

Through robust civics education offerings, federal courts and judges teach the next generation about the judiciary

BY REBECCA FANNING

y first civics teacher was my father. He was a World War II veteran and a POW for 16 months, three of which were spent in extreme winter conditions on what is known as "The March," a death march across Germany. After his war experience, he became a lawyer devoted to public service and a father who relished lively dinner-table debates with his daughters. He infused our conversations with civics lessons, always emphasizing the importance of participating in democracy.

My first experiential civics lesson was in a courthouse. At seven years old, I sat in the gallery of an Idaho courtroom not unlike the one in *To Kill a Mockingbird* and was mesmerized by my dad's dramatically delivered arguments to a jury.

It was the first of many trials that enthralled me. I could see, hear, and even feel the judges' and attorneys' commitment to following the law and to improving the system of justice. The people I saw in action were up front about the challenges that they faced and that women and minorities experienced. They didn't give me a rose-colored view. Instead, they invited me to join the journey toward justice. They encouraged me to invest myself in helping the courts get better and do better.

Today, I am a civics educator for the federal courts. For more than 30 years — 10 years in the state courts and 20-plus years in the federal courts — I have developed interactive courtroom programs and helped judges and lawyers ignite the next generation's interest

in our justice system. In most of these programs, young people learn about the courts by taking realistic roles in simulations of trial and appellate proceedings. Our efforts are informed by the knowledge that the middle and high school students of today will be tomorrow's jurors, judges, court staff, lawyers, litigants, and journalists.

What is the key to breaking through to students in a cynical era? Quite simply, it is human connection. I am convinced the most impactful programs first *involve* students, then *inform* and *inspire* them. My personal and professional experiences have taught me that if civics is based on human connection — if students can see and relate to people who look like them — the caring adults in the room can make a lasting impression. An educational interac-

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tion with the courts before leaving high school, not as an extra, but as an essential, should be every student's rite of passage to adult citizenship.

Personal connection is a powerful weapon against ignorance and apathy — a combination that can make people vulnerable to disinformation. Such connections can be forged in courtrooms, where students and adults observe and come to grips with the real-life complexities of doing justice. The students' written evaluations of these events speak to the value of judges and attorneys opening up in candid conversations after their shared experience in the courtroom.

Judges who volunteer for these programs are part of an enviable talent pool of legal professionals who can translate complex concepts, establish rapport, and interact with — rather than lecture — student and adult audiences. However, more judges are needed if we are to address the crisis of confidence in our institutions.

I believe that more judges would participate in educational outreach if they knew where to find well-tested, pre-packaged resources that they can easily modify if they wish. The federal courts' website (www.uscourts.gov/ about-federal-courts/educationalresources/educational-activities) features just that: courtroom-ready and classroom-ready programs that ask judges and volunteer lawyers for only 45 minutes of preparation — 30 minutes reviewing the materials and 15 minutes talking about the agenda before walking into the courtroom to engage with adult or student participants.¹ These time-boxed activities of varying durations are so easy to use that I say they are "just add a judge and stir" programs that breathe the realities of the justice system into what students are learning in school.

Textbooks and technology cannot replicate the impact of courtroom programs that connect students with judges and lawyers. They cannot replace personal interaction that inoculates against disinformation, defeats stereotypes, and combats cynicism. Courtroom programs engage, enrich, and add context to students' knowledge of the fundamentals, including the rule of law, separation of powers, and judicial impartiality. While such experiences are not a substitute for comprehensive civics education, they are a critical opportunity for interaction with adults who can help students integrate and apply abstract principles and ignite their curiosity, critical thinking, and career considerations.

When young people have the opportunity to learn from and work with impressive, passionate, and sincere judges and attorney volunteers in state and federal courts, they gain confidence in the people and institutions of the justice system. It is an opportunity that, I believe, every student — every citizen — deserves. The Greatest Generation set the civics table for future generations. Can we expect anything less of ourselves?

