

INTRODUCTION TO LAW: WHAT IS THE INTENT OF THE LAW?



90 MINUTES

No Vehicles in the Park (45 minutes)

Laws and Ordinances (15 minutes)

Writing a Clear Law (20 minutes)

Summary (10 minutes)

OUTCOMES

As a result of this lesson, participants will be able to:

- Identify two purposes for laws in our society.
- Identify how to interpret laws to reflect their intent.
- Analyze problems in the application of the law.
- Generate alternative solutions to problems.
- Identify and evaluate consequences.

HANDOUTS

1. No Vehicles in the Park
2. Who Can Drive in the Park?

REMINDER

If you are a law student, tell participants up front that you are not a lawyer and *cannot* give legal advice. Focus on teaching the general legal concepts, developing life skills, and directing participants to community and legal resources in the event they have a specific need. Know your state's unauthorized practice of law restrictions.

COMMUNITY RESOURCE PEOPLE

Invite a city council member or city administrator to assist with this lesson. Send a copy of the lesson and the "Suggestions for the Community Resource Person" (found in the front section of the manual) when confirming the date and location.

WEB RESOURCES

For a list of the types of laws that exist in the United States, visit:

PREPARING TO TEACH

- ☒ Copy **Handouts**.
- ☒ Post the session outcomes.
- ☒ Prepare the Who Can Go to the Park? — Participant Answer Grid (example provided in lesson).
- ☒ Bring in copies of a local law that would be of interest to your class.
- ☒ Research the local laws and ordinances as indicated in the body of the lesson.

REVIEW TEACHING STRATEGIES

- Small Groups
- Questioning

www.nolo.com or www.findlaw.com. For information on the Americans with Disabilities Act, see: www.usdoj.gov/crt/ada/adahom1.htm

WHAT THE ICONS MEAN



Have the RESOURCE PEOPLE help you with this part of the lesson.



Adapt law, procedure, and/or community resources for your area.

NO VEHICLES IN THE PARK (45 MINUTES)

1



If you are using a community resource person to help you with this lesson, introduce him or her to the group and explain that he or she will be helping with today's lesson.

2

Review session outcomes. Pass out copies of **Handout 1, No Vehicles in the Park**. Read the handout aloud as the group follows along.

Handout 1: NO VEHICLES IN THE PARK

Jacksonfield has a lovely, quiet park right in the center of the city. The city council wants to make sure that the park stays safe and unpolluted. The members do not want the park disturbed by city noise. In the park, you can find grass, trees, flowers, playgrounds, and picnic areas. To make sure the park stays this way, the city council passes a law.

At all entrances to the park the following sign is posted:

"No Vehicles in the Park."

3

Ask the following questions:

- What does this law say?
- Why did the city council pass this law? What is it designed to do?
- What is the intent of this law? What does the city council want to accomplish with this law?
- Will everyone understand this law? Is it clear to all?

4

Tell the participants that while the law seems clear, some disputes have arisen over its interpretation and that they will need to decide whether to allow these exceptions. Distribute **Handout 2, Who Can Drive in the Park?** and read the directions:

Handout 2: Who Can Drive in the Park?

Directions: For each of the situations below, consider the following questions:

- Do you think this situation violates the intent of the law?
 - What does the law say about whether this vehicle would be allowed in the park?
 - Will you allow the vehicle in the park? Why or why not?
 - What alternative solutions can you suggest?
1. Juan Martinez lives on one side of the town and works on the other side. He saves 10 minutes if he drives through the park.
 2. There are many trash barrels in the park. People put litter there to help keep the park clean. The sanitation department wants to go in to collect the trash.
 3. An ambulance with a seriously injured victim of a car accident needs to get to the hospital fast. The shortest route is through the park.
 4. Two police cars are chasing a suspected bank robber. If one officer cuts through the park, she can trap the suspect's car between the patrol cars. The police want to drive through the park.
 5. Some of the children who visit the park want to ride their bicycles there.
 6. Mr. Thomas wants to take his baby to the park in the baby stroller.
 7. The government donates a military tank to the city. It is to be placed in the park as a monument to the town's veterans who died in wars.
 8. Olivia likes to go to the park with her friends. She uses a wheelchair that has a motor.

5

Divide the participants into groups of three-four persons and give the groups about 15 minutes to work on the eight scenarios.



TIP: While the groups are working, draw a grid on the flip chart, board, or transparency to record the responses if you have not done so already. The grid should identify the scenarios along one axis, and the group numbers along the other axis.

Scenarios	Group 1	Group 2	Group 3	Group 4
1. short-cut to work				
2. trash collection				
3. ambulance				
4. police chase				
5. children bike				

6. baby stroller				
7. tank				
8. wheelchair				

6

When groups are ready to report, record the responses for each scenario, group by group on the grid and ask the participants to explain their rationale for each decision. There are no “right answers.”



