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Classrooms become courtrooms

Lawyers bring the law to life for students

by Dee-Ann Durbin

Fictional 15-year-old Aaron Smith is a devout member of the Church of the Earth, a religion which believes that all living things are part of a mutually beneficial circle of life. In two weeks, Smith will turn 16, the age at which church members go through a three-day ritual to become "protectors" in the church. The ritual consists of fasting, praying and taking hallucinogenic drugs under the supervision of a priest.

Smith asks his high school newspaper advisor if he can write an article about his religion, including a description of the ritual drug and its recipe. His advisor takes Smith's proposal to the principal, who promptly contacts the authorities. Soon, the police obtain a search warrant for the church, raid it and find illegal drugs. They also file criminal charges for child endangerment against the church, the high priest and the owner of the land used for church rituals.

This is the kind of hypothetical case that Palo Alto and Gunn high school sophomores tackled recently as part of "How We See It," a new program designed to bring lawyers into the classroom to help students understand constitutional law. The idea was created by local attorneys Dan Barton and David Marks and volunteer Marge Quackenbush from the Palo Alto Area Bar Association in cooperation with Paly government teacher Suzie Stewart and Gunn government teacher Carolyn Long. Attorneys Mark Flanagan, Jay Boyarsky, Mike Willemsen and Mike Armstrong also helped develop the project.

On April 23 and 26, six lawyers attended a total of 14 10th-grade U.S. government classes at both high schools, leading mock trials on issues ranging from religious freedom to search and seizure. Similar role-plays featuring a mixed group of Gunn and Paly students were televised live on Cable Channel 6 this month.

"It's been great," Quackenbush said. "All the cases have gone very differently. You never know how it's going to end."

During one Paly class, several students sat around a table representing various characters, including Smith, his mother, a defense attorney, the Church of the Earth's high priest and the property owner who had rented his land to the church. On the opposite side of the room sat the prosecuting attorney, the newspaper advisor, the principal and a child protective services officer. At the center of the table was a judge.

"If I'm not infringing upon the rights of anyone else, I should be able to do this," said Kristina Brown, who was playing Aaron. "It's not like I'm murdering for my religion."

Initially, the judge, played by Grace Cheng, agreed. "There's different intents to doing drugs," she said. "They weren't using it for criminal purposes, but for religious ritual. It's like Native Americans using peyote."

"Then is anything in the name of religion OK?" countered Marks, a response which sparked more discussion from the students.

Students also debated about whether or not Aaron's story and the drug recipe should be published in the school newspaper.

"I believe in the safety of my students, and I believe that publishing this might cause other students to do drugs," said Sean Mitchell as the principal. "I'm in charge of the safety of my students."

In the end, the students' 50-minute period was hardly long enough to resolve the case or the issues surrounding it, but the room was still buzzing excitedly as the students moved on to their next class. "Anything we have that makes this system come alive for the kids is just wonderful," Stewart said. *"How We See It" will be rebroadcast on Midpeninsula Access Channel 6 on Saturday, May 18, at noon.*



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