

Personal Law II
Curriculum

Grades 10-12

Ewing Township Public Schools
1331 Lower Ferry Road
Ewing, NJ 08618

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Superintendent

<p>In accordance with The Ewing Public Schools' Policy 2230, Course Guides, this curriculum has been reviewed and found to be in compliance with all policies and all affirmative action criteria.</p>
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Preface

This second level course (Personal Law I being a prerequisite) will expose students to more advanced theories, principles, and cases on four major in-depth units on the Supreme Court, Discrimination, Employee Injury and Civil Suits, and Business Contracts and Agency Law.

Students will also learn about topics related to work, career, civics, and law in their everyday lives.

Class Instructional Time: Block scheduling (82 minutes) – 5 days a week

Scope of Essential Learning

- Unit 1: Supreme Court Overview
- Unit 2: Discrimination
- Unit 3: Employee Injury & Civil Suits
- Unit 4: Business Contracts & Agency Law

Unit: 1 Supreme Court Overview Duration: 3 weeks

Class Instructional Time: Block scheduling (82 min)-5 days a week

Why is this unit important? (Big Idea)

This introductory unit will serve as an overview on the major themes and topics of the United States Supreme Court that will examine the upcoming units of study in Personal Law II. The Big Ideas embedded through this unit are:

- The evolution of the United States Supreme Court, and
- An emphasis on the cases and the type of laws the United States Supreme Court employs.

Enduring Understandings or Unit Objectives

1. Students will be able to explain the evolution in the creation of the United State Supreme Court.
2. Students will be able to describe the differences between the trial level, appellate level and United States Supreme Court level of the Judiciary.
3. Students will be able to describe the difference between the roles of a judge, federal judge, and a United States Supreme Court Justice including the manner in which those said Justices are appointed.
4. Students will be able to explain how constitutional, statutory, case, and administrative laws are interpreted by the United States Supreme Court.
5. Students will be able to explain how the United States Supreme Court endeavors to resolve conflicts between constitutions, statutory, case, and administrative laws.
6. Students will be able to describe a landmark United State Supreme Court case.

Essential Questions:

1. What exactly is the United States Supreme Court?

2. How have certain United States Supreme Court landmark decision cases changed our everyday lives today?
3. Who are our current United State Supreme Court Justices?
4. What are the United States Supreme Court Justices' roles and responsibilities?
5. Who appoints our United States Supreme Court Justices, and how long do are their terms?

Acquired knowledge:

1. Hierarchy of the legal system (from Personal Law I)
2. Basic legal terminology and methodology (from Personal Law I)
3. Knowledge of constitutional, statutory, case, and administrative case examples (from Personal Law I)

Acquired Skills:

1. Working with a partner, take either the defendant or the plaintiff side of a United States Supreme Court landmark case, and debate/support your side.
2. Research the backgrounds of each of the United States Supreme Court Justices. Students will then report findings to the class.
3. Using the Internet and media center resources, research articles on the debate involving the United States Supreme Court's most controversial decisions (i.e. abortion, gun control, same sex marriage) and how the Constitution has related issues from this.
4. Create a poster and/or Google Doc illustrating the hierarchy of the trial, appellate, and United State Supreme Court Judiciary levels.
5. Create a Google Doc presentation on a chosen United States Supreme Court landmark case.
6. Make a list of the sixteen most interesting cases the student believes the United States Supreme Court Justices made decisions on over the last century. Include why they believe these are the most interesting.

7. Using a graphic organizer or an excel spreadsheet, separate, give example scenarios, and explain statutory, constitutional, case and administrative law.

Benchmark or Major Assessments (quizzes, tests, projects, performance tasks, etc.)

1. United States Supreme Court Justices Quiz
2. United States Supreme Court Landmark Cases Quiz
3. Class work (discuss cases, explore issues, make connections, think visually/critically).
4. Homework
5. Unit test
6. Google Presentation on a Chosen United States Supreme Court Landmark Case

Instructional Materials (text-supplementary materials/projects

Text: Law for Business and Personal Use (South-Western Publishing), Supplemental Legal Articles, Supplemental Cases, Online resources (see sites listed below).