Civics Education in Federal Courts: An Overview

On Dec. 31, 2019, Chief Justice John G. Roberts Jr. issued his 2019 Year-End

Report on the Judiciary in which he stated that "civic education, like all education, is a continuing enterprise and conversation."2 He added, "By virtue of their judicial responsibilities, judges are necessarily engaged in civics education."3 Then, in early 2020, the Judicial Conference of the United States approved a recommendation from the Committee on the Judicial Branch to "affirm that civics education is a core component of judicial service, endorse regularly held conferences to share and promote best practices of civics education, and encourage circuits to coordinate and promote education programs."4

Just two months prior to the chief justice's message, the first National Conference on Civic Education and the Federal Court brought together 180 judges, court staff, bar associations, law schools, and national civics education organizations to share best practices and programs at the Thurgood Marshall U.S. Courthouse in Manhattan.5 The concept was created by the late Judge Robert A. Katzmann, who was the chief judge of the Second Circuit Court of Appeals when he initiated the conference. The Second Circuit and the Administrative Office of the U.S. Courts (AO) co-hosted the event, assisted by the Federal Judicial Center and the Annenberg Public Policy Center.

Participants returned to their home jurisdictions with new perspectives and possibilities. The synergy from this conference set in motion many of the policy and program developments that followed. In the summer of

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2020, the AO formed the Civics Affinity Group for district and circuit court outreach coordinators. Monthly professional development workshops are part of the system's long-term strategy to continue promoting excellence and collaboration.

These and other developments brought urgency to the federal courts' national civics education outreach efforts that were years in the making. Over the past two decades, since the AO created a position to guide national educational outreach strategies and initiatives, its Office of Public Affairs has created a portfolio of national initiatives and real-life civics lessons delivered by federal judges and court staff in partnership with volunteer lawyers. The reach of these initiatives is felt in homes, courtrooms, classrooms, and adult education sites as well as at local landmarks, national monuments, and professional baseball fields.6

Best practices

National initiatives foster a shared sense of excellence and cohesion for decentralized efforts implemented by independent entities. They also create interactive learning experiences for diverse communities, administered by judges, court personnel, and attorney volunteers who have a passion for inspiring the public's understanding of everyone's stake in the mechanisms of justice. These are hallmarks

of the courtroom-ready programs and resources that are posted on **uscourts**. **gov** and made available for all federal courts to use. These programs are piloted in district or circuit courts with judges, teachers, students, and other relevant participants before they are introduced nationally, and they require less than one hour of preparation on the judge's part. Programs are flexible in duration, ranging from 30 minutes to three hours.

As we have developed, supported, and monitored these programs, we've noted that the most successful efforts reflect the following best practices. They are:

- Distinctive in the niche they occupy. Federal court programs are
 (1) conducted in courtrooms, classrooms, community venues, iconic sites, and in distance-learning environments; (2) accessible to all learning styles and highly interactive;
 (3) responsive to diversity, equity, and inclusion of participants and presenters who are judges, lawyers, and other legal professionals; (4) designed to raise awareness of jury service and careers in the law.
- Focused on clear objectives and interactive experiences. Programs are grounded in learning objectives to involve, inform, and inspire participants. They focus on the

- pillars of court literacy rule of law, separation of powers, fair and impartial judiciary, jury service, and the structure and function of federal and state court systems. Content is presented using contemporary, interactive approaches that engage every learning style.
- Committed to evaluation. The participants and the professionals provide written evaluations of the experience before they leave the program to ensure that feedback is captured and is available to guide future iterations of the experience. On occasion, videotaped exit interviews are conducted at programs.

In addition, it is clear that simply being in the courtroom can greatly enhance the impact of a program. There is nothing like the formality of a courtroom — and the "all rise" announcement of the courtroom deputy when a judge takes the bench — to snap to attention even the most sardonic high school student. This first appearance in court makes a profound impression, and many students report on their program evaluations that they are awestruck, and even a little scared.

