

Mini-Unit: Protections of the 6th Amendment

Persistent Issue: What actions are justified in the interest in the welfare or security of the community?

Central Question: Does the Sixth Amendment guarantee an individual's right to a good lawyer?

Culminating Activity: “Should We Take the Case?”: Effective Counsel Deliberation

Materials Needed:

- SMARTBoard or Projector for Overview PowerPoint
- Student devices or posterboards for appeals committee presentations
- Student Scaffolds (Guided notes, Client Case Files, Presentation Guide)
- Teacher Breakdown Sheet with background and rulings on each case.
- Writing Rubric and Presentation Rubric

Lesson 1:

Gideon v. Wainwright Lecture (20 minutes)

To launch the unit, students will activate prior knowledge through a collaborative mind map focused on legal protections of individual rights. This activity will encourage students to recall key ideas from earlier in the Civil Rights and Civil Liberties Unit or their Judicial Branch study—such as the role of the courts in protecting liberties, examples of landmark cases, and the Bill of Rights. The teacher will then guide students to narrow their focus on the Sixth Amendment, particularly its guarantee of the right to counsel.

Using a short, focused mini-lecture and guided PowerPoint. The teacher will walk students through the significance of the Sixth Amendment and the details of *Gideon v. Wainwright*. Students will take notes using a structured handout that asks them to analyze whether the *Gideon* decision expanded individual rights or expanded the government's power to enforce those rights. This sets the stage for future lessons by helping students see how court decisions can reshape the balance between liberty, authority, and justice.

Pre-Lesson Essay (45-60 minutes)

In order to gauge what students already know or may believe about the right to effective counsel, students will answer the following question,

Considering your knowledge of the 6th Amendment, which of the following statements do you most agree with?

- A. As long as someone has a lawyer, the trial is fair.**
- B. A lawyer only helps if they're experienced and do a good job.**
- C. Some people don't really need lawyers—innocent people will be found innocent.**
- D. The justice system should work the same for everyone, no matter how good their lawyer is.**

choosing which statement they most agree with, and writing a 1 paragraph quick write taking their position, defending it with evidence, providing a counterclaim, and asserting their point. Use the writing rubric.

Lesson 2: Appeals Case Analysis

Intro to Client Files Pt. I: (5 minutes)

The Instructor will prompt students with the culminating activity assignment. Advise students that they will be working with their groups. They are legal advisors at a non-profit company that evaluates appeals cases and decides whether or not individual rights were violated.

Pass out the Client Folders (or make them digitally available). There are 10 cases total, depending on class size and preferred group sizes, the instructor may feel free to omit cases as they see fit.

Effective Counsel:

Brooks v. Massachusetts (based on Weaver v. Massachusetts)

Affidavit (Brooks Attorney)

Legal Team Questions

Affidavit (Brooks Minister)

Brooks Case Brief

Police Interrogation Transcript

Delaney v. Cube (based on Bell v. Cone)

Evidence 1

Evidence 2

Evidence 3

Evidence 4

Legal Team Questions

Teacher Guide

Richmond vs. Keller (based on Harrington v. Richter)

Evidence 1

Evidence 2

Evidence 3

Discussion Questions

Teacher Guide

Young vs. Gordy (based on Yarborough v. Gentry)

Evidence

Teacher Guide

Ineffective Counsel:

Espinoza v. Idaho (based on Garza v. Idaho)

Appeal Waiver

Williams Daily Planner

Email Exchange

Legal Team Questions

Henderson v. Taylor (based on Rompilla v. Beard)

Evidence 1

Evidence 2

Evidence 3

Legal Team Questions

Parker v. McCrane (based on Porter v. McCollum)

Evidence 1

Evidence 2

Evidence 3

Legal Team Questions

Teacher Guide

Rover v. Taylor (based on Rollins v. Tinari)

Teacher Overview

Give students 3-5 minutes to look through the client file and ask them, **according to the 6th Amendment, were your client's rights violated?**

Given student's understanding of Gideon, all students will probably answer no because all cases have a lawyer. However, they may begin to discuss fairness and effectiveness at this stage.