Instructional Strategies

1. After conducting a short discussion on landmark United States Supreme Court cases, have students vote on why they think we need these protections from the Judicial branch of government.
2. Divide the class into four groups. Have each group give an oral presentation about one aspect of the United States Supreme Court Justice (appointment of Justices, background of each current Justice, ending a United States Supreme Court Justice career, historical information concerning the most controversial United States Supreme Court nominees interviewed and/or grilled by the Senate Judiciary Committee, etc.).
3. Set up the classroom with ten chairs, five on each side. Invite a panel of ten students to occupy the chairs facing each other. Designate an additional chair to be the "hot seat." Provide sample United States Supreme Court cases for the ten students to decide

and explain if the cases should or should not be heard at this level. Students can debate their legal positions. Any students not participating as a panelist may exercise their free speech by taking the hot seat at any time during the discussion.

4. Discuss the questions at the end of a United States Supreme Court death penalty case. Poll the class, then have students lead a discussion about whether they believe execution is ever justified as a punishment for crime. Have students justify their opinions.
5. Use Smart Board/internet and guest speakers to solidify lessons on various topics.

Accommodations or Modifications (Special Ed. ESL/ELL, Gifted Learners)

Repetition	Study/test guide
Restate directions	
Visual prompts	
Extended time (homework/tests)	

List of Applicable NJCCS and Standards/CPIs Uncovered in this unit.

9.2.12. A.1 – 9.2.12.A.5

9.2.12. A.9

9.2.12. A9 - 9.212.A.12

9.2.12.C7

9.2.12.C8

9.3.12.BM-MGT.1

9.3.12.BM-MGT.2

9.3.GV-GOV.3

9.3.GV-MGT.1

9.3.LW.6

9.3.LW-LEG.8

9.3.LW-SEC.2

Suggested Learning Experiences and Instructional Activities

Anticipatory Sets – Daily quiz or “do now” activity on the previous day’s lesson, review of homework, question and answer session

In-Class Activities: Key Terms Review – Daily ethics scenario – Daily Cultural Diversity in Law activity

Possible Dilemmas (Moral/Spiritual/Ethical etc.)

Choice between alternatives	Self-Esteem
Decision Making	Self-Management
Problem Solving	Integrity

Cross Content Writing Activities: Writing case responses, writing legal scenarios, writing sample legal briefs

Home-Link Activities: www.findlaw.com, www.einsteinlaw.com,
www.peoples-law.org, www.law.nyu.edu/library/research,

Unit 2: Discrimination Duration: 4 weeks

Class Instructional Time: Block scheduling (82 min)-5 days a week

Why is this unit important? (Big Idea)

This introductory unit will serve as an overview on the major themes and topics of study that will examine the upcoming units of study in this course. The Big Ideas embedded through this unit are:

- Legal versus Illegal Discrimination, and
- Proving Illegal Discrimination

Enduring Understandings or Unit Objectives

1. Students will be able to recognize the difference between legal and illegal employment discrimination.
2. Students will be able to list the various statutes governing employment discrimination.
3. Students will be able to discuss how a case based on disparate treatment is proven.
4. Students will be able to describe how a case based on disparate impact is proven.
5. Students will be able to identify and describe the forms of sexual harassment.

Essential Questions:

1. When is discrimination illegal?
2. What is a protected class?
3. What are the nine protected classes?
4. What laws prohibit employment discrimination?
5. What is the difference between disparate treatment and disparate impact?
6. What is the difference between applicant and workforce pool?

