



Judges in the Classroom

Rules and Laws

Source:

Tarry L. Lindquist, educational consultant, adapted the material on "Code of the West" and "Rules of a Mining Company" from Justice Education Teaching Strategies K-6 (JETS-5), Pennsylvania Department of Education; the material is used with permission. Their source was *Lawmaking*, Law in Action Series, Riekens-Mahe, West Publishing Company. Staff at the Washington State Administrative Office of the Courts (AOC) edited the lesson and updated the lesson in 2012. For more information, contact AOC Court Services, 1206 Quince Street SE, PO Box 41170, Olympia, WA 98504-1170. For an electronic copy of this lesson, or to view other lesson plans, visit Educational Resources on the Washington Courts Web site at: www.courts.wa.gov/education/.

Objectives:

1. Students will distinguish between rules and laws.
2. Students will identify various groups that have established rules and laws.
3. Students will give examples of how the purpose of groups are furthered by regulations.

Grade Level: _

Grades 4-6

Time: _

One class period (approximately 50 minutes)

Materials: _

One copy of Handout 1 (Rules and Laws) for each student
Blank paper for drawing

Procedures:

1. **Begin the class by introducing yourself** to the students and telling a little bit about what you do, if this is your first class.
2. **Ask the students:** What is a rule? Invite several students to answer this question. You might want to record their answers on the board or docu-camera.
3. **Pass out blank paper.** Ask the students to quickly sketch an example of a rule that is common in their lives. For example, you must go to bed at 9 p.m., practice the piano everyday for 30 minutes, stop at stop signs, stay out of the street when playing, etc.

Give the students about five minutes to do this while you walk around and make comments to individual students about what they are drawing.

4. **Ask the students to turn** and share their pictures with two neighbors. Then ask for volunteers to share their pictures with the whole class. Ask of each: What is the reason for this rule? Where would you go to get this rule changed? After four or five students have shared their pictures, ask the whole class again: What is a rule? Discuss their definitions of a rule for a few minutes.
5. **Ask the students:** What is the difference between a rule and a law? Lead the students to understand that rules are principles or regulations that govern conduct. Laws are rules that have been established by a society or government, which apply to all people in that society. Failure to follow laws can result in legal consequences or penalties. Laws can be written in the form of legislation, or they can be recognized customs, or they can be policies recognized and enforced by judicial decisions. You might give an example of each of these (legislation, custom, and judicial decision) from your own experience.
6. **Ask the students** who think they drew pictures of laws to stand up and show their pictures. Ask those students who are sitting to evaluate whether they agree that their classmates have identified laws based on information from the previous discussion. Call on individual students to share. Confirm or correct their choices.
7. **Pass out Handout 1.** Ask the students to read Code of the West silently while you read aloud. When you are finished, check to make sure the students understand the list of rules and then ask the following questions:
 - Which of these customs, if any, do you think were fair and good rules? Which, if any, do you think were poor and unfair? Why?
 - Why do you think horse stealing was the most serious offense?
 - Why did people in the "Wild West" use these rules? Do you believe all people need some rules to live by? Why or why not?
8. **Ask the students** to read Rules of a Mining Company silently while you read aloud. When you are finished, check to make sure the students understand the rules and then ask the following questions:
 - Which of these rules do you think are fair and good? Which, if any, do you think are poor and unfair? Why?
 - When a miner broke one of these rules, who do you think decided the case and enforced the rule? In the Code of the West, who usually enforced the rules?
 - Which rules were more like law: (a) Code of the West or (b) the Rules of a Mining Company? Why?

9. **In conclusion, ask students:** What was the purpose of each of these groups?
Explore with the students how the rules accomplished that purpose. Ask the students if they know of any groups today that have rules to accomplish their purposes. Examples are their school, soccer team, classroom, Scouts, Campfire, swim teams, etc. Finish by asking the students to share one thing they learned today.

HANDOUT 1

Rules and Laws

Code of the West

1. Do not shoot a person in the back.
2. Do not shoot anyone without warning him first.
3. Do not shoot an unarmed person.
4. A buffalo hide belongs to the person who kills the animal.
5. A cow belongs to the person whose brand it bears. Cattle theft is a serious offense.
6. Stealing a man's horse is even worse. It is the most serious offense on the Great Plains. It leaves the man without transportation. The penalty for horse stealing is death.

Rules of a Mining Company

1. That we shall bear an equal share in all costs.
2. That no man shall be allowed to leave the company without general consent until we reach the mines.
3. That anyone leaving with our consent shall have whatever share of money or property he has contributed to the company.
4. That we work together in the mines and use our tools in common.
5. That each man shall keep all the gold he finds but must contribute an equal part of our daily expenses.
6. That we stand by each other.
7. That each man shall in turn cook -- as well as do his share of the cleaning and other unpleasant jobs.
8. That anybody who steals shall be banished from tent and claim -- with such other punishment as a majority of our company decide upon.
9. That no sick comrade be abandoned.