



COURTROOM  
VISITS for  
STUDENTS

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STATE BAR OF MICHIGAN

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## Courtroom Visits for Students

This brochure contains suggestions for organizing educational courtroom visits for students—an activity that gives young people a better understanding of the role of courts in our society. Teachers, judges, and court personnel may find these suggestions helpful in preparing for courtroom visits and maximizing the educational value when arranging and conducting them.

### Before the Visit

At some point before the court visit date, the teacher should discuss with students the type of court being visited and its differences from other courts in Michigan.

#### *Trial Courts*

One of the fundamental distinctions is between trial courts, where evidence in the form of testimony and exhibits is received, and appellate courts, where arguments are made based on evidence received in the trial courts. In Michigan, the trial courts include district, circuit, and probate courts; their jurisdictions are described below:

- District courts, which in some areas include municipal courts, have jurisdiction over minor civil cases, misdemeanors and traffic cases, landlord-tenant cases, and small claims.
- Circuit courts, organized along county lines, have jurisdiction over major civil cases, injunctions, and felony criminal cases. Within the circuit courts, a family division has jurisdiction over divorces, adoptions, personal protection cases, and juvenile matters.
- Probate courts, also organized along county lines, have jurisdiction over estates, wills, mental commitments, guardianships, and conservatorships.

The trial courts hold trials, either before a judge or a jury, and hear arguments on various motions, conduct arraignments and preliminary examinations, and sentence convicted defendants in criminal matters.

#### *Appellate Courts*

Michigan's appellate courts are the Court of Appeals and Supreme Court. The Court of Appeals is an intermediate court. Its judges sit in panels of three to hear appeals from the decisions of the trial courts. The Court of Appeals meets monthly in Lansing, Detroit, Grand Rapids,

and Marquette to hear oral arguments on appeals. The Supreme Court is Michigan's highest court. It consists of seven justices who hear oral arguments in Lansing on appeals from the lower courts, including the Court of Appeals.

#### *Federal Courts*

Paralleling this state court system is a system of federal courts with jurisdiction over lawsuits arising under federal law or between citizens of different states. The only federal courts in Michigan are the U.S. District Court for the Eastern District of Michigan, with courtrooms located in Detroit, Ann Arbor, Bay City, Flint, and Port Huron; and the U.S. District Court for the Western District of Michigan, with courtrooms in Grand Rapids, Kalamazoo, Lansing, and Marquette.

Appeals from these trial-level courts are taken to the U.S. Court of Appeals for the Sixth Circuit, located in Cincinnati, which hears appeals from the federal courts located in Michigan, Kentucky, Ohio, and Tennessee. The United States Supreme Court, comprised of nine justices who sit in Washington, D.C., hears appeals from the U.S. Court of Appeals for the Sixth Circuit, the other 11 federal circuits, and all 50 state Supreme Courts. The United States Supreme Court selects a very limited number of cases to hear.

All courts are generally open for visits by students and the public.

### Planning a Visit

Visits should be initiated with a call to the court clerk or administrator to determine the best day and time for a visit. Teachers may request copies of previous court dockets to review with their classes before the visit. Familiarization with dockets will pay big dividends in understanding court proceedings during the visit.

#### *Good Times to Visit*

Timing is important when planning an educational court visit. Days when preliminary examinations are being conducted are good because they compress the presentation of the facts of a case into a relatively short time span. Jury selection is an interesting process that helps demonstrate key points in the system. Civil infractions and traffic violations, cases often heard in district courts, demonstrate how the system works while dramatizing human failings, frailties, and sometimes even heroics. For mature students, involuntary commitment hearings in probate court are instructive and revealing.

Avoid motion day. It may create confusion rather than understanding.

### *Expectations*

Positive educational results tend to occur in court visits when certain expectations are recognized and met. Court officials often expect teachers to accompany students, especially when an entire class is visiting. On the other hand, independent visitation by a small group of high school students may be more productive in some cases. A tip for success: Students should be required to react to a court visit with some type of follow-up assignment; a report, summary of activities, newspaper article, or simple notes should be encouraged to ensure close attention to the proceedings.

Dress and demeanor should be appropriate to the decorum of the courtroom. School colors are not recommended and silence is vital. The judge is always addressed as “your Honor,” and the audience stands when the judge enters and exits the courtroom. This respect is accorded the court—not necessarily any individual judge, but the entire system.

In larger courts, such as Wayne County Circuit Court or the U.S. District Court in Detroit, many cases are proceeding concurrently and if a delay or recess should occur, visitors are free to move to another courtroom. This leave-taking, however, should be done only during a break in testimony or a recess.

Visitors deserve to be openly and courteously welcomed to the court. A designated representative of the court should meet them and provide the assistance needed to make the visit meaningful and educational. The office of the court clerk usually handles this assignment.

Visitors may expect background information about the court they are visiting. This usually consists of a verbal presentation or printed materials like a brochure describing the court and a list of cases scheduled. The simpler the language of these materials, the greater the educational impact; legalese won't do the job.

Visitors expect to be able to observe and hear the proceedings. Courtrooms should be arranged so visitors can hear what participants—witnesses, attorneys, court officials—are saying. The ability of those in attendance to hear and understand is what makes trials public rather than private. The chief justice of the Michigan Supreme Court has stated that the Michigan court system has a responsibility to law-related education and must make public understanding of the law a priority.

### **Suggestions for Clerks**

As the person most likely to greet students, provide information, and set the tone for the visit, the role of the court clerk is very important.

Visits should be encouraged as an opportunity for positive community

contact. Keep an appointment book specifically for visits and make arrangements for greeting a scheduled group at the beginning of the visit.

Provide visitors with background information to facilitate understanding of the court proceedings. This might be an oral briefing or a printed list of cases scheduled during the visit, including the cause of action or charge, and whether the cases are civil, criminal, felony, or misdemeanor matters. Visitors will welcome your suggestions regarding which cases might be most interesting. It is best to assume visitors do not understand what is going on in the courtroom. Give them as much information and advice as you can.

### **Suggestions for Judges**

For young people to see themselves as a part of our unique legal system, they must be positively influenced by the system's recognized leaders. Judges have the unique opportunity to provide this positive influence during the course of a court visit.

Open communication is a priority. Judges should talk to visitors on breaks or during recesses, whether in court or in chambers. Students are likely to be responsive to this approach. Welcome them and show them the facilities—the law library, the holding room, or the clerk's office. A brief explanation of your thinking and ruling on the case that students have just observed may prompt questions and lead to opportunities for positive exchanges.

Encourage an attitude of public access in your court. Assume the responsibility to educate young people on the duties of citizens within the legal system. These actions provide excellent public relations benefits for both the legal system and the judge.

Producing and distributing a pamphlet with names (and perhaps pictures) of judges, bailiffs, prosecutors, and permanent staff members can help make personnel more identifiable and less remote. Including information about procedures for small claims, infractions, and misdemeanors can demystify the court's workings and lessen the adversarial atmosphere that can sometimes be present in court.

With the cooperation of all involved, court visits can be a real eye opener. Reveal the majesty of the law and its workings to students and they may better appreciate their vital stake in the future strength and justice of our legal system.

### Other Sources:

1. How to Sue in Small Claims Court, available in Michigan's district courts.
2. One Court of Justice, about the Michigan court system. Distributed by the Michigan Supreme Court.
3. You & The Law, published by the State Bar of Michigan. Available in hard copy from the Michigan Lawyers Auxiliary and the State Bar of Michigan and online at <http://www.michbar.org/publications/pdfs/y&l.pdf>.