7. What are the two types of sexual harassment?
8. What are the options in defending a sexual harassment lawsuit?

Acquired knowledge:

1. Difference between civil and criminal actions (from Personal Law I)
2. Reading State and Federal Statute Citations (from Personal Law I)
3. Basic legal terminology and methodology (from Personal Law I)

Acquired Skills:

1. Prepare a five-slide Google Doc, Prezi, or Power Point presentation on a discrimination case, and present it to the class.
2. Investigate the study by the *American Journal of Health Behavior* comparing the annual health care expenditures for those of normal weight compared to those who are obese, and explain how those findings may be construed as discriminatory.
3. Research the Social Security Administration (SSA) website to look into the disability status of a specific physical condition or problem, and share findings with the class.
4. Have students check the websites of attorneys willing to represent disability claimants for their fees and specialties.
5. Create a poster or bulletin board highlighting the important aspects of the 1990 Americans with Disabilities Act along with the 2009 significant amendments to that act.
6. Have students lead a discussion into the laws in this unit that prohibits unjustified discrimination in employment.
7. Create a graphic organizer depicting the differences between legal and illegal discrimination in the workplace.

Benchmark or Major Assessments (quizzes, tests, projects, performance tasks, etc.)

1. Legal Versus Illegal Discrimination Quiz
2. Discrimination Statutes Quiz
3. Proving Illegal Discrimination in the Courtroom Quiz
4. Classwork (discussions, explore issues, make connections, think visually/critically).
5. Homework
6. Unit test

Instructional Materials (text-supplementary materials/projects

Text: Law for Business and Personal Use (South-Western Publishing), Supplemental Legal Articles, Supplemental Cases, Online resources (see sites listed below).

Instructional Strategies

1. Interview the manager responsible for compliance with ADA rules and regulations at a local business, and compare conclusions with other classmates'.
2. Technology – have students access the text link for the discrimination chapter (www.cengage.com/school/blaw/law), read the article entitled "Proving Business Necessity: The Disparate Impact Challenge", then answer the posted questions.
3. Lead a discussion on the three main evidentiary grounds for proving disparate treatment cases, then have students create legal scenarios involving each one.
4. Have students perform a mock trial using a sexual harassment case utilizing one of the two forms of this discrimination covered in class – either quid pro quo or hostile environment.
5. Write an ad for a job as a server in a restaurant which creates direct evidence of disparate treatment.
6. Research the requirements for state highway patrol officers, sheriff's deputies, or city patrol officers in New Jersey. List any requirements

that might have a disparate impact on any protected class and explain why this is so. Then list any defenses that could be used to such allegations.

7. Create a Google Doc, Prezi, or Power Point outlining how the Americans With Disabilities Act was conceived and became law.
8. Investigate information on Title IX, then split the class into two groups to debate the Amy Cohen, et al. versus Brown University (101 F.3rd 155) case.
9. Create a *Jeopardy!* or *Pictionary* style game using the key words from this unit to play with the class as a review before a quiz or test.
10. Use Smart Board/internet and guest speakers to solidify lessons on various topics.
11. Additional writing activities* are listed in the *Cross Content Writing Activities* section below.

Accommodations or Modifications (Special Ed. ESL/ELL, Gifted Learners)

Repetition	Study/test guide
Restate directions	
Visual prompts	
Extended time (homework/tests)	

List of Applicable NJCCS and Standards/CPIs Uncovered in this unit.

9.2.12. A.1 – 9.2.12.A.5

9.2.12. A.9

9.2.12. A9 - 9.212.A.12

9.2.12.C7

9.2.12.C8

9.3.12.BM-MGT.1

9.3.12.BM-MGT.2

9.3.GV-GOV.3

9.3.GV-MGT.1

9.3.LW.6

9.3.LW-LEG.8

9.3.LW-SEC.2

Suggested Learning Experiences and Instructional Activities

Anticipatory Sets – Daily quiz or “do now” activity on the previous day’s lesson, review of homework, question and answer session

In-Class Activities: Key Terms Review – Daily ethics scenario – Daily Cultural Diversity in Law activity

Possible Dilemmas (Moral/Spiritual/Ethical etc.)

Choice between alternatives	Self-Esteem
Decision Making	Self-Management
Problem Solving	Integrity

Cross Content Writing Activities: Writing case responses, writing legal scenarios, writing sample legal briefs

Home-Link Activities: www.findlaw.com, www.einsteinlaw.com,
www.peoples-law.org, www.law.nyu.edu/library/research,

Class Instructional Time: Block scheduling (82 min)-5 days a week

Unit 3: Employee Injury and Civil Suits Duration: 6 weeks

Why is this unit important? (Big Idea)

This introductory unit will serve as an overview on the major themes and topics of study that will examine the upcoming units of study in this course. The Big Ideas embedded through this unit are:

- Legal Safety on the Job,
- OSHA Regulations, and
- Employer’s Liability for Work-related Injuries.

