

Common Law-Related Education Strategies

Conciliation Court Simulation *Teacher Instructions*

Procedure:

1. Divide that class into three equal groups: plaintiff, defendant, and judge.
2. Have all plaintiffs, all defendants, and the judges meet separately to discuss the case. The parties should review the facts of the case and discuss what they are asking the court to do. The judges will review the case, discuss any questions they might want to ask, and review the conciliation court procedure. This step should take about 10 minutes.
3. In new groups, consisting of one plaintiff, one defendant, and one judge, conduct the simulation using the conciliation court procedure.
4. Compare the decisions of the various judges. Why did they decide the way they did? What facts were persuasive? Can they think of better solutions to the problem?

Student Handout: CONCILIATION COURT PROCEDURE

1. Judge greets parties. Explains that they will each get a chance to tell their side of the story and that after the judge has heard the case, he or she will make a decision.
2. Plaintiff begins by explaining the story from her or his perspective.
3. Judge asks clarifying questions.
4. Defendant tells the story from his or her perspective.
5. Judge asks clarifying questions.
6. Plaintiff may respond to the defendant's argument.
7. Defense may respond.
8. Judge makes a decision and explains the reasons.