

An Introduction to a Bilingual Study of the World of Law

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“In the end, we will conserve only what we love,
we will love only what we understand,
and we will understand only what we are taught.”

- Babe Dioam

INTRODUCTION

I teach seventh and eighth grade Spanish in a Vanguard program (about 140 students with whom I meet everyday). Teaching a language is not only learning to communicate, though it is the core of it, it also implies learning the culture of the countries that speak the language, to compare, contrast, and respect the similarities and differences, to connect through the target language with other subjects as for example, social studies, English, art, math, and, why not, law, the rules established by each society to govern it. It is from this last point of view that I have thought of different stages of activities to carry out that would benefit the students enriching their mastery of the language as well as providing them at the same time with a broader view of society, its traditions, its culture, and diversity.

I passed out a survey to my 70 eighth graders. I explained to them my plans about incorporating legal vocabulary, expressions, and issues for my next-year 8th graders and I told them that I would appreciate their input. I thought that asking for their opinion would help me in developing what kind of topics should be included in my syllabus as well as it would give me a closer approach as to what would interest them more, and as to what reality is under their point of view.

I drew from this survey mainly two conclusions: first is that the diversity of topics posed by the students is related to the diversity of the alumni themselves and, second, that our concerns about what's going on in today's world is shaped by the mass-media, revealed in their chosen topics. Most of my students' topics were related to issues aired and or published by the newspapers' headlines and other media.

WHAT I INTEND TO COVER WITH THIS UNIT

Though I'll be using only some of the students' mentioned topics in the survey to plan my next-year syllabus, mainly because of time reasons, it is also true that to have a better understanding on those, we need to have a minimum foundation of the legal basic terminology and concepts that help us grasp better the reality of the world of law. The following are the topics to be covered:

- A) General introduction to the legal system of the U.S.:
 - The Constitution
 1. The Preamble
 2. The Branches of Power
 3. The Bill of Rights
 - The judicial system
 1. The Court Systems
 2. Types of Laws
- B) Introduction to Texas Political Institutions.
- C) Local level Government Organization
- D) The World of Litigation: an introduction to its terminology
 - Civil and criminal cases (concepts)
 - Contextualized vocabulary on given situations
- E) Research on the mass-media
 - Current issues in the mass-media (Headlines of the day)
- F) Research project

As I pointed out above, the first stage of the syllabus would consist of a general introduction to the legal system of the U.S. with the purpose that the students become familiar with basic concepts, vocabulary, expressions, and idioms that would allow them to move smoothly to the next stages of activities. It is not my intention to present a deep approach to the subjects mentioned because of language limitation, time allocated for the course, and purpose of the Spanish I curriculum, among other reasons, but to combine the learning of Spanish with an interdisciplinary approach that enriches and benefits the students strengthening not only their communicative skills but also their ability to compare, contrast, analyze, connect, and use their knowledge beyond the class. Thus I would start by introducing a summary of the meaning of the Constitution of the United States that sets the frames of a strong central government and states the supreme rule to govern the Land and establishes the foundations and mechanisms of a democratic country. Its Preamble sets forth the purposes that the framers of the Constitution wanted. The ideas of liberty, justice, common welfare, and defense, as well as the origin of the power vested in the hands of the people, are pointed out as key elements in it that underlie the whole supreme law of the nation.

In the first three articles of the Constitution, the three branches of government, their roles, and the system of checks and balances are explained. The legislative power is represented by the Congress with its two chambers, the House of Representatives and the Senate, vested with both exclusive (listed or enumerated) and broad powers also known as the elastic clause that allow only them to regulate certain issues as well as to pass any necessary and proper law to fulfill their mission, restricting the states from interfering in certain topics by setting limits to what states can regulate or legislate. The second branch of power, the executive, is vested in the President who besides having some veto powers is the head of the armed forces and who must swear or affirm to do the best to preserve, protect, and defend the Constitution of United States. The last but not least important

power is the judicial one, vested in the Supreme Court and the other courts that the Congress may create. There are two judicial levels: the federal—whose power derives from the Constitution and the federal laws, and the state—as we will see later on.

Each of these three powers controls each other so as to avoid that any of them may end up controlling the other ones. At the same time and to avoid that any of them would abuse its powers against the people from whom these powers derive, in 1791 the Bill of Rights was passed, which sets limits to those powers in favor of the civil rights, liberties, and procedures established in them.

The next step to cover in the topic “An introduction to Texas Political Institutions,” would be the types of laws and the origins of them - Statutory Law, coming from the legislative branch, Administrative Law from the executive branch, and Common Law (Case law), coming from the judicial branch - and the power and limitations of the States under the federal system of shared powers established by the Constitution.

Next, the students would be given a synopsis of both the Federal and State Court Systems explaining the different existing levels: the Federal Supreme Court, Court of Appeals and District Courts, and comparing and contrasting flow charts of both the Federal Judicial System and the Texas Court System with the one(s) from some other countries chosen by the students.

The introduction to the political institutions as we mentioned just above, first on a national level and then on a state one, would be incomplete without a brief mention of the “Local level Government Organization” which allows the students to see and feel the institutions and their communities from a closer point of view. City and county government levels as well as special districts created to meet the specific needs of their citizens are also mentioned.

A general introduction to the world of litigation terminology would follow, in which the students would be taught key concepts such as civil and criminal cases, jurisdiction, venue, parties to a litigation, the prosecutor and the defense, statute of limitations, court hearing, liability, proof of service, subpoena, burden of proof, bench warrant, default judgment, writ of execution, good faith, breach of contract, expectation damages, etc. The number and kind of legal terms to study could be increased little by little, according to the syllabus plan and the time, once the basic general subject has been introduced. Then, taking into consideration the suggested topics by the students as well as what is going on the news and mass media, some hot topics can be carefully chosen for research, study, and discussion in class. As students have access to Internet information and more specifically to many of the world’s newspapers, research as well as warm up activities based on the headlines of the day/week can be easily prepared by the teacher for the students. The Mundolatino.com web site provides access to lots of magazines and newspapers from all around the world in the target language; the website Nolo, and LawforKids.org provides lots of law-related information for both the students and the teacher.

WHY TEACHING THESE THINGS IS IMPORTANT TO MY STUDENTS

This unit gives the students the possibility of exploring a new and different field, the world of law and justice through the target language and mass media current issues; the students enrich themselves as individuals, as persons acquiring a better understanding of the society in which they live. They get better acquainted with the institutions, rules, and mechanism established by our society allowing them to make better decisions and participate in a democratic society governed by the ideas of freedom, tolerance, responsibility, justice, and peace. The students learn about the rights and duties that each of us has as a person and as citizen and, with a better knowledge of our laws and institutions, students are better prepared to exercise their rights and comply with their duties and responsibilities, thus improve the way society works.

Broadening the area of study of Spanish curriculum, we are providing the students with a more stimulating and challenging program, setting better foundations for them to succeed. In learning a language from an open-minded approach that emphasizes and fosters the democratic principles of tolerance, responsibility, justice, and awareness of the institutions, rules, and principles that govern our communities, together with the language learning process that emphasizes both the communicative and cultural aspects of a language, we are putting together the key elements for the best environment to teach and learn a language and educate students not only academically but also personally as persons and citizens of the world.

TEACHING STRATEGIES

This unit aims to provide the students with a broader knowledge of the language, first by focusing on additional topics without forgetting that communication is the primary goal and thus putting emphasis on developing listening, speaking, reading, and writing opportunities for the students that enable them to become linguistically proficient, and secondly by using the language as a tool to explore, compare, and contrast other cultures and share them with others. This is what HISD calls “The Five C’s of Language Education.”

When teaching a language it should be taken into account not only the kind of instructional strategies to be used but also whom we address, the type of students we are dealing with, so as we may meet the real needs of them. Because of the different learning styles (multiple intelligences), a variety of approaches should be used to find out which ones work best for each student so accommodations can be made to help them succeed. Some of the instructional activities and strategies that may reach the diverse learning styles are the following: brainstorming to get and share ideas; graphic organizers to help summarize, compare, contrast and draw conclusions; extensive and intensive reading techniques to expand vocabulary and improve content comprehension; reading comprehension questions; fill in the blanks; matching words, sentences and/or definitions; translations; word definitions; research on similar documents from other Spanish-speaking countries’ texts and comparing and contrasting them; reading and

finding headlines in the news related to the topics being studied for discussion in the class; elaboration of visual charts and posters on the key concepts and institutions covered in class; organization of paragraphs (put in a logical order) in a given reading text; summarization; underlining the main idea(s) and the supporting details; student-student or student-teacher question-respond exercises to enhance the listening and speaking skills at the same time as assessing the strengths and weaknesses that need to be reviewed, re-taught, or modified; writing strategies that may range from word dictation to sentences or paragraphs to assess the level of language acquisition of the topic being taught and the correctness of the spelling, punctuation, and grammar; web further research - individual, pair, or in small groups- in their own language on topics connected to other curriculum areas that helps them to acquire practical and updated information and share it with others; project presentation; field experience by visiting a court house and attending a trial (tickets or other minor offences); etc.

