

Due Process Activity

Learning the Steps in Due Process – “Hey that’s not fair”

Subject: Social Studies – American Government; Street law

Duration: One 90 minute class period

Description: Students will study the Amendments and the steps that cover “due process”. Students will look at different scenarios involving their rights and conclude by studying cases that are relevant to due process.

Goals:

USG Standard 3

USG-3.3 Summarize the function of law in the American constitutional system, including the significance of the concept of the due process of law and the ways in which laws are intended to achieve fairness, the protection of individual rights, and the promotion of the common good.

Objectives:

Students will examine the 4th, 5th, 6th, and 14th Amendments as they relate to due process.

Students will look at the steps in due process as they apply in South Carolina’s legal system.

Students will interpret the meaning of the 14th Amendment as it applies to due process.

Students will analyze several U.S. Supreme Court decisions regarding due process.

Materials:

Copy of U.S. Constitution

Student Handouts –

Anticipation Guide – opening activity

Guided Notes – from PowerPoint

Important Case Law (9 cases)

Mapp v. Ohio – in depth analysis

Instruction and Activity

- 1. Begin with anticipatory activity with individual student participation in analysis of forced response questions regarding misconceptions regarding due process, prior knowledge of the SC court system and**
- 2. Whole class discussion/notes regarding the 4th, 5th, 6th, and 14th Amendments as they relate to due process.**
- 3. Guided notes covering what a person going through the court system might encounter.**
- 4. Small group case analysis with handouts provided by teacher. Groups of 3-4 or enough to break up 9 cases. Students will read and discuss in group and then report back to class. Teacher will question each group as to key aspect of each case.**
- 5. Whole group analysis of *Mapp v. Ohio (1961)***
 - a. What are the issues in this case?**
 - b. What did the court decide?**
 - c. Does the court's ruling incorporate a part of the 4th Amendment into the 14th Amendment and apply it to the states?**
 - d. What is the impact of the ruling?**

Assessment:

Follow up reflection activity (individual quiz)