

Play by the Rules

Chapter 11: Civil Responsibility

Objectives: The student will be able to

- Define tort and contract law;
- Analyze civil responsibility; and
- Show an understanding of the mediation process.

Alabama Course of Study, Seventh Grade Civics: Objective 5

Character Education: Citizenship, cooperation, courtesy, diligence, fairness, honesty, patience, perseverance, respect for others, self-control and self-respect

Materials: *Play by the Rules* book, **Worksheets 11-1** and **11-2**

Methods: Directed reading and cooperative activity

Activities:

Review: Ask students to share how their parents/guardians did on the interview in **Worksheet10-2**.

Directed Reading:

1. Read aloud the introductory paragraph on p. 55. Instruct the students to scan the chapter, reading the headings and questions.
2. What are the topics covered in this chapter? Allow students to tell what they observed in scanning. Make certain students understand torts and civil responsibility.
3. Ask the students to read silently pp. 55-57.
 - a. Give an example of an intentional tort. *Breaking a window, battery and defamation*
 - b. Give an example of negligence. *Babysitter leaves a child unattended and the child is injured*
4. Have students look at the picture on p. 56.
 - a. What is defamation? *Written or spoken statements about a person that are false and damaging to that person's reputation*
 - b. What is the difference between libel and slander? *Libel is written. Slander is spoken.*
5. What is a contract? *A set of promises between two or more people to legally do or not do something*
 - a. Give examples of everyday contracts that we make. *Fast-food purchase, buying a CD/DVD, babysitting, mowing a lawn, etc.*

- b. Who can make contracts? *While you can enter into simple contracts as discussed above, generally you must be 19 years old or older to make contracts involving land, automobiles, etc. (p. 57)*

Tort or Contract?

1. Tell the students that they are going to play a “rapid-fire” question-and-answer game.
2. Instruct the students to take one sheet of paper and tear it in half. On one piece write “Tort” and on the other “Contract.” (You may make these in advance with index cards or construction paper.)
3. Read the scenarios to the class. The students must respond by raising either their “Tort” or “Contract” sign.
4. Read aloud the following scenarios in a rapid pace:
 - a. Buying a car.....*Contract*
 - b. Sending a text message with false information about a person.....*Tort (defamation or libel)*
 - c. Going onto land that has a “No Trespass” sign.....*Tort (trespass)*
 - d. Signing up for a cell phone plan.....*Contract*
 - e. Breaking a window with a baseball.....*Tort (negligence)*
 - f. Taking pictures of someone in a private place without their knowledge.....*Tort (invasion of privacy)*
 - g. Selling a skateboard.....*Contract*
 - h. Selling someone a fake designer handbag.....*Tort (fraud)*
 - i. Agreeing to mow your neighbor’s lawn for \$20.....*Contract*
 - j. Clicking “I Agree” to the Terms & Conditions on a Web site.....*Contract*

Mediation:

When disputes arise, they can be handled either through the court system or through some form of alternative dispute resolution. One of the most popular methods of alternative dispute resolution is called “mediation.” In schools this is often referred to as “conflict resolution.”

Mediation or conflict resolution is one of the faster-growing areas in the practice of law. It can be used to resolve disputes without the need for legal action.

1. Tell the students that they are going to learn about the mediation or “conflict resolution” process through role playing.
2. Distribute **Worksheet 11-1**.

3. Students should work in groups of three to role play the scenario. One person will be the mediator. The other two will be the disputing parties.
4. Review the “Steps in Mediation” contained in **Worksheet 11-1**.
5. Give the students 10 minutes to mediate the scenario, and then ask the following questions:
 - a. What happened in the mediation?
 - b. How would going to court be different?
 - c. Discuss the advantages and disadvantages of taking a case to court.
Examples: Court is expensive, takes away time from work, leaves a relationship strained and the judge makes a decision. Mediation leaves the decision up to the parties, it is not expensive, and the decision is not binding and can be revisited.

Evaluation: Observation, feedback/questioning, accuracy of activities and Scoreboard (for Scoreboard directions see “Assessment.”)

Outside Resource Person (ORP): The following ORPs might be utilized: attorney, law enforcement officer or school resource officer (SRO).

Taking Home the Law: Students should take home **Worksheet 11-2** and complete it with their parents or guardians.

Extra Innings: TG p. 148