Enduring Understandings or Unit Objectives

1. Students will be able to explain the two approaches taken to protect workers from on-the-job injuries.
2. Students will be able to distinguish the role of OSHA in the effort to prevent such injuries.
3. Students will be able to describe OSHA’s responsibilities.
4. Students will be able to explain the process for dealing with workplace violations.
5. Students will be able to describe the importance of employee negligence suits and workers’ compensation.
6. Students will be able to compare and contrast the ways in which civil suits and compensation differ.
7. Students will be able to describe the procedure for handling workers’ compensation cases.

Essential Questions:

1. What is OSHA?
2. What are some common workplace accidents?
3. What two approaches are used for a workplace injury payoff?

4. What does the initials OSHA stand for?
5. How should an employer deal with workplace violations?
6. What are some difficulties for employees in negligence suits?
7. What is the difference between assumption of risk, contributory negligence, and co-worker negligence?
8. What happens if the injury is not covered by workers' compensation?

Acquired knowledge:

1. Administrative Agencies and Administrative Law (from Personal Law I)
2. Civil Law basics (from Personal Law I)
3. Common Law Defenses to Torts (from Personal Law I)
4. Basic legal terminology and methodology (from Personal Law I)

Acquired Skills:

1. Prepare a five-slide Google Doc, Prezi, or Power Point presentation on an employment injury case, and present it to the class.
2. Obtain a Job Safety & Health Protection Poster from a local employer, and discuss its contents while displaying it on a bulletin board in the classroom.
3. Students choose a job they consider hazardous that is being performed in Ewing. Ask the Municipality for a list of laws, ordinances, rules and regulations they enforce relative to the job in question, and share them with the class.
4. Have students create a poster illustrating the three common-law defenses utilized by employers against negligence cases by employees.
5. Create a story incorporating a workplace injury and its ultimate conclusion for financial reimbursement.
6. Have students lead a discussion into the laws OSHA incorporates to make the workplace a safe environment for all employees.

Benchmark or Major Assessments (quizzes, tests, projects, performance tasks, etc.)

1. OSHA Quiz
2. Workplace Safety Quiz
3. Civil Suits Versus Workers' Compensation Quiz
4. Classwork (discussions, explore issues, make connections, think visually/critically).
5. Homework
6. Unit test

Instructional Materials (text-supplementary materials/projects

Text: Law for Business and Personal Use (South-Western Publishing), Supplemental Legal Articles, Supplemental Cases, Online resources (see sites listed below).

Instructional Strategies

1. Writing assignment – describe when an employee can maintain a negligence suit against an employer.
2. Technology – have students access the text link for the workplace safety chapter (www.cengage.com/school/blaw/law). The website provides links to the Workers' Compensation Boards or Commissions in all 50 states and Washington, D.C. Choose one state and click on the link for its website. Write a one-page report explaining what an injured employee in that state who is covered by workers' compensation insurance needs to do if he or she suffers an injury on the job.
3. Lead a discussion on common workplace injuries in specific industries, then have students give examples or scenarios for each.
4. Have students perform a mock trial using a workplace safety case utilizing one of the two forms of compensation covered in class – either civil negligence suits or workers' comp.

5. Research the requirements for New Jersey's state worker's compensation program outlining the program's evolution and compare the level of awards the program provides for various injuries with program of states in other parts of the country.
6. Create a Google Doc, Prezi, or Power Point outlining a situation where an employer would be able to escape liability in a negligence suit by an injured employee by averting the defense of contributory negligence.
7. Create a *Jeopardy!* or *Pictionary* style game using the key words from this unit to play with the class as a review before a quiz or test.
8. Use Smart Board/internet and guest speakers to solidify lessons on various topics.
9. Additional writing activities* are listed in the *Cross Content Writing Activities* section below.

