



LAW-RELATED EDUCATION

Why is it Important to America's Future?

By Jeff Paulsen, Margaret J. Krasnoff, and Bart P. O'Neill

Law-related education equips nonlawyers with knowledge and skills pertaining to the law, the legal process, the legal system, and the fundamental principles and values on which they are based.¹ Civics is the study of theoretical and practical aspects of citizenship and its rights and duties, and the duties of citizens to the government and one another as members of a political body. It includes the study of civil law, the civil code, and government with attention to the role of citizens as opposed to external factors in the operation and oversight of government.²

In March 2009, the State Bar of Michigan invited more than 50 stakeholders involved in law-related education to a summit. In her opening remarks at the summit, then-Michigan Supreme Court Chief Justice Marilyn Kelly said, "The Michigan Constitution begins with the premise that education is necessary to good government. Educated citizens are, not surprisingly, better citizens."³ Among the summit's results were a plan expanding the State Bar's role in law-related education and creation of the Law Related Education & Public Outreach Committee.

Fast Facts

In March 2009, the State Bar held a summit that resulted in a plan to deepen its role in law-related education in Michigan and the creation of the Law Related Education & Public Outreach Committee.

After a year spent reevaluating Law Day activities, the State Bar adopted a plan in 2012 for a video contest that allows entrants to submit creative projects illustrating the annual ABA Law Day theme using examples from the Michigan Legal Milestones.

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What Do the Facts Show About the Average American's Understanding of Our System of Government?

A May 2011 report in the *ABA Journal* found that only one state (South Carolina) deserved an "A" in teaching civics to the public. Most states were rated as mediocre to awful; 28 states received a "D" or an "F." Other startling statistics conclude that almost 50 percent of adults cannot identify the three branches of government, more than half the states do not require civics classes in high schools, and voters under the age of 25 are less likely to vote than earlier generations.⁴ It has been reported that more Americans can name the finalists on *American Idol* than the United States Supreme Court justices.

These studies demonstrate the continuing need to educate Americans—particularly the country's youth—about law-related education, civics, and our system of government, and that using the latest technology is the best way to convey this message given the way many Americans obtain information and communicate.

Law Day—Why This Day of Remembrance is Important to America

Law Day is an annual day of remembrance when American citizens celebrate our daily civil liberties, freedoms, and the constitutional basis of our system of government rooted in the democratic principles of the rule of law.⁵

The Roots of Law Day

In 1958, President Dwight D. Eisenhower declared May 1 as Law Day,⁶ and its observance was codified into law on April 7, 1961.⁷ Law Day is a time for Americans to consider their duties as citizens and the privileges they have as participants in the American justice system. While nondemocratic countries such as North Korea celebrate May Day in remembrance of international workers with military parades full of pomp and circumstance, numerous Americans, including many State Bar members, donate their time without fanfare to work with student organizations, community groups, and others to remind people that America is not built on our military might; it is built on a system in which people vote to select their government representatives and decide which individuals best represent their beliefs and values.

Each year, the U.S. media covers stories and broadcasts images of May Day parades, and many people observe the holiday without a real understanding of what is being celebrated. While generating publicity, these colorful parades do not remind U.S. citizens that our system of government is based on the rule of law and the power of the people. Unfortunately, there has been—and continues to be—minimal media coverage of the importance of May 1. Still, thousands of citizens volunteer each year to convey the real meaning of Law Day.

A Lawyer's Role on Law Day

As officers of the courts, lawyers play a crucial role in reminding the public that our country is based on the U.S. Constitution and the freedoms our system of government provides. While constitutional issues may be debated in the media and by those not trained in the law, lawyers must be actively involved to ensure that governmental policy decisions are based on sound legal principles. Law Day is not a day to remember lawyers, but a day for lawyers to remind the public that we as a nation are guided by a system of laws representing the beliefs and value system of its people.

The State Bar of Michigan's Role

The State Bar of Michigan has long supported programs and efforts to educate the public about the rule of law and the meaning of Law Day. State Bar-sponsored Law Day programs have been held across the state of Michigan for more than 40 years. These programs have involved thousands of volunteers including Michigan Supreme Court justices, federal and state judges, and lawyers participating in programs to educate citizens about Law Day.

The State Bar has a well-established Law Day Committee responsible for gathering information, serving as a clearinghouse, and overseeing statewide Law Day activities. Historically, the State Bar president is asked to speak or be interviewed on local radio shows about the meaning and importance of Law Day. Volunteers across the state host local programs including mock trials, courthouse tours, free legal aid clinics, citizen forums, fun runs, speaking and writing competitions, and other events designed to educate the general public about Law Day.

For 37 years beginning in 1974, the State Bar Law Day Committee collaborated with the Michigan Lawyers Auxiliary and State Bar staff to sponsor a Law Day essay contest based on the American Bar Association's Law Day theme and honor the winners at a luncheon in Lansing.