The topics of the present unit will be presented mainly through short reading comprehension texts adapted to the Spanish language level of the class. As it is no easy to find texts that cover in a simple language the topics above suggested, it would be the task of the teacher to read, summarize, translate and do the required adaptations.

I would like to finish saying that I plan to do this not as a separate unit taught in one or two weeks in a specific month of the school year, but as a long term project (An Introduction to a Bilingual Study of the World of Law) to be carried out along the second semester of the year –students will have acquired a better understanding level of Spanish at this time- as an additional and enriching activity to my curriculum.

TEXTOS BILINGUES DE LAS UNIDADES DIDACTICAS BILINGUAL TEXTS OF THE DIDACTIC UNITS

- A) La Constitución y la Carta de Derechos Fundamentales
The Constitution and the Bill of Rights (lesson plan 1)
- B) Introducción a las Instituciones Políticas de Texas
Introduction to the Political Institutions of Texas (lesson plan 2)
- C) La Organización del Gobierno a Nivel Local
Local Government Organization (lesson plan 3)

A) La Constitución y la Carta de Derechos Fundamentales

La Constitución es la ley suprema de la Nación (cláusula de la supremacía). Los propósitos de ella se establecen en su Preámbulo: justicia, defensa común, libertad, bienestar general son algunos de ellos. También se indica que el poder del gobierno emana (proviene) del pueblo.

La Constitución tiene 7 artículos, cada uno de los cuales trata de temas diferentes. La mayoría de aquellos se dividen en secciones. Los primeros tres artículos hablan de los tres ramas de poder del gobierno: el poder legislativo, en manos del Congreso, está compuesto por la Cámara de Representantes y por el Senado. La primera tiene el poder de acusar oficialmente a los parlamentarios (impeachment). El Congreso tiene también los llamados poderes enumerados o expresos, es decir, la Constitución da exclusivamente al Congreso la capacidad para regular ciertos temas tales como el comercio con los países extranjeros, acuñar dinero, definir los delitos, declarar la guerra etc. El último poder expreso se conoce como “poder elástico” porque da a libertad del Congreso para aprobar cualquier ley necesaria y apropiada para realizar la misión establecida en el resto de cláusulas del artículo uno.

También y para evitar el solapamiento de funciones entre el gobierno federal y los estados así como para consolidar el poder del gobierno federal central, la Constitución establece límites o restricciones sobre lo que los estados pueden regular (art. 1, sección 10).

El artículo dos establece que el poder ejecutivo está atribuido al Presidente de los Estados Unidos quien ejercerá sus funciones por un mandato de cuatro años y el cual será el jefe de las fuerzas armadas (el comandante en jefe del ejército y de la marina). Antes de entrar a ejercer sus funciones el presta el siguiente juramento: “Juro o afirmo que cumpliré fielmente el cargo de presidente de los E.E.U.U., y pondré mi empeño para preservar, proteger y defender la Constitución de los Estados Unidos.” El poder judicial está atribuido al Tribunal Supremo y a los otros tribunales inferiores que el congreso pueda crear (artículo III). El sistema judicial tiene dos niveles diferentes: el sistema judicial federal - Tribunal Supremo, Tribunal de Apelación y los Tribunales de Distrito – y el sistema judicial estatal - tribunales de apelación: Tribunal Supremo y el Tribunal de Apelación Criminal - y tribunales básicamente de primera instancia: tribunales de distrito, de condado y municipales y, el juez de paz . El poder del primer nivel deriva de la Constitución y las leyes: el segundo, de la constitución y de las leyes estatales.

El Tribunal Supremo tiene jurisdicción original y es sobre todo un tribunal de apelación. Las cortes federales se ocupan principalmente de las leyes aprobadas por el Congreso. Las leyes que derivan del ejercicio del poder judicial se conocen como jurisprudencia o ley común y las que derivan del ejecutivo se llaman leyes administrativas.

Un sistema de control y equilibrio se estableció para evitar que cualesquiera de los tres ramas obtuvieran demasiado.

El poder del gobierno está limitado por la llamada Carta de Derechos Fundamentales aprobada en 1791 para proteger los derechos y libertades civiles. Quizás algunos de los más importantes son la *Primera Enmienda* que se ocupa de los derechos de libertad de religión, de prensa, de opinión y reunión; La *Cuarta Enmienda* requiere una orden

judicial para que la policía pueda entrar a registrar el domicilio, excepto en casos criminales, y una razón justificada para arrestar una persona (la regla de Miranda); y la **Quinta Enmienda** la cual requiere que exista pruebas o evidencia para ser acusado -en casos criminales el Gran Jurado puede emitir “a true Bill” o “no Bill”- y concede el derecho a tener un proceso legal debido y a no ser juzgado dos veces por el mismo delito (double jeopardy)

A) The Constitution and the Bill of Rights

The Constitution is the supreme law of the Land (supremacy clause). The purposes of it are established in its Preamble: justice, common defense, liberty, and general welfare are some of them. It is also stated that the power of government comes from the people.

The constitution has *7 articles*, each of them deals with a different topic, and most of them are divided into *sections*. The first three articles talk about the three branches of government: the legislative power in the hands of the Congress, which is composed by the *House of Representatives* and the *Senate*. The first one has the power of impeachment. The Congress has also the so called enumerated or express powers, that is to say, the Constitution gives exclusively to the Congress the power to regulate certain subjects such as commerce with foreign countries, coining money, defining felonies, declaring war, etc. The last express power is known as “elastic power” because it gives the Congress liberty to pass any necessary and proper law to carry out the mission established in all the other clauses of article one.

Also to avoid overlapping of functions between the Federal Government and the States as well as to strengthen the power of the central Federal government, the Constitution sets limits or restrictions on what states can regulate (art. I, section 10). Article two sets forth that the executive power is vested in the President of the US who shall hold his Office during a term of 4 years and who will be the head of the armed forces (the Commander in Chief of the Army and Navy). He takes the following oath before entering on the execution of his Office: “I do solemnly swear or affirm that I will faithfully execute the Office of President of the US, and will to the best of my ability, preserve, protect, and defend the Constitution of the US.”

The judicial power is vested on the Supreme Court and on those inferior courts that the Congress may create (article III). The judiciary system has two different levels: the federal - Federal Supreme Court, Court of Appeals, and District Courts - and the state system of courts – highest appeal courts: State Supreme Court, Court of Criminal Appeal, and primarily trial courts: district, county, and municipal courts, and Justice of the Peace. The first one derives its power from the Constitution and laws, the second one, from state constitutions and laws.

The Supreme Court has original jurisdiction and is primarily an appellate court. Federal Courts deal mainly with statute law and laws passed by Congress. The laws

derived from the judicial power are known as case law or common law and the ones derived from the executive branch are called administrative law.

To avoid that any of the three branches would get too much power a system of checks and balances was established.

The power of government is limited by the Bill of Rights, passed in 1791 to protect civil rights and liberties. Perhaps the most important are the First Amendment that deals with rights of religion, speech, press, and assembly; the Fourth Amendment that requires a warrant for the police to enter and search one's house, and a justified reason to arrest a person; and the Fifth Amendment which requires indictment – in criminal cases the Grand jury may issue a (no) true bill - and grants the right to have due process of law and not to be tried twice for the same felony – double jeopardy.

B) Introducción a las Instituciones Políticas de Tejas

El Gobierno en Tejas como el de la nación esta dividido en **tres ramas de poder**: el legislativo, representado por el Senado y la Cámara de Representantes, está encargado de hacer las leyes; el ejecutivo, es responsable de hacer cumplir la ley y esta representado por el Gobernador como cabeza visible de él y otros altos funcionarios elegidos tales como el Interventor de Cuentas Públicas que ejerce el papel de recaudador principal de impuestos, el Fiscal General que ejerce el papel de abogado del estado, el Lugarteniente del Gobernador que ejerce de presidente del senado; la tercera rama de poder, la judicial, está representada por El Tribunal Supremo del estado y todos los demás tribunales y están encargados de interpretar las leyes.