TIP: You may find it helpful to begin with scenarios where the groups all agreed and then move to the more contested answers.

7

As the participants give answers to the situations, prompt discussion by asking:

- Did you consider the intent, purpose, and/or letter of the law?
- How would you give notice to the community about the law’s interpretation?
- How did you define “vehicle”?

Webster’s New Collegiate Dictionary defines vehicle as: 1) a carriage, conveyance; 2) an agent of transmission: carrier; 3) a means of carrying or transporting something.

The questions that follow each scenario may help broaden the thinking of participants.

1. Juan Martinez lives on one side of the town and works on the other side. He saves 10 minutes if he drives through the park.

- Will you allow Juan to drive through the park? Why or why not?
- Is it important for Juan to be at work on time?
- Wouldn’t it save energy and gas if he were allowed to go through the park?
- What if he oversleeps and loses his job if he’s late?
- Can you allow only Juan to drive through the park?

2. There are many trash barrels in the park. People put litter there to help keep the park clean. The sanitation department wants to go in to collect the trash.

- Will you allow the sanitation department to drive through the park? Why or why not?

- Will people expect a large truck in the park? Will they be careful if they don't expect a large truck?
- Will people come to a dirty park?
- Is it unhealthy to allow trash to pile up in the park?
- How will the trash be removed if sanitation workers cannot come in to pick it up?
- What other alternative trash control methods can you suggest?

3. An ambulance with a seriously injured victim of a car accident needs to get to the hospital fast. The shortest route is through the park.

- Will you let the ambulance drive through the park? Why or why not?
- Will a speeding vehicle be dangerous?
- What if the patient will die if the ambulance is not permitted to cut through the park?
- What if the person is only sick?
- If you decide to let emergency vehicles in the park, how do you define an emergency vehicle?

4. Two police cars are chasing a suspected bank robber. If one officer cuts through the park, she can trap the suspect's car between the patrol cars. The police want to drive through the park.

- Will you allow the police cars to drive through the park?
- Does it matter if the bank robber is armed and dangerous?
- Does it make any difference if this is the only opportunity for the police to catch the robber? What are some other solutions?
- Will small children be aware of speeding cars? Do they think that there are vehicles in the park?
- Does the police car qualify as an emergency vehicle? Why or why not?
- Are police held to the same traffic laws as other citizens?

5. Some of the children who visit the park want to ride their bicycles there.

- Will you allow the children to ride their bicycles in the park? Why or why not?

- Does it matter if the children used their bicycles as transportation to the park?
- Does it matter if there was a special bike path in the park?
- How about rollerblades or skateboards?

6. Mr. Thomas wants to take his baby to the park in the baby stroller.

- Will you allow the baby stroller in the park? Why or why not?
- How else would a parent get a baby to the park if not in a stroller?
- Is it unfair to parents with infants and small children to be prohibited from bringing a stroller in the park?

7. The government donates a military tank to the city. It is to be placed in the park as a monument to the town's veterans who died in wars.

- Is there anything wrong with military monuments being put in parks?
- Is it a vehicle when it is a monument?
- What if you had to drive the tank through the park to get it there?

8. Olivia likes to go to the park with her friends. She uses a wheelchair that has a motor.

- Will you allow the wheelchair in the park?
- Is a motorized wheelchair a vehicle?
- How is this situation different from the other situations?
- Are there laws that protect a person's right to take a wheelchair into the park?
Yes, the Americans with Disabilities Act, 1993 would allow people in wheelchairs to access the park

LAWS AND ORDINANCES (15 MINUTES)

1

Ask the following questions about laws and ordinances to begin the lesson. Record the participants' answers on the flip chart, board, or transparency. These questions are

based on your local specifics; be sure to insert the correct terms. Ask the resource person to assist in clarifying any questions:

- Who governs our [city/county/township, etc.] and makes the laws?
The answer varies from state to state. Check local information. In many communities, a city council or another established governmental body is elected. They make the laws for the city.
- Do you know any city laws?
City laws are sometimes called ordinances. (*For example:* dog leash laws, parking laws, zoning regulations, etc.).
- Who is in charge of the city council?
Again, the answer varies. Check local information. In many cities, it could be the mayor, an administrative manager or the chairperson of the city council who is in charge.
- Who is the mayor in our city? Who are the members of the city council?
Use the titles and names appropriate for your jurisdiction.
- Where can you find out information about your city government?
Local newspapers, libraries, or call the city hall or appropriate government center.



Who makes laws in your community? (Is it a city council? A county legislature?) Who is in charge of that law-making group? (Is there a chairperson for the city council?) Who is the mayor of your city or the county executive (if you do not have a mayor)? Be able to use titles appropriate to your jurisdiction. Who should participants contact if they want to initiate a new law or find out more information on an existing law?

2



Ask the resource person to clarify the answers to these questions.

3

Review session outcomes with participants.