Accommodations or Modifications (Special Ed. ESL/ELL, Gifted Learners)

Repetition	Study/test guide
Restate directions	
Visual prompts	
Extended time (homework/tests)	

List of Applicable NJCCS and Standards/CPIs Uncovered in this unit.

9.2.12. A.1 – 9.2.12.A.5

9.2.12. A.9

9.2.12. A9 - 9.212.A.12

9.2.12.C7

9.2.12.C8

9.3.12.BM-MGT.1

9.3.12.BM-MGT.2

9.3.GV-GOV.3

9.3.GV-MGT.1

9.3.LW.6

9.3.LW-LEG.8

9.3.LW-SEC.2

Suggested Learning Experiences and Instructional Activities

Anticipatory Sets – Daily quiz or “do now” activity on the previous day’s lesson, review of homework, question and answer session

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Possible Dilemmas (Moral/Spiritual/Ethical etc.)

Choice between alternatives	Self-Esteem
Decision Making	Self-Management
Problem Solving	Integrity

Cross Content Writing Activities: Writing case responses, writing legal scenarios, writing sample legal briefs

Home-Link Activities: www.findlaw.com, www.einsteinlaw.com,
www.peoples-law.org, www.law.nyu.edu/library/research,

Unit 4: Business Contracts & Agency Law Duration: 6 weeks

Class Instructional Time: Block scheduling (82 min)-5 days a week

Why is this unit important? (Big Idea)

This introductory unit will serve as an overview on the major themes and topics of study that will examine the upcoming units of study in this course. The Big Ideas embedded through this unit are:

- Creation of Contracts,
- Termination of Contracts,
- Genuine Offers and Acceptances of Contracts,
- Duress and Undue Influences in Contracts,
- Contractual Mistakes, Misrepresentations and Frauds,
- Types of Contractual and Questionable Consideration,
- Creation and Operation of Agencies, and
- Legal Agency Duties.

Enduring Understandings or Unit Objectives

1. Students will be able to explain and describe the requirements of a contractual offer.
2. Students will be able to list the elements required to form a contract.
3. Students will be able to describe the various ways to end offers.
4. Students will be able to explain how an offeree can ensure an offer will remain open.
5. Students will be able to describe the requirements of an effective acceptance and determine at what point an acceptance is effective.
6. Students will be able to compare and contrast the ways in which a genuine assent is not present in a contractual offer.

7. Students will be able to identify the two key elements in undue influence.
8. Students will be able to describe the types of mistakes that can make a contract voidable or void.
9. Students will be able to list the criteria for a statement to be treated as a misrepresentation while defining fraud and the remedies for it.
10. Students will be able to identify the three requirements of consideration.
11. Students will be able to give examples of situations in which consideration is present only under limited circumstances in contractual events.
12. Students will be able to define and describe binding consideration and when it is met.
13. Students will be able to list the necessary elements in the agency concept.
14. Students will be able to describe the scope of agency authority.
15. Students will be able to list the duties of both an agent and a principal.
16. Students will be able to identify when an agency is terminated.

Essential Questions:

1. What must be in a contract?
2. What are the requirements of a legally enforceable contract?
3. What are the four natures and classes of contracts?
4. What are the requirements of a contractual offer?
5. How can offers be ended?
6. What are some difficulties in counteroffers?
7. How can an offer be kept open?
8. What is required of a contractual acceptance?

9. What are some types of contractual mistakes?
10. What is contractual misrepresentation?
11. What is fraud and what are some remedies for it?
12. What is the difference between contractual and circumstantial consideration?
13. How does false consideration differ from the other types of consideration?
14. What are some exceptions to the requirement of consideration?
15. What is an agency?
16. How is an agency's scope of authority created and terminated?
17. How do the duties of an agent and principal differ?