La mayor parte del trabajo diario del Congreso se lleva a cabo a través de comités. Tanto el representante (portavoz) del congreso elegido por y para la Cámara de Representantes, como el Lugarteniente del Gobernador en el Senado, elegido por los votantes del estado, desempeñan un papel importante cuando nombran directores o presidentes para los comités. Estos directores o presidentes pueden dejar sin efecto una propuesta de proyecto de ley con tan solo no incluirla en la agenda.

Hay principalmente dos tipos de propuestas que se llevan a cabo en el Congreso. Las resoluciones y los proyectos de ley. Los primeros expresan la opinión del legislador; los segundos son propuestas de leyes. Para convertirse en ley, un proyecto necesita ser aprobado por mayoría de la Cámara de Representantes y la del Senado y ser firmada por el Gobernador. Este último tiene el poder de veto que tan solo puede ser anulado por el voto favorable de dos terceras partes (2/3) de ambas cámaras (sistema de control y equilibrio). Un proyecto de ley realmente importante es el relacionado con el presupuesto del estado. El Interventor Fiscal estima los ingresos y gastos del estado y somete una propuesta al Congreso basada en las peticiones presupuestarias de las agencias. Cuando el proyecto de ley presupuestario es aprobado por el Congreso y firmado por el

Gobernador, se convierte en ley. Las fuentes de ingresos más importantes provienen del impuesto de ventas, la lotería de Tejas y fondos (ayudas) del gobierno federal.

El Gobernador es el jefe del poder ejecutivo y entre otros desempeña un papel muy importante cuando realiza nombramientos para las diferentes juntas y comisiones. El Lugarteniente del Gobernador de Tejas es elegido por separado del Gobernador y forma parte tanto del poder ejecutivo como del legislativo.

Hay dos áreas (campos) generales de la ley: la civil que trata principalmente sobre asuntos entre ciudadanos y entre estos y el gobierno (código civil), y el criminal que trata de asuntos criminales (código criminal), en el que el estado representado por sus abogados ejercita las acciones judiciales contra los acusados. Hay dos tipos de ofensas bajo el código criminal: los más graves (Felonies) llamados delitos y los menos graves llamados faltas o delitos menores (misdemeanor).

Dentro del sistema judicial hay dos tipos de tribunales: Los de primera instancia y los de apelación; y tres niveles diferentes de tribunales que entienden tanto de asuntos (casos) civiles como criminales. El primero comprende los tribunales municipales (tratan de las ordenanzas de la ciudad), y los jueces de paz (tratan de casos civiles y criminales de menor importancia); el segundo lo constituyen los llamados tribunales de condado – conocen de ciertos asuntos civiles y de algunos tipos de faltas (delitos menores); el tercer nivel se refiere a casos juzgados en los tribunales de distrito y versan sobre casos criminales más graves (delitos), y asuntos de menores y civiles. Algunos casos pueden apelarse ante tribunales superiores – no pueden apelarse los litigios por divorcio- En el estado de Texas este proceso normalmente empieza a nivel de los tribunales de distrito y puede llegar a las instancias más altas: el tribunal Supremo, para asuntos civiles y de menores, o el Tribunal de Apelación Criminal, para asuntos criminales. Cada una de estas dos altas instancias tiene nueve jueces y el que lo preside se llama juez jefe (presidente). Hay sólo dos estados, Texas es uno de ellos,, con dos tribunales supremos.

Cuando uno es acusado de un delito grave, el Gran Jurado, compuesto por 12 miembros, decide si hay pruebas suficientes, y si las hay, emite una propuesta de acusación para que el caso sea juzgado. Se presentan las pruebas, los testigos testifican, y el jurado, por acuerdo de todos sus miembros emite un veredicto. En los casos juzgados por un juez se le llama decisión (fallo). Se puede evitar que algunos casos lleguen a ser juzgados admitiendo la culpabilidad con penas rebajadas (plea bargaining)

El sistema judicial de menores es fundamentalmente preventivo. La Comisión de Menores de Texas se encarga de los infractores más peligrosos comprendidos entre los diez y los diecisiete años de edad, y el Departamento de Justicia Criminal se encarga de los adultos peligrosos. Otras instituciones que participan en hacer cumplir la ley a nivel local son el Departamento de Seguridad Publica de Tejas (multas de tráfico), los sheriff de condado y la policía de la ciudad.

B) Introduction to Texas Political Institutions

The government in Texas, like on the national level, is also divided in three branches of power: the legislative, represented by the Senate and the House of Representatives, is in charge of making the law; the executive is responsible for enforcing the law and is represented by the governor as head of it and other top elected officials such as the Comptroller of Public Accounts that serves as chief tax collector, the Attorney General that acts as the state's lawyer, and the Lieutenant Governor that serves as president of the Senate; and the third branch of power, the judicial, is represented by the state Supreme Court and all the other courts and is in charge of interpreting the laws.

Most of the daily work of Congress is carried out through committees. Both the speaker of the House, elected by and for the House of Representatives, and the Lieutenant Governor in the Senate, elected by the voters of the state, play important roles when appointing chair-people legislators to the committees. These chair-people can kill a proposed bill by just not scheduling it for discussion.

There are two main types of proposals considered by the legislature: resolutions and bills. The first ones express the opinion of the legislature; the second ones are proposed laws. To become a law, a bill needs to be passed by the majority of both the Senate and the House of Representatives and be signed by the Governor. This last one has the veto power but it can be overruled by the favorable vote of 2/3 of both chambers (check and balance system). One really important bill is the one related to the state budget. The comptroller makes revenue and expense estimates for the state and submits a proposal to the legislature based on state agencies' budget requests. When the budget bill is passed by the legislature and signed by the governor it becomes a law. Major sources of revenues derive from sale taxes, Texas lottery, and grants from the federal government.

The governor is the head of the executive power and among others he/she plays a very important role when making appointments to boards and commissions. The lieutenant governor of Texas is elected separately from the governor and is part of both the executive branch and the legislative one.

There are two general areas of law: the civil one that deals mainly with issues between citizens and citizens and the government (civil code), and the criminal one that refers to crime issues (criminal code) and in which the state, represented by its attorneys, brings court action against the accused. There are two types of offences under the criminal code: the serious ones, called felonies, and the less serious ones, called misdemeanors.

Within the judicial system, there are two types of courts: trial and appeal courts, and three different court levels that hear both civil and criminal cases. The first one, comprised of the municipal courts, deals with the city ordinances, and the Justice of the Peace deals with civil and minor criminal cases; the second one is represented by the

county courts, dealing with some civil cases and some misdemeanors; the third level refers to cases tried at district courts and that deal with serious criminal cases, juvenile issues, and civil ones. Some cases may be appealed to higher courts. In the state of Texas the process usually starts at the District court level and may go to the highest level: the Supreme Court, for civil and juvenile issues, and to the Court of Criminal Appeal for criminal cases. Each of these two highest courts has nine justices and the one presiding is called chief justice. There are only two states, Texas is one of them, with two highest courts.

When someone is accused of a serious crime, a 12 member Grand Jury decides if there is enough evidence; if so, a true bill indictment is issued for the case to be tried. Evidence is presented, witnesses testify, and the jury, by agreement of all the jurors, reaches a verdict. In cases tried by a judge it is called a decision. Some cases may avoid being tried by pleading guilty to a lesser charge (plea bargaining).

The juvenile justice system is mainly a preventive one. The Texas Youth Commission is in charge of serious offenders between 10 and 17 years old, and the Texas Department of Criminal Justice takes care of adult serious offenders. Other institutions participating in the law enforcement on a local level are Texas Department of Public Safety (traffic fines), county sheriffs (jails), and city police.

C) Organización del Gobierno a Nivel Local

La sociedad se organiza no solo a nivel nacional o estatal si no también a niveles más pequeños: el gobierno local; y esto se hace para llegar a la gente de forma más eficiente, efectiva y proveerles con mejores servicios tales como educación, salud pública, mantenimiento de calles, agua potable, recogida de basura, protección policial o de incendios, mantenimiento de parques, museos, etc. Para pagar por estos servicios, suministrados por las ciudades, éstas tienen que recaudar dinero y lo hacen principalmente con las tasas sobre la propiedad, impuestos por servicios prestados, multas, concesión de permisos etc.

