

Workshop:
Critical Analysis of
The Popular Legal Curriculum

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Introduction to Workshop on the Popular Legal Curriculum

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 their neighbors who have gotten law from the entertainment industry and the news media. The problem is that the law they teach is often either absolutely wrong or at least inapplicable to the life of a 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, 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 legal standard.

The public needs to be provided with a critical attitude toward the legal information imparted by the media. They can be given a protocol for assessing the reliability and the relevancy of specific legal information when applied to their own lives. This workshop provides the media audience member with a perspective for assessing the reliability and applicability of the legal information obtained from the media.

Workshop Purpose:

This workshop invites the participants to consider the ways in which the media form the popular knowledge-base about the law. It asks them to consider the ways in which they are misinformed about the law by the entertainment and news media. It suggests a protocol for evaluating the usefulness and applicability of information about the law to their own lives.

Workshop Audience:

Designed to be delivered to public legal educators, the workshop assists the educators to deliver a similar workshop to the public or school audience by adapting the activities and examples to the particular audiences. 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. Thus the original audience would be about 25 people, and the future audiences smaller groups of 4 - 8 people.

Workshop Agenda:

What is the popular legal curriculum. Does the media teach us about the law? How good a job do they do? How can we be critical consumers of media legal information? What tools can we use to analyze the legal information received from the media? How can we popularize these tools?

Part One:

The media provides continuous legal information

The law in entertainment vehicles

Question 1: 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? Discuss poetic license and other reasons.

(Supplementary Activity 1: Are there any accurate portrayals?)

Hand out slips of paper. Ask volunteers to read out their selections and speculate on answer. Each slip of paper describes a portrayal of a specific legal fact or issue in the media. Is the portrayal accurate or inaccurate?

(These examples would have to be developed over an extended period of time by watching the movies, or getting examples from early participants.)

Challenge participants to start collecting their own selection of examples from the daily media.

Handout - List of movies and tv shows

The law in news coverage

Questions - What do we learn from the news?

How is law taught through the news?

Name recent legal cases in the news. How did you hear about them?

(word of mouth; radio; tv news; newspaper; made for tv movie;

documentary) (Menendez trials/three juries) (OJ Simpson trial is not the best example to pick up on because it was not decided on the law)

Name some news programs that cover legal topics. Responses will or may include news, legal talk shows, live action courts, live action police shows.

Handout - List of programs

The law is not universal - it is geographic

Question 3 - Is the law we learn applicable to our lives?

Activity: Name laws that affect our daily lives. Who makes these laws? In what geographic areas do these laws apply?

Hand-out: law as legislation from specific jurisdictions and legislative authorities

(Supplementary Activity: Generating hysteria and vigilantism)

Question - How does the media treat issues of crime or social concerns? What stereotypes predominate? What motivates such coverage?

Part Two:

Drawing conclusions about the popular legal curriculum

Questions:

When has the media played a productive role in law reform or legal education? Which news media have reporters trained in legal matters?

What is the total effect of inaccurate information in entertainment media and inapplicable information in news media? How might misinformation adversely affect an individual? What is needed?

Answer sought: The public needs tools for critical analysis

Part Three: Here are some tools for critical analysis

Question: How can the public evaluate legal information?

1. place

2. time

3. source of law

4. source of report (credibility level) (compare credibility of a report from CNN legal correspondent and one from Inside Edition or Entertainment Tonight)

5. relationship of viewer to information (motivation of need) (the more desperately the individual needs the information in their personal life, the more likely they are to find it creditworthy)

Part Four:

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

Questions - Identify the Pluses, Minuses, and the Possibilities

Activity - Reviewing the positive and negative effects. Considering the opportunities the situation presents. What are the pluses and minuses in the situation? What can be done?

Further discussion and handouts: What are the locally available resources to obtain reliable information about the law that applies to our own lives?

Resources: Dial-a-Law bookmark and brochure (telephone and Internet), Peoples Law School, ACJNet bookmark

Activity # : Name that legal tune.

Set-up and materials - write-on transparencies, a black board or flip chart;

can be done with whole group

Time required: 10 minutes

Purpose - Identify examples of legal information delivery in the entertainment media

Directions - Participants are asked to name movies, televisions dramas or comedies and novels which have a legal theme or in which the story revolves around a legal process

Hand-outs - a list of examples prepared in advance

Visual aids - an overhead to write the names called out by the participants; a pre-written flip chart

Activity # : Where in the world is Carmen Sandiego?

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:

Exercise A - 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.

Exercise B - 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 # : Whose news is it, anyway?

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