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Unique Civic Education Program Aims to Teach Young People About Courts and Civility

BY ROBIN L. ROSENBERG &
BETH BLOOM

Portrayals of the courts in popular culture often don't provide a full or accurate picture of how court systems and judges work. Yet they can significantly influence the public's understanding of the courts. Combatting such misperception is not just an American challenge: In her postcard to *Judicature International* from February 2022, Judge Julia Dhom of Germany wrote that many people in Germany believe that the fictional court hearings they see on T.V. — where complicated legal issues are neatly resolved by a single judge, in one hearing, and within an hour — are an accurate representation of the country's court system.

"Many people are surprised when I tell them about how much of my work actually takes place outside of the courtroom," Judge Dhom wrote. Similarly, Judge Seo Yoon Lee of Korea [wrote](#) in July 2022 that because of television, much of the Korean public believes that the role of a judge is simply to preside over trials. "If presiding over trials were the only task of a judge, how fantastic would this job be?" she asks.

To dispel misguided notions about the judiciary and to create stronger connections between communities and

courts, many judges are developing and leading civic education programs that bring students into courthouses to observe proceedings, meet with judges and attorneys, and learn how the judicial system works.

One such program, developed by Judge **Robin L. Rosenberg** and Judge **Beth Bloom**, both United States District Court Judges for the Southern District of Florida, adds another learning goal to the traditional civic education course: civility. "Civil Discourse and Difficult Decisions," CD3 for short, invites high school students to the federal courthouse in Southern Florida, and now across the United States, to learn about the court system and engage in discussions facilitated by real judges and attorneys.

Judges Rosenberg and Bloom [recently wrote](#) about the program for the print edition of *Judicature*. Here, they answer questions about their program's goals and design and offer suggestions for judges who might be interested in developing similar programs in courtrooms around the world. [Visit the summer 2022 edition of [Judicature](#) to read about several other court-led civic education programs.]

— *Judicature International* editors

JUDICATURE INTERNATIONAL: Many U.S. judges and courts have developed civics education programs that bring students into courthouses. How do you think the experience of being in a courtroom and interacting with a judge and court staff affects what students learn about the courts?

JUDGES ROSENBERG & BLOOM: Many students view the courtroom as a cold and uninviting place. They may view judges and attorneys who work in the courtroom in the same way. Experiential programs dispel that general view and give the students an understanding of the work within the court. Creating an experience and opportunity to learn in a courtroom setting has several advantages: The students get to know the judges and attorneys up-close and see the components of the program in relation to the courtroom — where the judge, court staff, and jury sit, and how the attorneys approach the podium. The students serve on the jury or volunteer to present oral argument in a real courtroom and have the ability to voice their opinions and direct questions to the attorneys and the judge while experiencing the courtroom activities.

You've developed a robust civic education program, "Civil Discourse and Difficult Decisions," which teaches young adults how to engage in respectful debate while also learning about the justice system. What prompted you to develop this program for this age group in particular, and what do you hope the students who visit your courtroom learn?

As women who are federal judges but also mothers of three children, we care deeply about how people interact with one another and the level of respect and dignity that should be afforded to friends, colleagues, and even adversaries. We know that our personal and professional relationships depend on how we communicate with one another. We recognize that people, young and old, are not effective as communicators, and certainly not kind-spirited, when they tear each other down in the course of conversations and debates. The societal norms have become less and less conducive to fostering civility and respect; in fact, such norms reflect quite the opposite.

We also recognize that there is a dearth of role models among leaders in our country who display respectful civil discourse. This unfortunate realization inspired us to conceive of the "Civil Discourse and Difficult Decisions" (CD3) program. We wanted to reach the younger generation — high school and college age young adults — to reinforce the basic principles of civil discourse and sound decision-making, which they are likely not learning properly through social media or observing the conduct of our public leaders. We wanted to teach them that there are other ways to communicate than the incendiary and divisive dialogue to which they are exposed on a fairly regular basis.

Importantly, our goal was for this younger generation to understand that there are effective and civil ways in which one can disagree with another's views, stand up for what one believes in, exercise one's right to free speech, and remain grounded in one's ethics and values — without attacking and disrespecting another person who may disagree. The program was designed with those premises in mind, in the formality of a courtroom, presided over by a judge and facilitated by practicing attorneys, and focuses on different court cases that lend themselves to varying and impassioned views. Students learn the basic skills of exercising civil discourse and then employ those skills by debating a court case. Our hope is that students then apply what they have learned through the CD3 program and engage with others in their everyday lives with a heightened awareness of and appreciation for the importance of civil discourse.

What were some of the main challenges of designing and implementing your program? What suggestions would you offer to judges who are considering starting a similar program?