Hay fundamentalmente tres tipos de gobierno local. El primero, llamado gobierno municipal (de la ciudad) en el que las ciudades pueden ser gobernadas bajo la ley general de Tejas (ciudades con menos de cinco mil habitantes) o tener sus propias normas de funcionamiento en aquellas ciudades con una población mayor; estas se organizan así mismas de acuerdo con sus propias reglas siempre que estas no violen las normas estatales o federales. Estas ciudades pueden ser gobernadas de tres formas diferentes: como ciudades ayuntamiento regido por el alcalde (con un papel mayor o menor) , como ciudades ayuntamiento regidas por un encargado profesional como por ejemplo Dallas o San Antonio, o como ciudades regidas por comisiones en la que los comisionados son elegidos por los votantes para dirigir los diferentes departamentos.

El segundo tipo de gobierno es a nivel de condado. Estos ayudan al estado a realizar sus tareas tales como por ejemplo recaudar impuestos de estado, emitir licencias, registro de votantes, establecer las tasas impositivas etc. Cada condado se divide en 4 distritos o recintos y cada uno de éstos elige a un comisionado del condado, los cuales forman la corte de comisionados, el cuerpo de gobierno más importante del condado, responsable de decidir en materias tales como el presupuesto del condado y la tarifa de contribución territorial. Algunos de los funcionarios importantes elegidos a nivel de condado son los comisionados, los sheriffs –encargados de la dirección de las cárceles (jails)-, el juez del condado – preside el tribunal de comisionados y es el administrador jefe de él)-, el empleado oficial del condado – custodia el registro de nacimientos, matrimonios, divorcios, traspasos de propiedad etc.-, el empleado oficial del Distrito –guarda el registro de los tribunales del distrito-, tasador de impuestos –recauda dinero de las tasas sobre la propiedad, licencias etc.- el juez de paz y, el secretario judicial (constable)- encargado de los documentos emitidos por la corte. La principal fuente de ingresos se basa (proviene de) en los impuestos sobre la propiedad, emisión de bonos, tasa u honorarios por permisos o servicios prestados.

El tercer tipo de unidades de gobierno local lo constituyen algunos distritos especiales creados para solucionar las necesidades específicas de los residentes. Quizás los llamados distritos escolares son los más conocidos, gobernados por una junta de fideicomisarios quienes tienen el poder de fijar los salarios, contratar a profesores, nombrar superintendentes escolares etc. Sus fuentes de ingresos provienen de fondos nacionales, estatales y federales. Un famoso proyecto de ley que se convirtió más tarde en ley, el propuesta legislativa Ratliff, conocida también como la propuesta de ley Robin Hood, cambió la manera en que los estados distribuían los recursos entre los distritos escolares.

Para poner punto final a esta presentación, tan sólo decir que todos podemos llegar a ser ciudadanos más responsables cuando hacemos un esfuerzo no sólo para entender mejor la relación entre las instituciones y las leyes y normas que regulan nuestra sociedad y comunidad en la que vivimos sino también cuando participamos de forma positiva para expresar nuestras ideas, opiniones, puntos de vista ya sea como individuos, como grupo o meramente como votantes, respetando los mecanismos democráticos existentes, siendo tolerantes, admitiendo las opiniones ajenas, aceptando los hechos y las consecuencias derivadas del juego democrático y político establecido por nosotros ya se trate de elecciones primarias, generales, especiales o locales. En palabras de nuestro profesor Mr. Crump, “If we all had a better understanding of the legal system, how the actual justice works, we would be better prepared as individuals to use that knowledge in a more responsible way in the society we live in.”

C) Local level Government Organization

Society is organized not only on a national or a state level but also in smaller units: the local government. The local government works more effectively and efficiently to reach the people and provide them with better services such as education, public health, street

maintenance, running water, garbage collection, fire or police protections, parks, museums, etc. To pay for the different services provided by the cities they have to collect money, and they do that mainly from property taxes, fees for services rendered, fines, and permits.

There are 3 main types of local governments. The first one is called city government (municipalities) which may be operated under a general law of Texas (cities under 5000) or home rule cities for those with larger population and which organize themselves according to their own rules provided these do not violate the state or federal laws. These cities may be run in 3 different ways. As mayor council government (with a strong-weak mayor system), as council manager cities like for instance Dallas or San Antonio, or as commission cities, in which commissioners are elected by the voters to operate different departments.

The second type of government is on a county level. Counties help the state to carry out its duties such as to collect state taxes, issue licenses, register voters, set tax rates etc. Each county is divided into 4 districts or precincts and each of these elects one county commissioner, all of which form the commissioners court, the most important governing body of the county, responsible for deciding matters such as the county budget and the property tax rate. Some of the important elected officials in the county are the commissioners, the sheriff (manages jails on a county level), the county judge (heads the commissioner's court and is the chief administrator of the court), the county clerk (keep records of births, marriages, divorces, property transfers, etc.), the district clerk (keeps district court records), the tax assessor (collects money for property taxes, licenses fees), the justice of the peace and the constable (deals with court issued papers). The main sources of revenue are property taxes, bonds, and fees for different services and permits.

Some special districts constitute the third type of local government units created to meet the residents' specific needs. Perhaps the school districts are the best known, governed by a board of elected trustees, which have the power to set salaries, hire teachers, appoint school superintendents, etc. Their revenue resources come from federal, state, and local funds. One famous bill that later became a law, the bill known also as the Robin Hood Bill, changed the way the states distributed the money to the school districts.

To finish with this unit presentation, we all may become more responsible citizens when we not only make an effort to understand better the relationship between the institutions and the laws and rules that govern our society and the community we live in, but also when we participate in a positive way to express our ideas, opinions, and views as individuals, lobbyists, or voters, respecting the existing democratic mechanism established, being tolerant and accepting other people's opinions, accepting the facts and consequences derived from the political democratic game for us established either in primary, general, special, or local election. To put it in the words of [seminar leader] Mr. Crump, "If we all had a better understanding of the legal system, how the actual justice

works, we would be better prepared as individuals to use that knowledge in a more responsible way in the society we live in.”

LESSON PLANS

Lesson Plan A: La Constitución y la Carta de Derechos Fundamentales/ The Constitution and the Bill of Rights

Overview

The bilingual text above presented for this unit has been adapted for the advanced novice level of my second year Spanish students and is meant to be introduced during the second semester course during which they may feel more confident with grammar rules, vocabulary, and verbs covered in Spanish. This unit is a general approach to the meaning of the Constitution, presented by its Preamble and followed by a short explanation of the role of the three branches of power, emphasizing the meaning of certain clauses such as the elastic or the enumerated power clauses. It mentions too the two levels of the judicial system (federal/state) as well as the distinction between original jurisdiction courts and appellate ones and ends highlighting the importance of the Bill of Rights, putting emphasis on the first, fourth, and sixth amendments, as a means to balance the relationship between the citizens and the state or nation.

Objectives

This unit aims to go a step further in the language learning process by providing the students not only with the necessary tools and practice for them to become more proficient in written and spoken language developing their listening, speaking, reading, and writing skills through the introduction of a very specific field of the language of the law, but also to engender an awareness and appreciation of the importance of the knowledge of the subject that turns them into knowledgeable, responsible citizens with a better understanding of the principles of a democratic society, allowing them to use their rights and comply with their duties in the society and community they live in. The target language is use to stimulate the students to want to know, analyze, synthesize, evaluate, and apply their knowledge to everyday situations.

Learning Activities and Procedures

The students should be told the content of the unit being covered and what kind of activities are to be done, as well as why it is important and useful for them to become knowledgeable in the present topic. The aim is to make the students view it as a practical and meaningful unit: they are developing their language skills and at the same time they are acquiring new information and connecting it with other subjects areas (social studies) that can be applied as responsible citizens through the channel of participation for us established, if they want to have a say on issues that affect our lives. Because of the complexity of some of the questions, limitation of language, and the different levels inside the same class, some of the questions may be answered in English.

Brainstorming

This unit could be started with a brainstorming activity that can be done in the native language of the students. The purpose is to encourage them to participate and share what they remember of this topic, probably having been explained in previous years by their social studies teachers, and to provide them with a reference frame from which to start the present unit. The students begin building their own body of knowledge and start developing their own reasoning abilities.

Questionnaire

A questionnaire will be passed out to each student allowing them ten minutes to write down notes for each of the questions. Then, for another 10 minutes (approximately) they may work in pairs or small groups of three or four students, sharing their ideas; and finally, a class debate, the teacher acting as moderator, may start. A student (volunteer) will write on the board the conclusions or key points of the debate.

