



EFFECTIVE

VS.

INEFFECTIVE

COUNSEL

SCENARIO READINGS AND GROUP CRITERIA FOR SUCCESS

# AGENDA & ESSENTIAL QUESTION

1. Expectations
2. Group Scenario Reading
3. Groups present
4. T-Chart and Justification

**Essential Question:** Does the Constitution adequately protect the rights of the accused?

## Group

Reading and questions

Present evidence of effective or ineffective counsel

## Individually.

Fill out T-Chart and justify (short answer)



# GROUP READINGS

- Each group will receive a Legal Counsel Scenario with a summary of a case.
- The groups will read through the summaries and find evidence of either Effective or Ineffective counsel.
- Each member of the group will answer the questions and fill out the chart on their own paper.
- Each group will present their evidence of Effective or Ineffective Counsel .

# READING CRITERIA FOR SUCCESS

- Support each member of the group with the reading.
- Discuss any unfamiliar words.
  - use context clues to decode
  - use notes page
- Keep discussions on topic.
- Each member of the group will fill out their own sheet.
- Be prepared to share.



**BEGIN READING GROUP SCENARIOS NOW.**

**YOU WILL HAVE 10-15 MINUTES TO READ,  
DISCUSS, AND COMPLETE YOUR 6 QUESTIONS.**

**BE PREPARED TO SHARE AT THE END OF TIME.**



**TIME TO LISTEN...**

# ACTIVE LISTENING CRITERIA FOR SUCCESS

- Write down three pieces of evidence for each scenario
  - Write down any questions you might have for the group
  - Be supportive and silent during presentations
- *What happened in the case?*
  - *How the lawyer acted?*
  - *Why the case shows effective or ineffective counsel?*

# EVIDENCE FOR EFFECTIVE OR INEFFECTIVE COUNSEL

- Take this time to sort each case into Effective and Ineffective Counsel in the T-Chart on your paper.
- Rank your choices on each side from most to least effective.

# "THE CASE OF JORDAN TAYLOR"

## 1. Didn't Look at the Video Footage

- Jordan's lawyer didn't check the school's security cameras.
- Even if the video was blurry, it might have helped prove Jordan wasn't involved.
- A good lawyer would have at least looked at it.

## 2. Didn't Use an Alibi Witness

- Jordan's friend Taylor was with Jordan during the time of the theft.
- Taylor could have told the jury that Jordan didn't do it.
- The lawyer chose not to let Taylor speak, saying it might "confuse the case," but that could have really helped Jordan.

## 3. Didn't Prepare or Talk Enough with Jordan

- The lawyer had four other cases that week and barely spoke with Jordan before trial.
- Because of that, he didn't gather enough facts or build a strong case.
- A good lawyer would have spent more time preparing.

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**“THE CASE OF JORDAN  
TAYLOR”**



# "TROUBLE AFTER THE GAME"

## 1. Didn't Use a Key Witness (Marcus's Mom)

- Marcus's mom showed up around the time of the incident and could have told the court where he was.
- The lawyer didn't ask her to speak at all.
- That could have helped prove Marcus was not the person the guard saw.

## 2. Didn't Challenge the Guard's Testimony Enough

- The guard didn't see Marcus clearly, he just saw someone running in a team jacket.
- The lawyer didn't ask important questions like:
  - "How well could you see the person?"
  - "Could it have been someone else?"
- A better cross-examination might have raised doubt.

## 3. Didn't Mention Marcus's Good Record

- Marcus had never been in trouble before.
- His clean record might have helped the jury see he wasn't likely to commit a crime.
- The lawyer didn't bring this up at all

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**“TROUBLE AFTER THE GAME”**



# "THE CASE OF THE MISSING PHONE"

## 1. **Didn't Investigate or Talk to Witnesses**

- Another student told the principal that someone else was near Alina's backpack during lunch.
- The lawyer never talked to that student or asked them to speak in court.
- A good lawyer would have followed up on that and used it to raise doubt.

## 2. **Didn't Ask Teachers to Speak Up for Alina**

- Alina had a clean record and was described as respectful and quiet by her teachers.
- Her lawyer didn't ask any of them to speak about her good character.
- That could have helped the judge understand the kind of person Alina is.

