

The Popular Legal Curriculum

a workshop on critical analysis

The reason for this workshop

The North American media audience receives almost daily instruction on the law. This is the popular curriculum on the law. Law instruction comes from the entertainment industry, from the news media, and from word-of-mouth from friends and neighbors who have also gotten law from the entertainment industry and the news media. The problem is that the law taught is often either absolutely wrong or at least inapplicable to the life of the given individual.

The media misinforms the public about the law for reasons that can be innocent but are often negligent. Some of the reasons that legal information is not reliable:

- the entertainment media take liberties with the law in the exercise of poetic license to make a story line work or make it more interesting, to make a long story short, to simplify a complex issue.
- the news media report on the specific facts in a specific case and explain only how the law applies to that situation in a given geographic area in a given time frame while the audience may not realize that the law changes as the facts change, as the geographic jurisdiction changes, and over time as case law develops.
- the news media report on legal developments without taking the time or expending the resources to give an accurate portrayal of the legal situation because the media report according to deadlines not according to a high quality standard.

The public needs to develop a critical attitude toward the legal information imparted by the media. They need a protocol for assessing the reliability and the relevancy of specific legal information when applied to their own lives.

Objective:

This workshop assists public legal educators to provide the media audience with a perspective for assessing the reliability and applicability of the legal information obtained from the media. (The workshop examples will be drawn primarily from tv and films, but it could also consider print media with more time available.) The workshop will, to some extent, model for the educators the workshop they might offer to the public.

Strategy:

This workshop invites participants to consider ways in which the media forms the popular knowledge-base about the law. Using case studies and real world scenarios, participants will explore ways in which they are misinformed about the law by the entertainment and news media. Through discovery learning strategies, participants will identify the key media players and the character and strength of the roles they play. Participants will help develop a personal protocol for evaluating the usefulness and

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applicability of information about the law to their own lives. From this stage, participants will be asked to extrapolate this protocol to develop a personal action plan and strategy for assisting their clients to develop the skills of critical analysis of the popular legal curriculum.

Audience:

The primary audience for this workshop is public legal educators. The secondary audience is the public or school audience of these educators. The original audience would be about 25 people, will subsequent offerings to smaller groups of 4 - 8 people.

Roll out / delivery plan

The workshop would ideally be delivered to the annual meeting of the Public Legal Education Association of Canada, and subsequently to the individual organizations in each province.

Outline/overview:

1. The media provides continuous legal information
 - a) The law in entertainment vehicles
 - b) The law in news coverage
2. Drawing conclusions about the popular legal curriculum
3. Tools for critical analysis
 - a) place - how the law applies in a geographic area
 - b) time - how law changes with time
 - c) source of law - how the law is particular to specific jurisdictions
 - d) credibility of the source of report
 - e) identification of viewer with information
 - f) obtaining confirmation of the legal information
4. Authoritative public legal education / How to train the public in critical media analysis

Objectives:

At the conclusion of the workshop participants will be able to:

- Define the popular legal curriculum.
- Explain how the media teaches us about the law
- Evaluate the success of the media instructional campaign
- Critically analyze media legal information
- Identify and use tools to analyze the legal information received from the media
- Develop a strategy for popularizing these tools

Program Plan:

Part 1. The media provides continual legal information

| Section 1 | Teacher Activity | Student Activity | Resources | Notes |
|-----------------------------------|--|------------------|---|-------|
| The law in entertainment vehicles | Raise these questions, recording student comments on a flip chart <ul style="list-style-type: none"> • How do we learn about the law from the media? • How often is a legal theme predominate in entertainment vehicles? Name some • movies and TV shows about the law. • Are the portrayals accurate? • If not, why not? | Brainstorm | flipchart markers | |
| | Discuss poetic license, negligence, and other reasons. | | Handouts | |
| Supplemental activity | Hand out slips of paper. Each slip of paper describes a portrayal of a specific legal fact or issue in the media. Ask participants to write down individually if the portrayal is accurate or inaccurate? | | | |
| Supplement - continued | Ask volunteers to read out their selections and speculate on answer. | | | |
| | Challenge participants to start collecting their own selection of examples from the daily media, as an ongoing strategy for critical analysis. Suggest they look for some light-hearted examples, too. | | Handout - List of movies and TV shows with a legal thread | |

| Part One | | | | |
|--------------------------|---|--|--|-------|
| Section 2 | Teacher Activity | Student Activity | Resources | Notes |
| The law in news coverage | Ask participants to name recent legal cases in the news. Ask how they heard about them | Group discussion Record categories of media on flip chart or overhead (newspaper; word of mouth; radio; TV news; newspaper; made for TV movie; documentary TV, friends) | Copies of current event articles, headlines on overheads | |
| | Ask participants to name some news programs that cover legal topics. Responses may include news, legal talk shows, live action courts, live action police shows. Bring up these examples if students do not | | Handout - List of programs | |

| Section 3 | Teacher Activity | Student Activity | Resources | Notes |
|---|--|------------------|--|-------|
| The law is not universal - it is geographic | Is the law we learn applicable to our lives? Name laws that affect our daily lives. Who makes these laws? In what geographic areas do these laws apply? How does legal jurisdiction relate to geographic area? | | Hand-out: law as legislation from specific jurisdictions and legislative authorities | |

| Summing-up | Part One | | | |
|------------|---|--|--|--|
| | <p>Briefly explain to participants that the purpose of this Part One is to.....</p> <p>Consider the extent of the daily feed of legal information and the extent of the opportunity for misinformation to circulate.</p> <p>Explain that even "intelligent" people like themselves can be "educated" on the law from the media and imagine what other people without their critical-analysis skills could end up believing. Bring up literacy figures and relate to time spent "attending to" TV and actively watching. Consider most people's inability to check accuracy through other sources.</p> <p>Ask : If this is happening and has been happening, and how they are dealing with educating the public about the law. Why is the media influence a problem and why should they care. "So what?"</p> | <p>Brainstorm.</p> <p>Record and review their comments on a flip chart and then post to a wall.</p> <p>Revisit that flipchart as a summary at the end of the workshop.</p> <p>This allows them to create their own "buy in" and motivation for change.</p> | | |