The following are some of the possible questions to be asked:

- This year presidential elections will be held. Do you know the difference between primary and general elections?
- How can people benefit from a democratic electoral system? Name three reasons.
- Is there a way people's voice may be heard in each of the branches of government power? How and what for?
- Do you know what cognate words are?
- There are many words in English and in Spanish whose roots are the same –Latin and sometimes Greek- and because of that we can guess the meanings easily. Could you translate the following Spanish words into English?
La Constitución, preámbulo, orden ejecutiva, presidente, sistema judicial, veto, partido republicano/demócrata, etc.

Glossary

A list of key words can be prepared so as to make comprehension easier. It could be done with the participation of the whole class. Two or three words could be assigned for each part of the classroom in small work groups. They will do some research and then will present their findings to the whole class (ask for volunteers). To assure that everybody has gotten at least the same basic information, the teacher could pass out a final corrected word list. The following are some of the proposed key words:

Impeachment	jurisdiction	appellate court
Statute law	enumerated powers	elastic clause (art. I)
Check and balance system.	Bill of Rights	Amendments

Silent Reading

The students will do a ten-minute silent reading (2 or 3 paragraphs of the adapted reading text A). Dictionaries should be available- a class set or each student brings his/her own one- though the purpose at this level is not to look up every single word that they do not understand, but to grasp the key ideas. They will be asked to underline all the *cognate*

words they find. At the end of this exercise the teacher will ask for two volunteers to come to the board and write in turns the cognate words that their class partners say aloud. Pronunciation and spelling are being practiced.

The following is an example of cognate words for the first paragraph:

La Constitución-The Constitution, suprema-supreme, propósitos-purposes, establecidos-established, el Preámbulo-Preamble, justicia-justice, común-common, defensa-defense, libertad-liberty, general-general, gobierno-government.

Q & A

An interactive teacher-student question-respond *activity* will be the next step. The teacher will encourage students to read out loud short sentences, then ask specific questions on what has just been read to verify the degree of comprehension and add or clarify whatever is needed. Questions and answers should be made in Spanish, the target language. It's important to motivate the students and make them feel comfortable and confident in their understanding and speaking skills, which is why reading long paragraphs should be avoided.

Examples of possible questions:

1. ¿Cuál es la norma suprema de la nación?
2. ¿Dónde se establecen los propósitos de ella?
3. ¿Cuáles son algunos de esos propósitos?
4. ¿Cuál es el origen del poder del gobierno?

Potential answers:

- La Constitución
 En el Preámbulo
 Son la justicia, la libertad etc
 El pueblo.

To review and reinforce the new vocabulary and concepts learned, some of the following suggested exercises could be used.

Suggested Exercises

I. Match the words given in column A with the definitions provided in column B.

Example:

A	B
Jurisdiction	Tribunal de Apelación
Preámbulo	Congreso
The constitution	Introducción
Appellate Court	Norma suprema
Legislature	Autoridad para ...
Statute Law	Ley del poder legislativo

II. Rearrange the following words to make meaningful sentences.

- Una corte es tribunal supremo el de fundamentalmente.
- La estados limitado por Constitución poder el los estados de está
- Siete secciones artículos dividen se la Constitución y estos tiene

Answer key:

El Tribunal Supremo es fundamentalmente una corte de apelación.
La Constitución tiene siete artículos y estos se dividen en secciones.
El poder de los diferentes estados está limitado por la Constitución.

III. Using the word bank provided, fill in the blanks of the following reading text.

El1..... del gobierno está2..... por la llamada Carta Magna (Carta de Derechos fundamentales)3..... en 1791 para proteger los derechos y4..... civiles. Quizás alguno de los.....5..... importantes son la Primera, la Cuarta y la Quinta Enmiendas.....6.....

- | | | |
|---------------|-------------|--------------|
| A. aprobada | B. poder | C. enmiendas |
| D. libertades | E. limitado | F. más |

Answer key:

El poder del gobierno está limitado por la llamada Carta Magna (Carta de Derechos fundamentales) aprobada en 1791 para proteger los derechos y libertades civiles. Quizás alguno de los más importantes son la Primera, la Cuarta y la Quinta Enmiendas.

IV. Circle the word that does not belong in the group.

1. A) Presupuesto de estado B) Gobernador C) Interventor Cuentas Públicas
2. A) Corte de apelación B) Código criminal C) Tribunal Primera Instancia
3. A) Delito B) Senado C) Cámara de Representantes
4. A) Parlamento B) Proyecto de ley C) Ley
5. A) Delito B) Falta C) Tribunal
6. A) Judicial B) Proposición C) Ejecutivo
7. A) Abogado B) Juez de Paz C) Corte del Distrito
8. A) Gran Jurado B) Policía urbana/rural C) Sheriff

Answer key:

1. B 2. B 3. A 4. A 5. C 6. B 7. A 8. A

V. Create a puzzle/word search and provide the answer key using ten new words you have learned in this unit. A word bank may be provided as a guide/clue for the word search. The list could be given in English though the students will look for the Spanish words. Exercises created by the students can be shared and used in class to reinforce the vocabulary learning. See the annotated bibliography for useful web sites.

T	A	C	U	S	A	C	I	O	N	E	A
P	R	E	S	I	D	E	N	T	E	T	S
C	T	R	I	U	N	A	L	E	N	S	A
S	I	W	R	C	Y	D	E	T	M	A	S
K	C	O	N	G	R	E	S	O	I	N	E
L	U	R	S	X	J	R	E	R	E	O	N
L	L	D	D	S	L	E	Y	L	N	T	O
Y	O	E	E	Q	A	R	A	E	D	A	I
R	S	N	A	S	R	E	P	R	A	D	C
S	E	N	A	D	O	D	A	U	F	N	C
D	E	R	E	C	H	O	S	G	A	A	E
J	U	E	Z	D	E	P	A	Z	E	M	S

Word search answer key:

- | | |
|------------------------------------|---|
| 1. Artículos, articles | 8. Enmienda, amendment |
| 2. Secciones, sections | 9. Tribunal de apelación, appellate court |
| 3. Senado, senate | 10. Derechos, rights |
| 4. 4.Congreso, Congress | 11. Orden judicial, warrant |
| 5. Poder judicial , judicial power | 12. Acusación, indictment |
| 6. Presidente, president | |
| 7. Juez de paz, Justice of peace | |

VI. Fill out a crossword puzzle.

ACROSS

3. parts into which articles are divided
5. judicial authorization to do something, warrant.
9. introduction of the Constitution.
10. chief of the executive power
12. check and balance system
15. judicial proceedings in accordance with established rules, due process.

DOWN

2. double jeopardy, prohibits multiple punishment for the same offense.
3. laws derived from the Congress, statute law
7. elastic power (of the Congress)
13. principles established by judicial decisions, doctrine.
14. an alteration proposed by the legislative power, amendment

Answer key (Word bank):

A= across, D= down

A3 Secciones, D 14 Enmiendas, D 7 Poder elástico, D 2 Sanción doble, A 5 Orden judicial, D 3 Leyes legislativas, B 13 Doctrina judicial, A 15 Proceso debido, A 12 Equilibrio (de poderes), A 10 Presidente/a, A 9 Preámbulo.

VII. A research activity, either individually or in pairs, on a Topic/concept, could be assigned for extra credit and then presented to the class. The students will be asked to

take notes and get ready for a quiz on the following day. The aim is to encourage and challenge the students to do further research, and provide them with opportunities to become self-independent learners. The following are possible topic-related questions to be asked:

1. What are the exact expressed powers of the Congress? (Mention the exact article and section of the Constitution and make a brief comment on each of them. Be ready to answer possible questions from your classmates.)
2. Explain in words of your own the meaning and purpose of “habeas corpus.”
3. Translate into Spanish the “Miranda rule” and be ready to explain the purpose of it.
4. In what cases may a Grand Jury issue a “no true bill”? What does it mean?
5. Can you think of a situation/example in which each of the branches of power of the government makes use of the check and balance system that the Constitution puts in their hands?

Answer to question 5: Veto power of the President/Governor. 2/3 of both houses may overrule the President’s veto; impeachment of president. Laws may be reviewed by the Supreme Court to check if they comply with the Constitution.