Acquired knowledge:

1. Civil Tort Law Basics (from Personal Law I)
2. Common Law basics (from Personal Law I)
3. Common Law Defenses to Torts (from Personal Law I)
4. Basic legal terminology and methodology (from Personal Law I)

Acquired Skills:

1. Prepare a five-slide Google Doc, Prezi, or Power Point presentation on an employment agency case, and present it to the class.
2. Describe a scenario where a mutual mistake of a material fact might cause a contract to be void.
3. Research the Noble v. Smith 9164 Cal. App. 3D 1001) case and decide if the judgment should be affirmed. Students decide if there was a mistake in the material, was the mistake unilateral or bilateral, and what evidence supports the conclusion that fraud occurred?

4. Determine the statute of limitations periods for contracts, torts, and crimes in New Jersey. Locate a copy of New Jersey state statutes in the library or online at www.nj.gov.
5. Contact a charity and ask how people are about fulfilling their pledges. Ask if the charity relies on the pledges or waits to get the money before budgeting expenditures and what steps, including lawsuits, the charity takes to enhance the receipt of the promised money.
6. Contact several sports agents for copies of their standard contracts with their principals (the athlete). Annual listings can be found in libraries or online in publications such as the "Sports Agents Directory". Evaluate the contracts you obtain for their fairness to the athlete and the agent.
7. Students can create their own Power of Attorney sample document
8. Create a poster or graphic organizer illustrating and describing the fiduciary duties of both an agent and a principal.

Benchmark or Major Assessments (quizzes, tests, projects, performance tasks, etc.)

1. Contract Offer & Acceptance Quiz
2. Contractual Misrepresentation & Consideration Quiz
3. Agency Law Quiz
4. Classwork (discussions, explore issues, make connections, think visually/critically).
5. Homework
6. Unit test

Instructional Materials (text-supplementary materials/projects

Text: Law for Business and Personal Use (South-Western Publishing), Supplemental Legal Articles, Supplemental Cases, Online resources (see sites listed below).

Instructional Strategies

1. Invite a sports attorney or sports agent to speak to the class.
2. Technology – have students access the text link for the contract chapter (www.cengage.com/school/blaw/law). After reading the selection, students choose a partner. Working with the partner, they invent a scenario of a preliminary discussion that might occur with someone before making them an offer on a good or a position. Students then role-play the scenario in class.
3. Technology – have students access the text link for the contractual consideration chapter (www.cengage.com/school/blaw/law). After reading the selection on tax fraud cases in the Internal Revenue Service web page, students choose one of the cases and writes a summary of the facts involved.
4. Write a paragraph describing a television ad that could be the basis for misrepresentation if the statement made were untrue.
5. Read the Frank Abagnale book, “Catch Me If You Can” (or watch the DVD). Prepare a report on the nature and level of complexity of his fraudulent schemes. What, in their opinion, made him so successful?
6. Technology – have students access the text link for questionable consideration (www.cengage.com/school/blaw/law). Using the online dictionary, look up the terms Illusory promise, output contract, and requirements contract. Think of an example for each of these concepts, and write examples down on a sheet of paper. Share the examples in class.
7. Write an analysis of why a deputy sheriff should not be able to collect a standing reward for capturing a criminal.
8. Technology – have students access the text link for creation and operation of agencies (www.cengage.com/school/blaw/law). Read the Power of Attorney FAQ, and then answer the following questions: Which type of power of attorney gives the person you choose full power to manage your assets and financial affairs while you are alive? Which type of power of attorney stays valid even if you become unable to handle your own affairs? Which type of power of attorney conveys only specific powers to the agent?

9. Research and perform a mock trial on a hot debate agency case.
10. Create a one-page scenario describing the scope of authority and reasonable care requirements of both an agent and a principal.

Accommodations or Modifications (Special Ed. ESL/ELL, Gifted Learners)

Repetition	Study/test guide
Restate directions	
Visual prompts	
Extended time (homework/tests)	

List of Applicable NJCCS and Standards/CPIs Uncovered in this unit.

9.2.12. A.1 – 9.2.12.A.5

9.2.12. A.9

9.2.12. A9 - 9.212.A.12

9.2.12.C7

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9.3.12.BM-MGT.1

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Suggested Learning Experiences and Instructional Activities

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