At the 1988 luncheon, 12 junior-high students won awards for their essays on the theme "Legal Literacy: Awareness of Individual Rights and Responsibilities." Students from as far away as Escanaba, Wyandotte, and Bloomfield Hills were recognized for their efforts by an audience of parents, teachers, judges, lawyers, and volunteers. One student wrote, "America is a land of individual freedom and opportunity because our government is based upon a Constitution which identifies the rights of American citizens and establishes a system of government which ensures an individual the opportunity to pursue dreams and ambitions if they are within the law and make a positive contribution to the general welfare...."⁸ Then-Michigan Supreme Court Justice Dennis Archer gave an encouraging address. "We Americans live in a free society, a nation free because of our laws and Constitution, as amended, which reflect our respect for individual liberties considered to be the birthright of every American," Archer said. "[R]espect for the rule of law and reason is not automatic—it is something we cannot take for granted."⁹

The 37th Law Day luncheon was held at the Michigan Supreme Court Hall of Justice in 2010. Essays centered on the ABA theme of “Law in the 21st Century: Enduring Traditions, Emerging Challenges,” and then-Michigan Supreme Court Chief Justice Marilyn Kelly addressed the winners. The 2010 event also signaled a steady decline in contest participation.

To address this, the State Bar spent a year reevaluating Law Day activities with the goals of broadening participation and incorporating the use of technology. After reviewing a variety of options with the help of the Law Related Education & Public Outreach Committee, it was decided that the committee would continue the tradition of holding a competition for students and others but eliminate the boundaries on the use of technology to educate the public about the importance of Law Day. With these changes, the State Bar has ensured that Law Day initiatives will keep up with the communication and technology advances of the twenty-first century.

In 2012, the State Bar adopted plans for a Law Day contest allowing lawyers, students, community groups, and others to use creative projects to illustrate the annual Law Day theme. The contest is based on the ABA's annual Law Day theme but given a Michigan twist by asking entrants to create a project using examples from one of the many Michigan Legal Milestones dedicated to events and individuals who made an impact on the state's legal framework. Video entries encourage the use of technology, interactive communication, and networking, and provide opportunities for groups to work individually or together to illustrate or dramatize the annual Law Day theme. Winning entries are posted on the State Bar's website and Facebook page.

Last year's winning entry was a video submitted by a group of fifth graders from Cranbrook's Brookside Elementary School. Their dramatization of the 1913 Roosevelt-Newett defamation trial earned the first-place award of \$1,000. The students used the award to purchase books for an elementary school library in Hamtramck.

Attorneys Gerard Mantese and Theresamarie Mantese sponsored the Brookside entry and devoted many hours to helping the students understand, reenact, and record the trial. “Attaining a fundamental knowledge of the law is critical to public participation in the twenty-first century,” said Gerard Mantese, who complimented the State Bar for updating the Law Day contest and encouraging “participation in an electronic medium that is in line with a new generation capable of meeting the demands of a complex society.”¹⁰

The State Bar maintains a Law Day website at www.michbar.org/programs/lawday/home.cfm to provide State Bar members and nonlawyers with information about Law Day activities across Michigan. Valuable information on programs, law-related education resources, and educational ideas can be found on both the Law Day website and other State Bar of Michigan law-related education websites.

Nationally, the president continues to acknowledge May 1 as Law Day to remind U.S. citizens about the importance of this annual day recognizing our freedoms and system of government.

Law Day is actively celebrated in Michigan more than 54 years after it was first proclaimed by President Eisenhower. The State

Bar's Law Related Education & Public Outreach Committee, Law Day Committee, and staff members—along with hundreds of other organizations and volunteers—continue to donate their time in the belief that a better understanding of our system of government and rule of law is critically important to our way of life.

While most of these volunteers aren't involved in the fanfare of colorful military parades and the glare of media coverage, they recognize the importance for future generations of Americans to have a government of the people and by the people—as it has been for more than 220 years. ■



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ENDNOTES

1. Law-Related Education Act of 1978, PL 95-561, § 301(a), 92 Stat 2143.
2. Beach & Rines, eds, *The Americana: A Universal Reference Library, Comprising the Arts and Sciences, Literature, History, Biography, Geography, Commerce, etc., of the World* (New York: The Americana Company, 1912), vol 5, p 1.
3. Chief Justice Marilyn Kelly, Address at the Law Related Education Working Summit (March 31, 2009).
4. Hansen, *Flunking civics: Why America's kids know so little*, 97 ABA J 32 (2011), available at <<http://www.abajournal.com/magazine/article/civics/>> (accessed April 2, 2013).
5. Dwight D. Eisenhower, Proclamation 3221, available at <<http://www.loc.gov/law/help/commemorative-observations/pdf/1958%20Law%20Day.pdf>> (accessed April 2, 2013).
6. *Id.*
7. 36 USC 113.
8. Ryan, *Law Day U.S.A.*, 67 Mich B J 563 (1988).
9. *Id.*
10. E-mail from Gerard Mantese to Margaret Krasnoff (February 11, 2013) (on file with author).