL

Students will conduct a full mock trial.

The mock trial will be conducted pursuant to the instructions in the mock trial packet.

Benchmark/Trial Dates: See Schedule of Assignments

Grading: See Attached Rubric

GENERAL RULES & EXPECTATIONS:

All students should read the entire set of materials and discuss the information, procedures and rules of the mock trial with their team members.

All team roles in the case should be practiced.

Credibility of witnesses is very important. Therefore, students acting as a witness need to think and act like the witness they are portraying. Student witnesses should read over their statements/affidavits many times and have other members of the team or the class ask them questions about the facts until you know them cold.

Student team members have primary responsibility for deciding what questions should be asked of each witness. Questions for each witness should be written down and/or recorded by other means.

Opening and closing statements should also be written out by team members. Legal and/or non-legal language should be avoided where its meaning is not completely understood by attorneys and witnesses.

Team members should take notes during the trial.

Draft cross-examination questions will probably need to be modified as a witness testifies during direct examination.

Draft closing statements will probably need to be modified to reflect developments that arise during the trial.

Each team will have to decide which are the most important points needed to prove their side of the case and to make sure they prove those points.

An opening statement should clearly state what the team intends to prove, while the closing statement should effectively argue how the facts and evidence presented at trial prove their case.

Courtroom etiquette is a must: standing up when the judge enters the room; standing up when addressing the judge; calling the judge “your honor”; etc.

During direct examinations, remember to use non-leading questions. Review the rule and watch for this type of questioning in practice sessions.

Do not prolong cross-examination so as to lose your well-made points. Zero-in a few key points and make them count.

You will have to think quickly on your feet when a witness gives an unexpected answer, an attorney asks an unexpected question, or a judge asks a question of an attorney or witness.

Most of all...remember to have fun with it!

Mock Trial Scoring Rubric

Scoring: Students can obtain a maximum of 100 points on this exercise. To determine the score, assign a point value to each category (e.g., Preparation and Research) and multiply that value by the number in parenthesis (e.g., 6).

PREPARATION AND RESEARCH (X6 = Max. 60 Points)

- 9-10 Witness statement fully developed, completely consistent with historical record, accurately performed. Attorney questions relevant, logical, and clear; questions properly formed and delivered. Opening/Closing is clear, concise, factual and persuasively delivered.
- 7-8 Witness statement adequately developed, fairly consistent, and accurately performed. Attorney questions clear, logical, and relevant most of the time; most questions properly formed. Opening/Closing is somewhat clear, concise, factual and persuasive.
- 6-5 Written work or performance shows a lack of preparation.

VOICE (X1 = Max. 10 Points)

- 9-10 Easily understood; consistent use of appropriate rate, volume, and intonation.
- 7-8 Understood most of the time; appropriate rate, volume, and intonation most of the time.
- 5-6 Not easily understood; delivery needs work.

EYE CONTACT (X1 = Max. 10 Points)

- 9-10 Establishes appropriate eye contact for the situation and setting.
- 7-8 Establishes appropriate eye contact most of the time.
- 5-6 Does not establish eye contact.

AUTHENTICITY (X1 = Max. 10 Points)

- 9-10 Seems very real; excellent use of body and facial expression; words and gestures match; well adapted to setting; appropriate costume.
- 7-8 Believable; adequate use of body and facial expression; fairly well adapted to setting.
- 5-6 Needs to be more convincing.

COURTROOM DECORUM (X1 = Max. 10 Points)

- 9-10 Appropriate interaction with Justices and attorneys; stays in character.
- 7-8 Appropriate interaction with others most of the time.
- 5-6 Distracted, inappropriate behavior.

Source: Matt Johnson, social studies teacher, Benjamin Banneker Senior High School, Washington, D.C.

CONTRACT LAW SCENARIOS

Question 1

John, a homeowner, answers the telephone and listens to a solicitor make a five-minute sales pitch for Weed Gardening Services. John responds, “No, thank you,” and hangs up. Two days later, John returns home from work to find a crew gardening in his yard and a bill for \$200 sitting on the porch. When John tells the Weed representative that he never asked for this service, Weed responds by saying, “It looks much better, doesn’t it? You got the service, now pay for it.” John agrees that the work was of good quality, but refuses to pay for it. He is later served with a summons to appear in magistrate court because of this dispute.