Grabber: (10-15 minutes)

In the second part of this lesson, the Instructor will display the "Sample Student Report Card" in the Overview PowerPoint (slide 17-18.) Students will be presented with a grading dilemma where they must evaluate the effectiveness of the teacher when considering the students final grade.

Students will answer the following questions:

Initial Reactions:

1. Do you think it is fair that the student received this grade? Why or why not?
2. What does it mean for a teacher to be *effective*?
 - a. What responsibilities do you think a teacher has to ensure students have a fair chance at success?
 - b. Do all students have to be successful to indicate the teacher's adequacy?
3. How would this situation have been different if the teacher would have been more involved?

Drawing Connections:

4. A criminal trial can determine someone's freedom- or even their life. What responsibilities should a defense attorney have in the same way a teacher has responsibilities?

5. What does it mean for a lawyer to be *effective*?
 - a. What is the protection guaranteed in Gideon, does it include anything about effectiveness?
 - b. Should it?

This activity will help prime students to the issue of *Strickland* and get them thinking about effective counsel. The teacher should provide soft scaffolding to enhance discussion.

Mini-Lecture on Strickland (10-15 minutes)

The instructor will then engage students in a continuation of the lecture from the overview PPT on Strickland. The instructor will go through the case facts, background, and why the court ultimately decided that the two-pronged Strickland Test was needed to protect the security of the 6th Amendment.

The students will again be reminded of the CQ.

Client File Analysis Part II (45-60 minutes)

The Instructor will redistribute that client files again with the questions to consider and Strickland test included. The Instructor should reiterate to students that this time, they must answer the same question: Was the individual's sixth Amendment right violated? But this time, they must use the evidence included in their file to determine whether they had effective counsel using this Strickland Test.

The instructor will at this time provide the Presentation Prompt (Insert Student Instructions for Presentation here). Explain to students they will be creating a presentation to bring to the rest of the appellate committee (the class). They must give the facts of the case and use the evidence provided to justify their decision on the effectiveness of counsel given their case (given earlier in the lesson). They must be prepared to take questions from the committee (class) and manager (teacher).

Students should review the evidence and use it to answer the discussion questions included in their case file. The instructor should support students with follow-up questions and point out evidence details if necessary to bolster conversation.

After deliberation within the group they may begin work on their poster/presentation, whichever format the instructor decides.

Lesson 3:

Appellate Committee Review (Group Presentations) (35-40 minutes)

Allow students time to put finishing touches on presentations and address which group members will speak and when. After a few minutes, the instructor should begin presentation protocol.

Instructor will distribute "Client Files Review Chart"

Students will be instructed to take notes on each presentation including case facts, team reasoning, and whether they agree with the legal team. Encourage students to question reasoning and make clarification suggestions. Teachers may or may not use all the included cases, so make sure your class chart reflects the cases your class analyzed!

At the end of each deliberation, the instructor will reveal the true case name and the actual outcome/reasoning of the court.

Once all groups have gone, the instructor will ask the following debrief questions in the format they see fit for best discussion outcomes [think-pair-share, small group discussions, full class discussion, write-around etc]:

Debrief (depending on Teacher timing at end or beginning of class next day) (20-30 minutes)

- What Patterns did you notice across the different cases?
- How did the clients background (like mental health, previous charges, childhood trauma, or military service), influence your opinion on effective counsel?
- How did your analysis of these cases build your knowledge of the 6th Amendment?
- What are some real-world limitations that prevent court appointed attorneys from providing truly effective legal counsel?
- Do you think our current system meets the promise of the 6th Amendment? Why or why not?

Lesson 4:

Post-Lesson Test: (45-60 minutes)

In order to see how student understanding of the 6th Amendment has evolved throughout the Lesson, assign them the prompt from the beginning:

Considering your knowledge of the 6th Amendment, which of the following statements do you most agree with?

A. As long as someone has a lawyer, the trial is fair.

B. A lawyer only helps if they're experienced and do a good job.

C. Some people don't really need lawyers—innocent people will be found innocent.

D. The justice system should work the same for everyone, no matter how good their lawyer is.

choosing which statement they most agree with, and writing a 4 paragraph essay taking their position, defending it with evidence, providing a counterclaim, and asserting their point.

Use the Writing Rubric from the Pre-Lesson Test.