As participants also attest in their feedback, personal interaction with justice system professionals breaks through stereotypes, distrust, and disinformation. Teachers are impressed

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that classroom management issues disappear and participation soars when students are settled in the gallery, looking up at the bench and the high ceilings. In fact, there is competition to participate.

What is happening that fills the courtroom to capacity with suddenly invested high school students? Perspectives are changing and career paths are opening. Educational outreach by judges and attorneys shifts attitudes and opens doors. When students interact with the diverse human faces of the judiciary, they can see themselves as guardians of this fragile system. Courtroom events motivate participants to see themselves invested in institutions dedicated to justice. In fact, some participants have reported back years later — from their places in law firms, courts, and justice system agencies - that the program set them on a path to law school or careers on the administrative side of the courts.

After every program, student feedback forms are summarized and sent to the presiding judge and the volunteer attorneys. A consistent thread in the participants' comments is how different the lawyers and judges are from media portrayals. The attorneys are described as down-to-earth and approachable. The judges are described as human and compassionate and, above all, fair and impartial no matter how emotional the issue.

Of course, hundreds of federal judges across the country are active in civics education programs produced by the AO, and they bring their own personal style and priorities to each experience. The federal judiciary has a deep talent pool, and one judge, in particular, embodies the positive attitude that students pick up on in courtroom programs. U.S. District Judge Royce C. Lamberth of the District of Columbia

is a civics stalwart who has piloted almost every new, national program in the past 25 years. He is still the most in-demand judge on the bench and is known by student participants as "Judge Cool Beans." As the chef of the civics test kitchen at the E. Barrett Prettyman Federal Courthouse in D.C., Judge Lamberth has been willing to experiment with every new approach and innovation that has come along. He keeps the courtroom programs lively and memorable — alternating between serious and humorous, at appropriate moments.

Federal civics education programs have a lasting impact, not only on participants, but also on busy jurists. Judge Lamberth once told me that he keeps the feedback summaries that I send to him in an electronic file. When he has a particularly difficult day in court, he sometimes reads the student feedback. Then, the next day, he goes back on the bench and strives for justice again.

Overview of programs

Successful civics is all about personal connection — a connection that judges active in civics hope that more of their colleagues will make. To help, I have provided here an overview of the kinds of educational initiatives, programs, and resources offered by the AO and by district and circuit federal courts.

Courts in the Community. The federal judiciary brings courts into communities with the annual celebration of Constitution Day and Citizenship Day, observed on the anniversary of the signing of the Constitution on September 17.8 Naturalization ceremonies scheduled throughout September have become civic events in a variety of public spaces, from the Rock & Roll Hall of Fame in Cleveland to the public homesites of U.S. presidents. In

2016, ceremonies were conducted at National Park Service sites from Ellis Island to Yosemite.⁹ In 2019, judges swore in new citizens at major league and minor league baseball fields from New York to California.¹⁰ The baseball initiative celebrated nearly 1,000 new citizens at stadium ceremonies witnessed by more than 800,000 spectators across the nation.

Courthouse Learning Centers. Located inside the courthouse, learning centers are becoming intergenerational community education hubs for civics. Full-service learning centers in the Eighth Circuit (established in St. Louis in 2009), the Ninth Circuit (established in Sacramento in 2013), and the Second Circuit (established in New York City in 2016) have robust programming for all ages ranging from in-depth tours and court observations to Scout badge programs, media and information literacy sessions, and institutes for teachers and homeschool educators. Other courthouses have educational exhibits, court history museums, portable educational panels, and virtual learning spaces. Two learning centers are scheduled to open in the District of Minnesota — in St. Paul in 2022 and in Minneapolis in 2023. In the District of Indiana, a learning center in Indianapolis also is nearing completion.