How should the judge rule?

- A. For Weed Gardening Services, because Weed performed good quality services for John.
- B. For John, because he did not accept Weed's offer.

Question 2

Harry drops by Mack’s house and finds him working on his old pickup truck in the driveway. Mack kicks the truck and exclaims to Harry, “This piece of junk isn’t worth a tank of gas – you can have it.” Harry says thanks and the next day comes by with his SUV to tow away the pickup. Mack stops him and says the truck is working now. Harry goes to court and claims that the truck Mack promised him was worth \$500 and Mack should pay him that amount.

How should the judge rule?

- A. For Mack, because there was no consideration for the transaction.
- B. For Harry, because Mack promised him the pickup truck, and that created a contract.
- C. For Mack, because Harry never accepted his offer.

Question 3

Mike puts an ad in the newspaper stating that he wants to sell his truck for \$500. James goes to Mike's home and tells him that he is interested in buying the truck. After looking at it, James hands Mike \$500 in cash, which Mike puts in his pocket. Just then, Steve drives up and tells Mike that he'll give him \$600 for the truck. Mike hands James back his \$500 and sells the truck to Steve. James sues Mike for breach of contract.

How should the judge rule?

- A. For Mike, because there was no offer and acceptance.
- B. For Mike, because he gave the money back to James.
- C. For James, because once Mike accepted the money, the deal was closed.
- D. For Mike, because he didn't specifically say why he was taking the money.

Question 4

Brunhilda and Frank had a valid contract under which Frank would buy all of the fruit from Brunhilda's orchard. A fire swept through Brunhilda's orchard just before the harvest, destroying all of the fruit trees. Brunhilda tells Frank that she will not be able to supply him with the fruit. Frank sues Brunhilda for breach of contract.

How should the judge rule?

- A. For Brunhilda, because it has become impossible for her to perform the contract.
- B. For Frank, because Brunhilda did not supply him with fruit as they had agreed.

Question 5

Green Company has a contract with Red Company to buy 400 golf balls, to be delivered to Green Company on July 16. The contract states that “time is of the essence.” On July 18, Red Company delivers the 400 golf balls to Green Company. Green Company refuses to accept the golf balls because of the delay and sues Red Company for breach of contract.

How should the judge rule?

- A. For Green Company, because the late delivery of golf balls constituted a material breach.
- B. For Red Company, because the delivery was only two days late.

Question 6

Carlotta sees a horse running in Troy’s fields and decides to see if Troy will sell her the horse. During the course of negotiations, Troy realizes that Carlotta is confused about the name of the horse she wants—she keeps using the name Misty, who is actually an old broken-down nag, when the horse she saw in the field is named Sissy. Troy draws up a written contract in which he agrees to sell Misty to Carlotta for \$3000 and they both sign it. When Carlotta brings a trailer to pick up her horse, she realizes that she has bought the wrong horse and refuses to pay for Misty. Troy sues Carlotta for breach of contract.

How should the judge rule?

- A. For Troy, because Carlotta agreed to pay \$3000 for Misty.
- B. For Carlotta, because Troy knew that Carlotta was making a mistake about the horse’s name

Question 7

Mr. Brown makes a contract for Mr. Yellow to do repair work to his living room, which is to be finished by June 3. Mr. Yellow comes down with a bad case of the flu and is delayed in finishing the work. He is able to complete the work on June 8. Mr. Brown sues Mr. Yellow for breach of contract.

How should the judge rule?

- A. In Mr. Brown’s favor, because Mr. Yellow’s delay was a material breach of the contract.
- B. In Mr. Yellow’s favor, because the breach was minor.

Question 8

Jeff makes a contract with Acme Farms to buy 1000 apples for \$200, which is the average price for apples at that time. The contract specifies that Jeff must have the apples by April 2 so that he can make his specialty apple pies to sell to Yummy Bakery. On March 15, Acme Farms informs Jeff that they will not be able to meet his order. On April 4, Jeff files suit against Acme Farms for breach of contract and wins the case. Jeff asks for consequential damages that will reimburse him for the amount of profit that he would have been paid by Yummy Bakery if he had been able to make his apple pies. Acme presents evidence proving that Jeff had not even tried to find substitute apples, even though he had sufficient time before his deadline and there were other farms nearby that could have supplied him with apples for the same \$200 price.