## 3. **Didn't Question How the Phone Got There**

- The lawyer didn't ask how the phone could have ended up in Alina's backpack without her knowing.
- He also didn't object or challenge much during the trial.
- Instead of defending her strongly, he just asked for a light sentence.

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**“THE CASE OF THE MISSING  
PHONE”**



# "CLEARED JUST IN TIME"

## 1. She Took Time to Prepare

- Ms. Patel met with Devin and his family right away.
- She asked questions, looked into the case, and even asked the court for more time to get ready.

## 2. She Investigated and Found Evidence

- She reviewed the school's video footage and noticed an important detail: the person spray-painting had a skateboard, and Devin didn't.
- She found a library sign-in sheet and a witness (Malik) to show Devin was somewhere else when it happened.

## 3. She Defended Devin Clearly in Court

- Ms. Patel showed the judge the video and the sign-in sheet.
- She pointed out that no one actually saw Devin do anything wrong.
- She used the facts to prove Devin was innocent.

**EFFECTIVE**

**INEFFECTIVE**

**“CLEARED JUST IN TIME”**



# "JUSTICE FOR NAOMI"

## 1. He Prepared Carefully

- Mr. Alvarez met with Naomi multiple times to understand her story.
- He reviewed the store layout and walked through the events with her step by step.

## 2. He Investigated the Evidence

- He went to the store and asked for the security footage.
- The video showed Naomi putting the headphones back and also showed another person near the shelf later — someone who was never investigated.

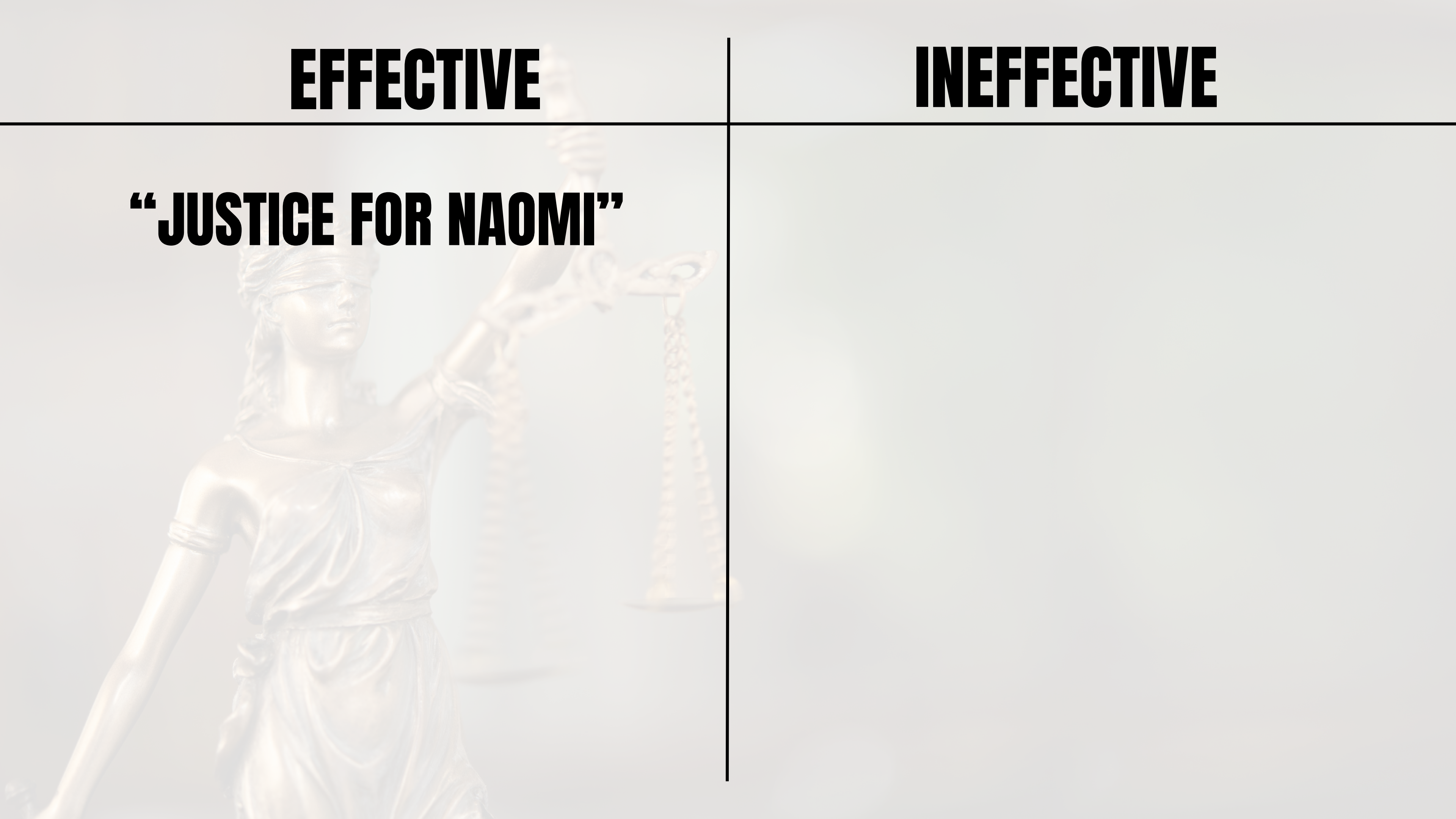
## 3. He Defended Naomi Strongly in Court