The initial challenge in designing the CD3 program was to take the fairly broad concepts of civil discourse and sound decision-making skills and translate these concepts into interesting and easy-to-use exercises so that the program required little preparatory work and could be easily replicated by other lawyers and judges. We took a step-by-step approach in designing each component of the program so the students could learn in an interactive setting. We designed exercises for the students to com-

plete in the courtroom and developed a method of teaching civil discourse and sound decision-making skills that allows each student to actively participate in the program. In other words, no one can hide nor is anyone made to feel uncomfortable. We created easy-to-use forms in a downloadable format from the [U.S. Courts website](#) so that anyone can access and use the documents, adapt them to their needs, and easily present the program in their courtroom.

Once the program was designed, the next challenge was to identify judges, attorneys, and schools interested in participating in the program. We initially recruited other judges within our judicial district to conduct the program, and we partnered with our local federal bar association chapters to identify attorney volunteers. Each program usually involves a judge and five attorneys. We reached out to local schools and teachers and enlisted between 30-50 students to participate in each program. Those outreach efforts were rather informal at first but, once the program was adapted by other judicial districts, featured as a community outreach program on the U.S. Courts website, and adopted as a flagship program of the national Federal Bar Association (and appeared on its website), we were able to formalize our channels of communication about the program.

We regularly speak at local and national events to discuss the program; we serve on committees that promote the program; we use innovative techniques such as televising the program and utilizing virtual alternatives to in-person programming, which was particularly helpful during the COVID pandemic. We are also regularly updating the materials and adapting various components for use with other preex-

isting community outreach programs in different judicial districts to meet the needs of the localities in which the program is implemented.

How do you think judges benefit from engaging in “Civil Discourse and Difficult Decisions” and other community outreach programs? What are the benefits for students and the public at large?

Judges, students, and the public at large benefit tremendously from engaging in *Civil Discourse and Difficult Decisions* and other community outreach programs. First, it is vitally important for judges to fulfill their civic duty to educate the community about the role of the courts in our system of government and to instill in the public a sense of pride, trust, and confidence in the judiciary. Most people have a limited understanding of the role of the courts from viewing television shows depicting judges and courtrooms in a highly dramatized fashion. The court system can touch people’s lives in different ways. While it may be a source of entertainment for some through television shows, movies, and books, members of the public may be called upon to serve as jurors, and the judicial process benefits greatly from jurors who understand and appreciate how the system works. Other members of the public may have experienced the court process themselves or, more commonly, have had interactions with law enforcement or relatives who have participated in the system; for them, an improved understanding of how the courts actually operate may help to alleviate fears and tensions that stem from negative experiences. In short, education about the branches of government, including the judiciary

— the branch about which people tend to know the least — is the bedrock of a thriving democracy.

Second, the *Civil Discourse and Difficult Decisions* program benefits judges and attorneys directly. Judges, like everyone else, are expected to act and communicate in a civil and respectful manner toward colleagues and others, both in their workplace and in their community. Judges who teach about civil discourse are more apt to practice, or at least think about practicing, civility in their own communications. Attorneys who participate in the program benefit in the same manner. While attorneys may be adversaries one day in a court proceeding, when they present this program together they are unified by a common goal of teaching the younger generation to learn, listen, debate, and engage respectfully and with civility. Leaders such as judges and attorneys set the tone in the courtroom and in the community. As such, they need to be aware of their actions and how they are perceived by others. By teaching civility, they are reminded of the importance of civility.

You’ve talked about the adaptability of “Civil Discourse and Difficult Decisions.” How might judges outside the United States adapt the program for use in their own courts?

We developed the *Civil Discourse and Difficult Decisions* program with its ease of adaptability in mind. We readily recognize that each city, country, and region may have rules and customs that may dictate the program’s structure and content. Judges who are interested in adapting the program for their use should follow these steps:

1. Download the *Civil Discourse and Difficult Decisions* program materials for use and determine which portions of the program will be consistent with your city, country, and or region’s rules and customs;
2. Recruit the program participants (judge, attorneys, teachers, students);
3. Determine where the program will occur (school, courtroom, virtual);
4. Once scheduled, be creative and flexible in the program’s implementation; and
5. Remember: if you touch even one person’s life for the better through the program, it will be a success!

ROBIN L. ROSENBERG is a United States district court judge for the Southern District of Florida. She serves as chair of the Judicial Conference Advisory Rules Committee and is a member of the Eleventh Circuit Local Rules Committee, the circuit’s Civics Education Committee, and the Southern District of Florida local rules and pro se committees. She has served on the Duke Law School Board of Visitors and currently serves on Judicature’s editorial board.

BETH BLOOM is a United States district court judge for the Southern District of Florida. She is the incoming chair of the Federal Bar Association’s Judiciary Division and the Eleventh Circuit representative of the Federal Judges Association, and she serves on the board of the South Florida chapter of the Federal Bar Association. She chairs the Southern District of Florida’s Local Rules Committee, established and coordinates the Southern District of Florida’s annual Summer Intern Program and the Judicial Intern Academy, and oversees the district’s annual Law Day and Constitution Day programs.