Adult Education. Learning centers are not just for students and teachers. Adult education efforts continue to grow inside and outside of such centers. Courts that do not have learning centers also are enhancing and expanding community outreach to adults. Adult education is gaining momentum as more judges in every jurisdiction regularly speak to adult groups. Our Courts Colorado, formed in 2007 by a federal judge and a state >

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judge, provides a series of practical presentations in English and Spanish that judges and lawyers bring into communities large and small, reaching more than 20,000 people since its inception.11 (Read more about adult education on Page 21 and Our Courts Colorado on Page 23.) In Philadelphia, a federal district judge and a federal circuit judge launched a community college course that judges teach every fall semester.12 In Idaho, lawyers and federal and state judges conduct evening classes one night a week over three months for adults enrolled in the Citizens' Law Academy offered in cities around the state.13 These programs reach a broad cross-section of adults.

Professional **Teachers** Institutes. development programs for teachers yield a high return on investment, and they are a fruitful area for future federal and state collaboration. A growing number of federal courts offers teachers institutes in half-day to three-day formats to enrich classroom teaching about the courts in high schools and middle schools.14 Programs are inperson or virtual and vary in duration, approach, and curriculum, and most are scheduled in the summer. Teachers observe court proceedings and debrief with judges and attorneys. Legal scholars join judges in teaching substantive classes that qualify for continuing education credits. Participants interact with a range of justice system professionals and incorporate new insights into lesson plans they develop during and after the institutes. When teachers gain a deeper understanding of the judicial system and take away classroom-ready resources, they return to their students better prepared to explain the courts and engender confidence in the third branch of government.

Court Camps. The third branch comes to life for middle school and high school students participating in immersive programs that are gaining popularity across the country. Court camps range from one day to five days at local courthouses. Students work with diverse professionals from the courts and justice system agencies, law schools, government, and private legal practice. Diversity, equity, and inclusion are watchwords for student and faculty recruitment and programming. The Second Circuit's annual summer camp for middle school students on Long Island was the first federal courtsponsored program, accomplished in partnership with Touro Law Center.15 Students spend five days at the courthouse interacting with judges, lawyers, court staff, law school students, and law enforcement representatives as they consider careers and learn advocacy skills that they can use in the law and in life. Camps also are conducted at courthouses in Minneapolis, Milwaukee, Salt Lake City, and Oklahoma City, and most partner with a law school.

Internships. Court camps also are part of the diversity pipeline, and some open doors to internships. Courtsponsored internship programs center on educational experiences with judges and justice system professionals. In Milwaukee, the Summer Youth Institute — a court camp for middle school and high school students qualifies graduates for a fourweek internship at the courthouse.16 Internship programs established and conducted by the District of Massachusetts have maintained a decades-long commitment to two diversity pipeline summer internship programs.17 These are multi-week, paid internships for diverse and underserved high school students18

and college students at the Boston courthouse.19 The programs teach and enhance analytical reading, writing, and speaking skills, provide leadership and networking opportunities, and offer mentoring and peer-group support. Participants take skill-building classes, observe proceedings in judges' chambers and courtrooms, and conduct a mock hearing before judges. In the New York City area, The Sonia & Celina Sotomayor Judicial Internship Program (SCSJIP) places high school and college students identified as future leaders from underserved and diverse backgrounds in federal and state court internships.²⁰

Capacity Building. Educational outreach programs like these require a commitment to capacity building to grow and institutionalize initiatives, expand audiences, and recruit and train judges, court staff, and volunteer attorneys who are the backbone of successful initiatives. For federal judges, the Federal Judicial Center offers exposure to federal courts' civics education programs as part of its curriculum for judges.²¹ Circuit judicial conferences include civics when pertinent, and the Federal Bar Association²² and the American Inns of Court²³ collaborate with the AO to offer training to attorneys who want to participate in federal court outreach.