VIII. Match each of the following definitions with its corresponding English/Spanish word.

- | | |
|--------------------|--------------------------|
| 1. Bill of Rights | 7. Miranda rights |
| 2. Trial Court | 8. Statute law |
| 3. Habeas Corpus | 9. Supreme Court |
| 4. Case law | 10. Municipal ordinances |
| 5. Appellate Court | 11. Due process |
| 6. Indictment | |
-
- A. Tribunal de mayor jerarquía dentro del sistema judicial
 - B. Normas creadas por el gobierno local o municipal
 - C. Ley común, no escrita, basada en precedentes
 - D. Tribunal que entiende y revisa asuntos vistos por otros tribunales inferiores
 - E. Acusación formal o presentación de cargos contra una persona.
 - F. Derechos que la ley concede a las personas cuando son arrestadas
 - G. Leyes creadas por el poder legislativo
 - H. Tribunales de primera instancia, con jurisdicción original.
 - I. Procedimientos de garantía al detenido de acuerdo con las normas constitucionales.
 - J. Procedimientos establecidos por la ley para proteger a los ciudadanos en juicio.
 - K. Derechos fundamentales recogidos en las Enmiendas a la Constitución

Answer key:

- | | |
|-----------------------|----------------------|
| 1. Bill of Rights, K. | 3. Habeas Corpus, I. |
| 2. Trial Court, B. | 4. Case law, C. |

- | | |
|------------------------|------------------------------|
| 5. Appellate Court, D. | 9. Supreme Court, A. |
| 6. Indictment, E. | 10. Municipal ordinances, B. |
| 7. Miranda rights, F | 11. Due process, J |
| 8. Statute law, G. | |

IX. Write a full sentence for each of the following words to illustrate their meaning:
 Acuñar moneda, proteger los derechos, la Constitución, leyes administrativas.

X. The purpose of this exercise is that the students anticipate certain language structures by filling in the missing words: nouns, verbs, adjectives, adverbs, etc. They provide practice of what one has been learning, using the language in meaningful sentences and paragraphs and at the same time checking where the strengths and weaknesses are so modifications and reinforcement activities may be put into practice. As students improve their master of the subject being dealt with, more information may be left out to develop student independent writing.

The following is an example of this kind of practice:

La Constitución tiene siete1....., cada uno de los cuales2..... de temas diferentes. La mayoría de aquellos se dividen en3..... Los primeros tres artículos hablan de los tres ramas de4..... del gobierno: el poder legislativo, en manos del5....., está compuesto por la Cámara de Representantes y por el Senado. La primera tiene el poder de acusar oficialmente a los parlamentarios (impeachment). El Congreso tiene también los llamados poderes6....., es decir, la Constitución da exclusivamente al Congreso la capacidad para regular ciertos7..... tales como el comercio con los países extranjeros,8..... dinero, definir los delitos,9..... la guerra etc. El último poder expreso se conoce como10..... porque da a libertad del Congreso para aprobar cualquier ley necesaria y apropiada para realizar la misión establecida en el resto de cláusulas del artículo uno.

Answer key:

- | | |
|--------------|----------------------|
| 1. artículos | 6. enumerados |
| 2. trata | 7. temas |
| 3. secciones | 8. acuñar |
| 4. poder | 9. declarar |
| 5. Congreso | 10. “poder elástico” |

XI. Match each word of the first column with the words of the other two columns.

- | | | |
|-----------------|----------|-------------|
| 1. Liberty | normas | preamble |
| 2. introduction | límites | freedom |
| 3. chamber | justicia | chief |
| 4. restrictions | tema | subject |
| 5. justice | jefe | limits |
| 6. topic | cambios | Legislature |

7. head	pruebas	proves
8. amendments	libertad	changes
9. evidence	preámbulo	rules
10. laws	cámara	fairness

Answer key:

1. Liberty	libertad	freedom	6. topic	subject	tema
2. introduction	preamble	preámbulo	7. head	jefe	chief
3. chamber	cámara	legislature	8. amendments	changes	cambios
4. restrictions	limites	limits	9. evidence	pruebas	proves
5. justice	justicia	fairness	10. laws	rules	normas

XII. This activity aims to assess students reading comprehension skills as well as if they have understood the key ideas of the topic being presented.

1. El poder judicial está atribuido al Presidente de los Estados Unidos
2. El Presidente de EEUU tiene el poder de acusar oficialmente a los parlamentarios (impeachment power).
3. El poder judicial está atribuido únicamente al Tribunal Supremo.
4. Los tribunales municipales son básicamente tribunales de apelación.
5. Las leyes que derivan del ejercicio del poder judicial se conocen como leyes administrativas.
6. El poder del gobierno emana (proviene) del Congreso.
7. El Congreso, está compuesto por la Cámaras de Representante y por el Senado.
8. La Constitución establece límites o restricciones sobre lo que los diversos estados pueden regular (art. 1, sección 10).

Answer key:

- | | | |
|----------|----------|--------------|
| 1. falso | 4. falso | 7. verdadero |
| 2. falso | 5. falso | 8. verdadero |
| 3. falso | 6. falso | |

XIII. Try some rewriting activities. The aim is to develop students' writing skills. Students are given incorrect sentences on purpose and they are supposed to correct them. This can start as an individual activity. Then students could share information in pairs and finally, using the overhead projector, the exercise could be corrected as a class activity monitored by the teacher.

Examples:

1. La Constitución son la ley suprema de la Nación
2. El poder del gobierno emana (proviene) del pueblo.
3. Congreso, está compuesto por la Cámaras de Representantes y por el Senado.
4. La Constitución establecen límites o restricciones sobre lo que los estados pueden regular (art. 1, sección 10).

5. Pueden aprobar cualquier ley necesario y apropiado para realizar su misión constitucionales.
6. El poder ejecutivo está atribuida a el Presidente de los estados Unidos

Answer key:

1. ... es ... suprema
2. poder pueblo
3. ... compuesto ... Cámara ... por el Senado
4. La ... establece ... puede ...
5. ... aprobar ... necesaria y apropiada ... constitucional
6. Ejecutivo ... atribuida ... al Estados Unidos

XIV. These questions may be presented in Spanish and answered in English due to the students' language level limitations.

1. Imagine the Congress wants to pass a law granting Letters of Marque -article 1, section 8.11- and the President disapproves of it. What are the mechanisms the Constitution puts in the hands of both the Congress and the President to fight for what they want?
After reading the article and translating it, answer the above question.
Clue to answer:
Article 1, sec. 8.11
Letter of Marque: autorización para equipar (outfit) barcos y atacar los del enemigo en tiempo de guerra.
2. Can the President declare war against another nation or does he need the approval of the Congress first?
Clue: Art. 1.8
3. Your neighbor has recently done some construction on his/her yard and now every time it rains you have very serious flooding problems at your house. After having talked to them and reached no solution you decide to take your case to court. Would it be a criminal or civil case? Why? Would you take it to an appellate court, a trial court, or the Supreme Court? Why?
4. Read article 1 of the Constitution and then, using a Venn diagram, compare the similarities and differences of the role of both the Senate and the House of Representatives.
5. Before a bill becomes a law it must go through a certain procedure. Put the following key words in a logical order and be ready to explain/present orally the steps followed to pass a law.
A. Senate B. President C. Committee D. House of Representatives
6. Some people say that in time, there has been a gradual strengthening of the executive power in detriment of the Congress? What do you think? If you agree, what do you think may be the reasons?
7. How many terms may the President of US be in office consecutively? Is there any advantage in this system? Explain it.

8. Imagine that you become President and that your party has a minority in both houses of the Congress. Would you use your veto powers to oppose any law you do not agree with? Think from a legal, ethical, and practical point of view.
9. Assign each student in the class one or two states and ask them to find out, in percentages, the relationship between inhabitants and number of senators and members in the House of Representatives. What conclusions do you draw from your results? Create a bulletin board to display the classroom data. Do you think other democratic Hispanic speaking countries will have similar percentages of representatives in the Congress? Why?

XV. Have you heard of “the law of community property” and “the homestead law”? These were Hispanic laws that became so popular that some US states like New Mexico, Texas, Louisiana, Washington, etc. adopted them. Do some research and explain their purposes.

XVI. A graph with key words may be given to the students for them to develop and create their own class association bylaws.

Key words/ideas to include:

1. The purpose
2. Rules (articles):
 - A. Governing body
 - B. Election procedure
 - C. Infraction of rules (consequences)

The class may be divided in small groups, three to five students; each of them will prepare their own bylaws. They will elect a representative speaker in charge of presenting to the whole class their work. The purpose is to withdraw, as a whole class, their own bylaws. This final product could be shared with other classes’ final work and have a final bylaws by grade level instead of by classes.

XVII. A visit to the Municipal Court in Houston will be scheduled to see minor civil cases (fines usually less than \$ 200) for traffic offences, and violation of city ordinances. This way, students may experience first hand how they work. Students would be asked first to do some information research on topics of their own interest (parking tickets, jail information, trials, being a juror, driving safety courses, etc) presented in the official web page of the Municipal Courts: <http://ci.houston.tx/courts>.