How should the judge rule?

- A. Jeff should not recover any damages because he did not look for another apple supplier.
- B. Jeff can recover damages, but such recovery should be reduced by the amount that he could have avoided if he had tried to buy his apples elsewhere.
- C. Jeff should get full damages that include the amount that he would have been paid by Yummy Baker for his apple pies.

Question 9

Tory and Cathy entered into a contract under which Cathy was supposed to provide the floral arrangements for Tory's wedding on May 23. The day of the wedding arrives, but Cathy does not deliver the floral arrangements. Cory is devastated and feels that her wedding was ruined by the lack of floral arrangements. She sues Cathy successfully for breach of contract and then asks for punitive damages because her wedding was ruined. The evidence presented at court only shows that Cathy did not deliver the arrangements because she had accidentally written the wrong delivery date on her calendar.

How should the judge rule?

- A. Only award compensatory damages and not punitive, because there is not sufficient evidence to prove that Cathy had the requisite mental state for an award of punitive damages.
- B. Award punitive damages, because Cathy should have known that the breach would ruin Cory's wedding

Contract Law Assignment
Civil Law Honors

Goal: Students will create their own contract based on personal interest for an upcoming life event (i.e. rental agreement, career contract, sales contract) containing the four essential elements of contract law.

Students will be scored on the following criteria:

EXEMPLARY

- Includes client's goals and are consistent with applicable law
- Conforms to applicable law in all contract provisions
- Follows principles of contract law
- Presents the information effectively

EFFECTIVE

- Includes most of the client's goals
- May have minor aspects that conflict with applicable law in contract provisions
- Mostly follows the principles of contract law
- Presents information in organized manner

DEVELOPING

- Includes some of the client's goals
- Parts of contract provisions conflict with applicable law
- Attempts to follow the principles of contract law
- Somewhat organized presentation

LIMITED

- Parts of contract are unclear or missing
- Does not follow principles of contract law
- Disorganized presentation

Untying the Knot

Family Law

Learning Objectives:

- *Assess the legal issues raised by separation/divorce, including custody, alimony, child support, and property division.*

Initial Activities:

- Class Notes
- Classroom Discussion/Fishbowl on Marriage Statistics based partially on the following articles:
 - Roberts, Sam. "25th Anniversary Mark Elusive for Many Couples." *New York Times*. N.p., 20 Sept. 2007. Web. 9 Aug. 2016.
 - Stevenson, Betsey, and Justin Wolffers. "Divorced from Reality." *New York Times*. N.p., 29 Sept. 2007. Web. 9 Aug. 2016.
<<http://isites.harvard.edu/fs/docs/icb.topic443751.files/Divorced.pdf>>.

Classroom Activity:

The students will...

- Discuss the duties and responsibilities of marriage
- Analyze the most common reasons for divorce
- Read and analyze different divorce agreements
- Create a divorce complaint to meet the standards taught in class

UNTYING THE KNOT

“New beginnings are often disguised as painful endings.” –Lao Tzu



Assignment:

Marriage is a sacred bond in which two people enter willingly. It is often performed as a religious ceremony, but it is also a legally binding contract. In recent years, there have been an increasing number of divorces among American couples. Using class notes, handouts and knowledge gained throughout the Family Law Unit, you will create a divorce complaint taking into consideration all the factors of marriage.

Prior to writing your complaint, you must consider:

- **Factors leading to divorce**
 - Finances, personality differences, selfishness, communication problems, authoritarianism, difference in values and morals
- **Grounds for divorce**
 - Adultery, desertion, failure to provide, substance abuse, conviction of a felony, mental/physical cruelty, legal separation.
- **Effects of divorce on children**

Included in your divorce complaint, you must:

- clearly state the view of your client, either the plaintiff or the defendant
- articulate how many children the couple has and include a claim for custody
- give the location of where the marriage took place
- give a thorough explanation of the ground(s) for a divorce
- address the division of marital assets