WRITING A CLEAR LAW (20 MINTUES)

1

Inform participants that now that they have grappled with the difficulty in applying a seemingly simple law – No Vehicles in the Park--, they should amend the law to make it clearer. Give them a few minutes to jot down a new law.

2

Have volunteers share their proposed changes to the law. Have participants come to an agreement with a show of hands on what they want the amended law to say.

3

Have the resource person comment on the how the participants' discussions mirror the considerations of a real city council and procedures for amending local laws or ordinances.

4

Now distribute a sample local law or ordinances to show participants what a typical law looks like. Discuss reactions to the law:

- Is it clearly written for a non-lawyer to understand?
- Why do you think we have this law?
- How can it be enforced?

5

If you have time, you may wish to discuss if anyone knows how people can research what the law is.

SUMMARY (10 MINTUES)

1

Conduct the following discussion or ask participants to write about the following questions:

- Does the law create more problems than would be created if there were no law at all?
- Does the law need to be rewritten?
- What needs to be changed?
- Should the law be written in such detail that all citizens could understand what it means?
- How should “emergency” situations be provided for in the law?
- Who should decide what constitutes an emergency?
- What is an appropriate penalty for violating this law?
- Should the penalty be written into the law?

2

Ask participants what skills they practiced in this session that would be helping in advocating for a law or a legal right that they have.

OPTIONAL ACTIVITY:

Take the class to a city council meeting to observe the process and substance of law making.

This lesson was adapted from the following Street Law, Inc. materials:

- Arbetman, Lee, and Edward O’Brien. *Street Law: A Course in Practical Law* (7th Edition). Columbus, Ohio: The McGraw Hill Companies, Inc. 2005.

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HANDOUT 1

NO VEHICLES IN THE PARK

JACKSONFIELD HAS A LOVELY, QUIET PARK RIGHT IN THE CENTER OF THE CITY. THE CITY COUNCIL WANTS TO MAKE SURE THAT THE PARK STAYS SAFE AND UNPOLLUTED. THE MEMBERS DO NOT WANT THE PARK DISTURBED BY CITY NOISE. IN THE PARK YOU CAN FIND GRASS, TREES, FLOWERS, PLAYGROUNDS, AND PICNIC AREAS. TO MAKE SURE THE PARK STAYS THIS WAY, THE CITY COUNCIL PASSES A LAW.

AT ALL ENTRANCES TO THE PARK, THE FOLLOWING SIGN IS POSTED:



**NO VEHICLES
IN THE PARK**

HANDOUT 2

WHO CAN DRIVE IN THE PARK?

DIRECTIONS: FOR EACH OF THE SITUATIONS BELOW, CONSIDER THE FOLLOWING QUESTIONS:

- **DO YOU THINK THIS SITUATION VIOLATES THE INTENT OF THE LAW?**
- **WHAT DOES THE LAW SAY ABOUT WHETHER THIS VEHICLE WOULD BE ALLOWED IN THE PARK?**
- **WILL YOU ALLOW THE VEHICLE IN THE PARK? WHY OR WHY NOT?**
- **WHAT ALTERNATIVE SOLUTIONS CAN YOU SUGGEST?**

1. JUAN MARTINEZ LIVES ON ONE SIDE OF THE TOWN AND WORKS ON THE OTHER SIDE. HE WILL SAVE 10 MINUTES IF HE DRIVES THROUGH THE PARK.

2. THERE ARE MANY TRASH BARRELS IN THE PARK. PEOPLE PUT LITTER THERE TO HELP KEEP THE PARK CLEAN. THE SANITATION DEPARTMENT WANTS TO GO IN TO COLLECT THE TRASH.

3. AN AMBULANCE WITH A SERIOUSLY INJURED VICTIM OF A CAR ACCIDENT NEEDS TO GET TO THE HOSPITAL FAST. THE SHORTEST ROUTE IS THROUGH THE PARK.

4. TWO POLICE CARS ARE CHASING A SUSPECTED BANK ROBBER. IF ONE OFFICER CUTS THROUGH THE PARK, SHE CAN TRAP THE SUSPECT'S CAR BETWEEN THE PATROL CARS. THE POLICE WANT TO DRIVE THROUGH THE PARK.

5. SOME OF THE CHILDREN WHO VISIT THE PARK WANT TO RIDE THEIR BICYCLES THERE.

6. MR. THOMAS WANTS TO TAKE HIS BABY TO THE PARK IN THE BABY STROLLER.

7. THE GOVERNMENT DONATES A MILITARY TANK TO THE CITY. IT IS TO BE PLACED IN THE PARK AS A MILITARY MONUMENT TO THE TOWN'S VETERANS WHO DIED IN WARS.

8. OLIVIA LIKES TO GO TO THE PARK WITH HER FRIENDS. SHE USES A WHEELCHAIR THAT HAS A MOTOR.