- He used the video to prove Naomi didn't steal anything.
- He brought in Naomi's teacher to speak about her good character.
- He questioned the store employee to show their memory might not be reliable.

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**“JUSTICE FOR NAOMI”**



# "SAVED BY THE FACTS"

## 1. **She Listened and Investigated Carefully**

- Ms. Collins met with Jamal and his family early on and took time to understand what happened.
- She asked good questions and even visited the school herself to gather more information.

## 2. **She Found and Used Key Evidence**

- She reviewed the fire department's report and saw that Jamal's fingerprints weren't on anything related to the fire.
- She discovered that security footage showed two other students entering the bathroom after Jamal—something no one else had mentioned.

## 3. **She Built a Strong Defense in Court**

- Ms. Collins used the footage and fire report to show Jamal didn't cause the fire.
- She clearly explained the timeline and proved that the school's accusation wasn't based on real evidence.

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**“SAVED BY THE FACTS”**



## **EFFECTIVE**

- **CLEARED JUST IN TIME**
- **JUSTICE FOR NAOMI**
- **SAVED BY THE FACTS**

## **INEFFECTIVE**

- **THE CASE OF JORDAN TAYLOR**
- **TROUBLE AFTER THE GAME**
- **THE CASE OF THE MISSING PHONE**

# QUESTIONS TO THINK ABOUT

- What specific actions or behaviors made you decide that a lawyer in one case was effective?
  - Follow-up: Was it the outcome of the case or the effort the lawyer put in that mattered more to you?
- Let's focus on one case: Who placed [e.g., "Justice for Naomi Chen"] under ineffective counsel? Why?
  - Does anyone disagree?
- Did any case fall into a gray area where it wasn't totally effective or completely ineffective? How did you decide where to place it?
- Is it possible for a lawyer to care about their client and still be ineffective? Can you give an example from one of the cases?
- What role did preparation play in your evaluations? How did you tell if a lawyer was prepared or unprepared?
- Do you think any of the "effective" cases still had flaws in how the lawyer represented their client? Should those flaws matter? Why or why not?
- How did the lawyer's ability to communicate (with their client, the judge, or jury) affect your judgment of their effectiveness?
- Which case do you believe showed the worst example of ineffective counsel? What were the most concerning signs?
- Why do you think the right to a lawyer is protected by the Constitution? What would happen if that right didn't exist or wasn't enforced?



**EXIT TICKET - COMPLETE THE SHORT ANSWER:**

**WHICH CASE SHOWED THE MOST INEFFECTIVE  
COUNSEL AND WHY?**

**SUPPORT YOUR ANSWER WITH EVIDENCE FROM  
THE SCENARIO.**