

### Lesson 3 Developing an Outline for the Case

#### Lesson Objectives

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Students will be able to:

- Analyze the evidence for the case of *PLN v. Redwood County*.
- Develop a clear outline and theory of the case.

#### Material

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- Handout 6: Sorting the Evidence
- Handout 7: Developing a Theory of the Case

#### Lesson Assessments

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- Handout 6: Sorting the Evidence and Venn Diagram
- Handout 7: Developing a Theory of the Case

#### Instructional Activities

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##### *Anticipatory Set*

- Students will respond to the following question: Based on the declarations we read yesterday, who do you think the strongest witnesses are for each side? Why?

##### Guided Practice

- Inform students that today's class will focus on sorting the evidence and developing an outline for the case. Distribute **Handout 6: Sorting the Evidence and Venn Diagram** and read through the questions with students to check for understanding. Students will work in groups of three to complete Handout 6. To complete the Venn Diagram of Evidence, students will place the evidence that is beneficial to the plaintiff's case on the Plaintiff side of the diagram and evidence that is beneficial to the defendant's case on the Defendant side of the diagram. Evidence that is neutral, or beneficial to both parties should be placed in the middle of the chart.
- As a class, discuss the students' responses both to the Sorting the Evidence chart and to the Venn diagram. Create a class chart for the Venn diagram, and as students share their responses, ask them to explain why they think the evidence better supports one of the party's arguments. Once the Venn diagram is complete, you can challenge the students

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and ask them if they can reframe any of the evidence so that it supports the other party's argument.

- Provide students with **Handout 7: Developing a Theory of the Case**. Explain to students that they will use this to record their thinking as they begin to draft their theory of the case. As a class, read through and discuss Handout 7. Ask students to recall the policy discussed in Lesson 1, which says that prisoners cannot keep any books in their cell unless the book is a bible. Ask students to think about some themes that the plaintiff and defendant could base their arguments on in this case. (Potential Answers: The plaintiff could argue that the prison is trying to force Christian values on prisoners. The defendant may argue that the bible-only policy is necessary for safety and restricting books in the cell ultimately keeps inmates safe.)

*Independent Practice*

- Break students into plaintiff and defendant groups. (Students can work in two large groups or several smaller groups depending on your space and preference.) Explain to students that they will be working as a group to complete sections A-G of Handout 7. They should leave section H for individual work in class or at home.
- Students should discuss the case and fill out sections A-G of the handout together. Once they have had time to discuss, each group should report out to engage in a whole group discussion.

*Closure*

- Students should complete section H of the handout on their own.