Assessment

The main aim of the assessment is to identify the strengths and weaknesses of students and apply the necessary modifications (review, re-teach, present the subject in depth and complexity, challenge students, etc.) so as to meet the needs of the different students and provide them with opportunities to succeed both as people and as students in a continuing learning process.

Not only content knowledge approaches should be used, the different learning styles of the students should also be taken into account – examples of them are the different activities/methods above suggested that measure students’ thinking skills and levels of knowledge through comprehension, application, analysis, synthesis, and evaluation exercises- but also effort, attitude, creativity, and participation shown on a daily basis should be weighed when grading.

Lesson Plan B: Introducción a las Instituciones Políticas de Texas/Introduction to the Political Institutions of Texas.

Overview

As stated in lesson A, the basic reading text has been adapted to meet the needs of the students’ Spanish level, but this time the topic focuses on the political institutions not on a national level but on a state one: Introduction to Texas Political Institutions. It covers the three branches of government, the role of some top elected officials, the types of proposals adopted by the legislature, the importance of its committees when dealing with the bills, and the role of the Governor as chief executive in appointing chairpersons. It also presents a brief description of the judicial system in Texas and its different court levels, ending with a brief reference to the role of the Grand Jury and some law enforcement institutions.

Objective

The main objective is to introduce some new concepts and vocabulary by encouraging the students to read and do research and at the same time reinforce the concepts and vocabulary already covered in the previous unit by focusing on Texas political institutions instead of on the national level as we did in lesson plan A, and all of it without missing our language and culture learning aim by putting into practice the four basic language learning skills –listening, speaking, reading and writing- around our topic area.

Learning activities and procedures

The different activities suggested here aim to develop the students’ thinking skills as well as to increase the level of knowledge of the language and culture taking as a study reference field the political institutions in Texas. Most of the kind of examples proposed in the previous lesson plan can with no problems be adjusted for the present and next lesson plan as a means to ensure both the correct understanding of the texts and the appreciation of the practical usefulness of the topic being taught.

Reading Comprehension Practice

Silent reading

Student vocabulary presentation monitored by teacher (common list provided)

Teacher reading modeled

Students reading aloud

Interactive student/teacher or student/student question-respond activity

Knowledge Assessment

Basic Exercises

I. Match each of the following definitions with its corresponding English/Spanish word.

1. Cumplimiento de la ley.
2. Borrador de ley que se presenta al Congreso para su aprobación
3. Plan financiero.
4. Grupo de personas encargadas de asuntos tales como dirigir una investigación, preparar un informe o redactar un borrador de ley etc.
5. Fiscal del estado. Lo asesora y representa
6. Interventor o responsable de las cuentas.

A. Interventor de Cuentas Públicas.

D. Proyectos de ley

B Fiscal General del Estado.

E. Presupuesto.

C. Comités.

F. Cumplimiento de la ley

English words:

1. Law enforcement,
2. Bill,
3. Budget,
4. Committees,
5. Attorney General,
6. Comptroller of P. A.

Answer key:

1. F,
2. D,
3. E,
4. C,
5. B,
6. A

II. Try some rewriting activities. The aim is to develop students' writing and grammar skills. Students are given incorrect sentences on purpose and they are supposed to correct them. This may be started as an individual activity then have students share information in pairs and finally, using the overhead projector, the exercise could be corrected as a class activity monitored by the teacher.

Example:

1. El ejecutivo está responsable de hacer cumplir La ley.
2. El Interventor ejerce de recaudador jefe de impuestos.
3. El General Fiscal ejerce de abogado del Estado y lo representa.
4. Los presidentes de los comités pueden dejan sin efecto una propuesta de ley no incluyéndola en la agenda del día
5. Las fuente má importante de ingresos proviene de el impuesto de ventas.
6. Dentro del sistema judicial hay es dos tipos de tribunales: los de primera instancia y los de apelación.

Answer key:

1. es,
2. ejerce,
3. Fiscal General,
4. dejar,
5. más ... del,
6. hay dos tipos

III. Using the word bank provided, fill in the blanks of the following reading text.

Cuando uno es acusado de un delito1..... , el Gran Jurado, ...2..... por 12 miembros, decide si hay pruebas suficientes, y si las hay,3.....una propuesta de4..... para que el caso sea juzgado. Se presentan las pruebas, los testigos5..... , y el jurado, por acuerdo de todos sus6..... emite un veredicto. En los casos juzgados por un 7..... se le llama decisión (fallo). Se puede ...8..... que algunos casos lleguen a ...9..... juzgados admitiendo la10..... con penas rebajadas (plea bargaining)

Word bank:

Ser, evitar, acusación, culpabilidad, testifican, grave, miembros, compuesto, juez, emite

Answer key:

1. Grave, 2. compuesto. 3. emite, 4. acusación, 5. testifican, 6. miembros, 7. juez, 8. evitar, 9. ser, 10. culpabilidad

IV. Match the following English words with their Spanish counterparts.

- | | |
|-------------|---------------------|
| 1. Passed | A. papel |
| 2. Country | B. más importante |
| 3. Major | C. ingresos |
| 4. opinion | D. poder |
| 5. proposal | E. emitir |
| 6. power | F. tipo o clase |
| 7. revenues | G. aprobado |
| 8. kind of | H. país |
| 9. issue | I. creencia, juicio |
| 10 role | J. propuesta |

Answer key:

1. G 2. H 3. B 4. I 5. J 6. D 7. C 8. F 9. E 10. A

V. Translate the following words into English and then write in Spanish a full sentence for each of them to illustrate their meaning:

1. Apelar, 2. testigos, 3. fuentes de ingresos, 4. veredicto 5. nombrar.

Thinking Skill Activities

These activities include questions that measure the students' *comprehension, application, analysis, synthesis, and evaluation* skills. The following are some possible questions and activities:

I. Are these statements false or true? Explain your answer.

1. El Fiscal General del Estado además de ejercer como abogado del estado es el Recaudador jefe de impuestos.

2. La división de poderes del gobierno a nivel nacional es completamente diferente de la de a nivel estatal.
3. Las resoluciones que adopta el Congreso son verdaderos proyectos de ley.
4. El Presidente de la Cámara de Diputados representa a los diputados y es elegido por estos mismos.
5. Los proyectos de ley presupuestarios son aprobados por el Interventor de Cuentas Públicas
6. El Lugarteniente del Gobernador ejerce funciones tanto legislativas como ejecutivas
7. Únicamente los tribunales de apelación entienden de asuntos criminales.
8. La diferencia entre la Corte Suprema y la Corte de apelación Criminal es que solo la primera es una verdadera corte de apelación.
9. El sistema judicial de menores es un sistema eminentemente preventivo
10. La diferencia entre “veredicto” y “fallo” (o decisión) es que el primero lo emite el Gran Jurado y el segundo un juez.

Answer key:

- | | | | | |
|------|------|------|------|-------|
| 1. F | 3. F | 5. F | 7. F | 9. C |
| 2. F | 4. C | 6. C | 8. F | 10. C |

II. Rearrange the following words to make meaningful sentences.

1. visible del Gobernador es El cabeza la poder en el estado de ejecutivo Texas.
2. las leyes interpretar tribunales están Los encargados de
3. Jefe convertirse Para necesita la del firma en ley, del Ejecutivo.
4. Los graves abogados estado acciones judiciales contra ejercitan los acusados de del delitos.
5. graves Las delitos se ofensas más llaman.

Answer key:

1. El Gobernador es la cabeza visible del poder ejecutivo en el estado de Texas.
2. Los tribunales están encargados de interpretar las leyes
3. Para convertirse en ley, necesita la firma del Jefe del Ejecutivo.
4. Los abogados del estado ejercitan acciones judiciales contra los acusados de delitos graves.
5. Las ofensas más graves se llaman delitos.

III. Give full answers to the following questions on the text.

1. ¿Cuáles son las tres ramas de poder de gobierno en el estado de Texas?
2. Nombra algunos de los cargos más importantes dentro del poder ejecutivo. ¿Cuál son sus funciones?
3. ¿Cuáles son las diferencias y similitudes entre el lugarteniente del gobernador y el presidente de la Cámara de diputados o representantes?
4. ¿Qué diferencia hay entre una resolución y un proyecto de ley?
5. ¿Cuál es el papel del Interventor de Cuentas Públicas en relación al presupuesto?