Internally, the Civics Affinity Group, a consortium started by the AO for circuit and district court outreach coordinators, meets monthly to support national civics initiatives; to develop and maintain inter-circuit collaboration; and to continuously improve and update civics education skills and offerings. Coordinators share programs, resources, experiences, and expertise to avoid reinventing the wheel. These national,

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virtual workshops offer professional development and skills training and feature national speakers, museums, and innovative civics education organizations and resources. The Civics Affinity Group maintains an online bank of resources by and for coordinators that feed their programs, including events on courts' YouTube channels. The Seventh Circuit and the Eighth Circuit are planning their third annual inter-circuit YouTube program for parents and students marking Bill of Rights Day 2022.

Outreach Committees. A key driver of capacity-building is the forward motion of circuit and district educational outreach committees that bring together judges, court staff, lawyers, community, and civics education leaders to establish direction and coordination for educational outreach in their respective jurisdictions. Many committees communicate their offerings in the outreach section of their circuit and district websites. Each committee functions differently and takes a tailored approach to communication and coordination and/or program development.

The Ninth Circuit's Public Information & Community Outreach Committee, established in 2000, was "the first circuit-level committee dedicated solely to improving understanding of and confidence in the federal courts." ²⁴

Since then, the Second Circuit has launched Justice for All: Courts and the Community, a circuit-wide steering committee and civics initiative "to increase public understanding of the courts and to bring courts closer to their communities."25 The Sixth Circuit's outreach committee maintains its Connections: You, Your Courts, Your Democracy website for civics education and programming.26 Many other districts and circuits have undertaken similar initiatives offering a host of resources, including judgewritten newspaper and web articles; multimedia resources; and educational programs and workshops.

Partnerships. Regardless of the program, partnerships are central to building capacity and extending the reach and influence of civics initiatives into diverse communities. The AO's Office of Public Affairs staff was a founding member of the Civics Renewal Network (CRN), a partnership of more than 35 national, nonprofit, nonpartisan civics education organizations.²⁷ Since 2013, the network has focused on elementary, middle school, and high school teachers and now is broadening its scope to include civics for adults. Select resources from the judiciary's website are posted on the CRN website, which hosts curated materials from partner organizations.

The Federal Bar Association (FBA) is a committed civics education partner that supports federal court initiatives throughout the year.28 It enlists its chapters to volunteer for national programs and for locally initiated efforts by districts and circuits. Using a toolkit²⁹ produced by the AO's Office of Public Affairs, the national leadership and many FBA chapters get involved with the federal courts' national programming for Constitution Day and Citizenship Day in September, 30 Bill of Rights Day in December,31 and court camps in the summer³² (read about the FBA's work on Page 29). FBA chapters also assist district judges in piloting national initiatives, like the flagship program Civil Discourse and Difficult Decisions³³ (see Page 34).

Another strong civics education partner is the American Inns of Court, which has judge and lawyer members in both court systems. The inns presented a CLE course at its 2020 National Conversation on Civility that featured federal judges who piloted the civil discourse initiative.³⁴ The panel shared the program as a prototype for implementation by local inns in concert with the federal bench in their communities.

Finally, federal judiciary staff have forged relationships to increase engagement with underserved students in Title 1 schools, including with the Urban Debate League, a national •

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program in urban public schools that matches judges and attorneys with student debate teams and competitions.35 The AO connects judges with classroom programs for Title 1 schools under the auspices of the Mikva Challenge³⁶ and the Marshall-Brennan Constitutional Literacy Project, which deploys thirdyear students from more than 18 law schools to teach the Constitution in underserved high schools.37 Federal court teaching resources also are available to The Association of American Law Schools as its member schools explore ways to enhance the civics education of law students.38

Partnerships are foundational to the success of the federal courts' educational outreach efforts. They are another way to foster the kind of human connection that is the lifeblood of high-impact civics education. Judges and attorneys who are active in civics education are sharing and preserving the pillars of court literacy upon which the healthy future of the third branch depends. They, like me, are carrying a torch handed to them by their parents and grandparents.



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information on the programs described here, contact Rebecca_Fanning@ao.uscourts.gov or visit www.uscourts.gov/about-federal-courts/educational-resources/educational-activities.

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