

# 2019 Gift Entry: Online Collaborative Assignment: Performing a law case study

The idea: To create an online forum that would act as a courtroom for students to test different laws that have been discussed throughout the term.

The goal: The goal is for students to go through the trial process, understand the challenges of winning and losing, gain a better understanding of defamation (or whatever the topic is), and develop better critical thinking skills.

## HOW DOES IT WORK?

### THE DEFAMATION SCENARIO (This could be any legal scenario)

#### PURPOSE

The goal of this assignment is to familiarize yourself with defamation law.

This assignment requires that students work in groups of 5 (previously assigned). Each student will review the case. Each student will then highlight the major facts of the case and define defamation (hint: This case revolves around this issue). Students will then enact the court case with two lawyers, one for each side, a plaintiff and defendant, and a judge.

For this task, you will need to use Blackboard Collaborate Ultra®, which I have demonstrated in class (or Google would be an alternative).

#### STEP 1. Read the scenario below (This could be any legal scenario):

“Darby organized a political rally attended by approximately 1,000 people in support of a candidate challenging the incumbent in the upcoming mayoral election. Sheila, the wife of the challenging candidate, was the main speaker. When Darby introduced Sheila, he described her as a ‘. . .kind woman of the people.’ In his introduction he also referred to Patty, the wife of the current mayor, as ‘. . . a snob, who is so cutthroat that she said very nasty things about her closest friend when that friend applied for membership to an exclusive private women’s club of which Patty is a member.’ Darby’s statements were reported in the print and television media.

- Ashley Messenger (2015), “A Practical Guide to Media Law”

#### PREPARING FOR THE COURT CASE (10 points).

STEP 2. Individually answer and write the answer in the class wiki:

- A. What are the facts of the case?
- B. How do you define defamation?
- C. Did you find examples of defamation?
  - What are the examples of defamation, if any?

**STEP 3.** Share what you found with your partner(s) via the class Wiki. Each person should contribute 2-3 statements about the scenario and what he or she has found.

**ENACTING THE COURT CASE** (*video tape it for further review by the instructor, 60 points*)

**STEP 4.** From your group, assign two people to be lawyers (one for the plaintiff and one for the defendant), one person to be Darby, one person to be Patty, and one person be the judge. It should be recorded.

THINK ABOUT:

- A. What issues might Patty have with Darby and vice versa?
- B. What defense or defenses, if any, might there be and what might be the results?

**STEP 5.** Enact a trial with the STEP 4 characters.

- A. Stay in character
- B. Take notes during the trial
- C. Start with opening statements
- D. Call witnesses to the stand
- E. Closing statements
- F. Judge's ruling and why

**AFTER THE TRIAL** (*30 points*)

STEP 6.

- A. Document what was found.
- B. To do this, write a 2 page reflection paper in which you address the following questions:
  - a. How did the issue of defamation play out in the trial?
  - b. How did each lawyer present their case?
  - c. What went well? Why? What went poorly? Why?
  - d. If you were to redo this tomorrow, would you have changed your strategy as the character you played during the trial?

- e. What skills do you need to strengthen to improve your performance as your character? (i.e. did you have enough knowledge of the law)
- f. Ultimately, who won and why?

## CRITERIA

By the completion of the assignment:

- A. Contribute 2-3 statements about the case to the Wiki (10 points)
- B. Do a recording of your court case and enactment (60 points)
- C. Write a two-page reflection paper (30 points)

Student reaction and student take-a-ways: Students were wanting more group work in an online class setting. This brought them that opportunity to explore defamation in a more practical way than just reading about it in a book or listening to it in a lecture. Each person had a specific position to play in the trial and the end result was a verdict that each person had a part in contributing to. Part of the take-a-way was a better understanding of how defamation works and the complexity that goes into an actual case. This is something that the students easily miss through just reading the book. And it is a challenge to introduce in the online classroom.

Having the ability to review the audio that was created helps to determine if students misunderstood any part of the assignment. It also assures that the students did do the assignment. It helps me, as the instructor to go back and see where there were mistakes and reanalyze those issues.

As for the students, they found this a fun way to approach an online law class and gave them lots to discuss with their classmates, as well as the professor. It also got a number of students out of their shell that before hadn't been participating much in class.

It is definitely something I will do again, if not several times to approach different aspects of the First Amendment and other media law issues.