6. Si el Gobernador veta una ley ¿qué requisitos son necesarios para que dicha ley prospere?
7. ¿Si un menor de 17 años comete un delito serio, ¿qué institución se encarga de su custodia?

Assessment

The same activities suggested above may be used to assess the students' levels of knowledge and thinking skills. (See Assessment in lesson plan A)

Lesson Plan C: La Organización del Gobierno a Nivel Local/Local Level Government Organization.

Overview

Unlike the first two lessons plans that focused on political institutions at a national and state level respectively, this last one presents the political government institutions on a local level: municipalities, special districts and counties; the kind of services they provide, the revenue resources, and the role of some officials

Objectives

To improve the students' oral and written expression proficiency of the Spanish language and culture, and to raise awareness of the important influence that local institutions have on our every day life and the role that we, as citizens, have to impact positively in the improvement of our communities through the knowledge and participation in those institutions.

Learning activities and procedures

Reading Comprehension Practice

Silent reading

Student vocabulary presentation monitored by teacher (common list provided)

Teacher reading modeled

Students reading aloud

Interactive student/teacher or student/student question-respond activity

Thinking Skill Activities

Thinking skill activities include questions that measure the students' knowledge, comprehension, application, analysis, synthesis, and evaluation skills. The following are some of the possible questions and activities suggested for this reading text:

Answer the following questions.

1. Enumera los tres tipos de gobierno local
2. ¿Cuántos distritos hay en cada condado?
3. ¿Quién está al frente de cada Distrito?
4. ¿Qué es la Corte de Comisionados, quienes la componen y cual es su función?

5. Do some research and explain in your own words the meaning of the bill Ratliff also known as The Robin Hood Bill.

6. ¿Qué funciones tienen los siguientes cargos?

- | | |
|------------------------|-------------------------|
| 1. Commissioners court | 5. The county clerk |
| 2. The county judge | 6. The tax assessor |
| 3. The Sheriff | 7. The constable |
| 4. The district clerk | 8. The justice of peace |

Other Exercises

I. Match the words of the following two columns:

- | | |
|------------------------|--------------------------|
| 1. garbage collection. | A tasa impositiva |
| 2. running water. | B recogida de basura |
| 3. fees | C fideicomisarios |
| 4. tax rate | D archivos |
| 5. records | E nombrar |
| 6. hire people | F contratar personal |
| 7. trustees | G tasas o contribuciones |
| 8. appoint | H agua corriente |

II. Rearrange the following words to make meaningful sentences.

1. necesitan recaudar pagar impuestos ciudades para los prestan servicios Las que
2. condado en se distritos Cada divide cuatro
3. distritos fideicomisarios Los son gobernados una escolares por de junta
4. Sus fondos provienen de ayudas federales, estatales y locales
5. La ley Ratliff cambió la forma en que los estados distribuían sus fondos entre

Answer key:

1. Las ciudades necesitan recaudar impuestos para pagar los servicios que prestan
2. Cada condado se divide en cuatro distritos
3. Los distritos escolares son gobernados por una junta de fideicomisarios
4. Sus fondos provienen de ayudas federales, estatales y locales
5. La ley Ratliff cambió la forma en que los estados distribuían sus fondos entre los distritos.

III. Using the word bank provided, fill in the blanks of the following reading text.

El segundo tipo de.....1..... es a nivel de condado. Estos ayudan al2.... a realizar sus tareas tales como por ejemplo.....3..... impuestos de estado, emitir licencias, llevar el.....4..... de votantes, establecer las tasas impositivas etc. Cada condado se divide en.....5.....o recintos y cada uno de éstos elige a un6..... del condado, los cuales forman la7..... de comisionados, el cuerpo de gobierno más importante del condado, responsable de decidir en ...8..... tales como el9..... del condado y la tarifa de10..... territorial.

Word Bank:

- | | | | | |
|----------------|-------------|-----------|-------------|------------------|
| 1. comisionado | 2. materias | 3. corte | 4. registro | 5. contribución. |
| 6. presupuesto | 7. recaudar | 8. estado | 9. gobierno | 10. distritos |

Answer key:

1. gobierno, 2. estado, 3. recaudar, 4. registro, 5. distritos, 6. comisionado, 7. corte, 8. materias, 9. presupuesto, 10. contribución.

The road to knowledge begins with the turn of a page.

-Vern McClellan

Discussion is an exchange of knowledge; argument is an exchange of ignorance.

-Vern McClellan

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<<http://ci.houston.tx.us/courts>>.
Web page of Municipal Courts.

Law For Kids. 1998. Arizona Foundation for Legal Services and Education.
<<http://www.lawforkids.org>>.
Useful for the students to do further research on the topics of my unit.

MundoLatino.com: Directorio Comercial e Informativo de Toda America y Espana.
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This website is ideal to access the most important newspapers of the different Spanish-speaking countries.

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Additional Resources

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Social studies textbook for grade 8 which contains chapters devoted to explaining in plain language the American judicial system, the Constitution, and the government.

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Social studies textbook for grade 7 which contains chapters devoted to explaining in plain language the American judicial system, the Constitution, and the government.

Araujo, Jess J. *The Law and Your Legal Rights: A Bilingual Guide to Everyday Legal Issues*. New York: Simon and Schuster, 1998.

For those interested in a bilingual approach to the world of law this is a really useful book to have.

Belli, Melvin M., and Allen Wilkinson. *Everybody's Guide to the Law*. New York: Harper and Row Publishers Inc., 1987.

This book presents a brief description of the legal system in its introduction and then focuses on a well organized directory of law related subjects that we encounter in our everyday life.

Bergman, Paul, and Sara Berman-Barret. *The Criminal Law Handbook*. 5th Edition. 2003.

This may be a good tool for the kids to obtain practical information on criminal-related issues. It contains a web site: <www.nolo.com> which is really useful to do research on the internet. It links to a legal encyclopedia, downloadable software, books, e-guides, and a legal research center for access to State and Federal Statutes.

Chase, Harold and Craig Ducat. *Edward S Corwin's The Constitution and What It Means Today*. New Jersey: Princeton UP, 1978.

This is a revised edition of a classic work of Edward S Corwin in which Harold "Merriam-Webster's" Chase and Craig Ducat point out step-by-step the huge changes that have taken place in the meaning of the Constitution over the last 20 years. It also provides short explanations about key Supreme Court cases.

Crump, David, and Jeffrey Berman. *The Story of a Civil Suit: Dominguez v. Scott's Food Stores*. Houston, Texas: The John Marshall Publishing Company, 2001.

Key book to understand a typical civil procedure step by step.

Dictionary of Law. Merriam-Webster Inc. Springfield, Massachusetts: Merriam-Webster Inc, 1996.

Designed to provide a convenient and comprehensive access to the language of Law. Pronunciation notes as well as illustration of usage of legal words and phrases in context are included.

Jarvis , Ana, and Walter Oliver. *Law Enforcement Workbook*. Toronto: Heath and Company, 1981.

This is a bilingual course book that presents vocabulary in context for people working in the law enforcement field, with lots of practical exercises.

Kipper, A. Barbara. *Roget's 21st Century Thesaurus*. New York: Delacorte Press: 1992.

This synonym dictionary is an essential reference tool. It is designed to search from word to meaning and vice-versa.

McClellan, Vern. *Practical Proverbs and Wacky Wit*. Wheaton, IL: Tyndale House Publishers, Inc., 1996.

Collection of practical quotes and sayings covering a wide range of topics that can be used for brainstorming classroom activities.

Roderick-Bolton, Wanda. *Legal Studies: Terminology and Transcription*. Cincinnati, Ohio: South-Western Educational Publishing, 1997.

This is a course book that provides an excellent background of legal basic vocabulary. It defines words and uses them in a legal context as well as contains tests for assessment.

Texas House of Representatives. Texas Legislature Online.
<<http://www.capitol.state.tx.us/tlo/house/house.htm>>.
Guide to law on line Library of Congress, Texas State. Contains information on the Constitution, Legislature, Executive and Judicial law.

Discovery's Puzzlemaker. 2004. <<http://puzzlemaker.school.discovery.com/>>.
Using this online tool, teachers and students can easily create puzzles and games to print out. Teachers can use vocabulary from lessons to create crossword puzzles, word searches, etc.

Learn Spanish. Language Resources. 1997. <www.studyspanish.com>.
It allows students to study, review, and practice most grammar points the students may need to reinforce their Spanish vocabulary, grammar, and pronunciation. Cultural reading texts can also be found.

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