**Part Two:
Drawing conclusions about the popular legal curriculum**

| Section 1 | Teacher Activity | Student Activity | Resources | Notes |
|-----------|--|-----------------------------|-----------|-------|
| | <p>Ask: What conclusions can we draw about the media legal curriculum? Does the media play a productive role in legal education. Is their information accurate. If not, what are the reasons?</p> <ul style="list-style-type: none"> ■ poetic license ■ negligence ■ deadlines <p>What is the effect of the circulation of inaccurate information? How does it impact on individual lives.</p> <p>Which news media have reporters or writers trained in law?</p> <p>What is needed in this situation?</p> | Tools for critical analysis | | |

(Supplementary Activity for longer session: Discuss the media role in generating hysteria and vigilantism: How does the media treat issues of crime or social concerns? What stereotypes predominate? What motivates such coverage?)

Part Three: Here are some tools for critical analysis

| Section 1 | Teacher Activity | Student Activity | Resources | Notes |
|-----------|---|------------------|-----------|-------|
| | Ask: How can the public evaluate legal information? | | | |
| | Tool for evaluation: Questions.... | | | |

| | | | | |
|--|---|---|--|--|
| | <ol style="list-style-type: none"> 1. findings of place and facts 2. ascertaining chronology 3. learning source of law 4. evaluating credibility of source of report (Compare credibility of report on Entertainment Tonight vs. CNN legal correspondent) 5. consider relationship of viewer to information; motivation of need: identification of viewer with factual situation (the more desperately the person needs the information the more likely they are to consider it creditworthy) 6. obtaining confirmation through using available resources to obtain accurate legal information. | <p>Consider motivation of personal need, personal experience, other relationships</p> <p>Identify other tools if others are needed.</p> | | |
|--|---|---|--|--|

Part Four:

Using the tools will help audiences interpret the legal information to more accurately reflect realities

| Section 1 | Teacher Activity | Student Activity | Resources | Notes |
|-----------|---|---|-----------------------------------|-------|
| | Ask how can public confirm accuracy of legal information | Identify local sources for accurate legal information. | Hand-out: brochures and bookmarks | |
| | Ask them to consider the opportunities that the situation presents to them – as public legal educators. | <p>Activity: Plus, Minus, and Possibilities</p> <p>Discuss in these;</p> | | |

| | | | | |
|--|--|--|--|--|
| | Can they use the public interest in media criticism to promote their own services? | during discussions have one participant to note pluses mentioned, one participant note minuses mentioned, one to note possibilities; | | |
| | | Have these three participants report at end of discussion as the summing-up of the workshop. | | |

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| Activity # 1           | Name that legal tune                                                                                                                                      |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose -              | Identify examples of legal information delivery in the entertainment media                                                                                |
| Set-up and materials - | write-on transparencies, a black board or flip chart;                                                                                                     |
| Time required:         | 10 minutes                                                                                                                                                |
| Directions             | Ask participants to name movies, televisions dramas or comedies and novels which have a legal theme or in which the story revolves around a legal process |
| Visual aids            | Hand-outs -- a list of examples<br><br>An overhead to write the names called out by the participants;<br>a pre-written flip chart                         |

**Activity # 2 :** Where in the world is Carmen San Diego?

Set-up and materials - write-on transparency, flip-chart or blackboard;  
done in whole group or small groups

Time required - 10 minutes

Purpose - To place the legal information in a geographic area and determine the legal jurisdiction in order to show its limited application to other areas

Directions:

**Activity #3 :** Whose news is it, anyway?

Set-up and materials - write-on transparencies, flip-chart, blackboard;

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can be done in whole group or small groups

Time required - 10 - 15 minutes

Purpose - To explore how reports can only describe the law as it applies in a given locale

Directions: - Ask participants to name recent legal events reported in the media and allow time to discuss the quality of the coverage;

To explore the positive examples, and possibly learn from them:

Ask participants to name situations where they were impressed with the accuracy of the reportage on a legal issue.

Ask for names of reporters who are trained or conversant with law

Hand-outs

Visual aids - Sample clippings for circulation, sample clips from CNN or CBC Newsworld and US TV stations

**Activity #4** - Ask participants to identify the city, state, province, or country where the different stories are set. Identify any stories which deliberately avoid a geographic context.

**Activity #5** - Ask participants to think about laws that affect their daily lives. Identify those laws. Name the body which legislated those laws.

Hand-outs - List of laws coming out of city, provincial and federal legislative bodies

Visual aids - Overhead of laws and jurisdictions identified in B.

### **Activity #6 - Plus, Minus and Possibilities**

Set-up and materials - Three people need paper, choose three who will be comfortable speaking to the whole group

Time required - 15 minutes

Purpose - To close the session, have participants review the positive and negative features of media coverage of law, and consider the possibilities for future intervention by education of the public (so they can critically assess what they are told about the law) or by other means

Directions - Whole group discussion, have 3 individuals recording ideas: one- positive, one - negative, one - possibilities, available actions.

After open discussion, have 3 recorders sum-up from their notes

Hand-outs -

Visual aids -