

Opening Assignment

Ethics is a way of choosing between what is “right” or “wrong”.

Write in 3-5 sentences about a person you admire because of his or her strong ethics. What ethical qualities does this person possess? How do his or her actions represent these qualities?

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Honest Lawyer

Types of Ethics

- Utility
 - Focus is on consequences if the consequences are good, at least for most people, then the decision is good
- Morality
 - You just know that some things are right or wrong

Hindu

This is the sum of all duty: Treat others as you yourself would be treated

Ancient Egypt

That which you hate to be done to
you, do not do to another

Ancient China

Never impose on others what you
would not choose for yourself -
Confucius

Jewish

What is hateful to you, do not do to
your neighbor

Ancient Greece

Do not do to others that which
angers you when they do it to you -
Socrates

Ancient Rome

Expect from others what you did to
them - Seneca

Buddhist

Hurt not others in ways that you
yourself would find hurtful

Christian

Do unto others as you would have
them do unto you

Islamic

No one of you is a believer until you desire for another that which you desire for yourself

Ethical Dilemma

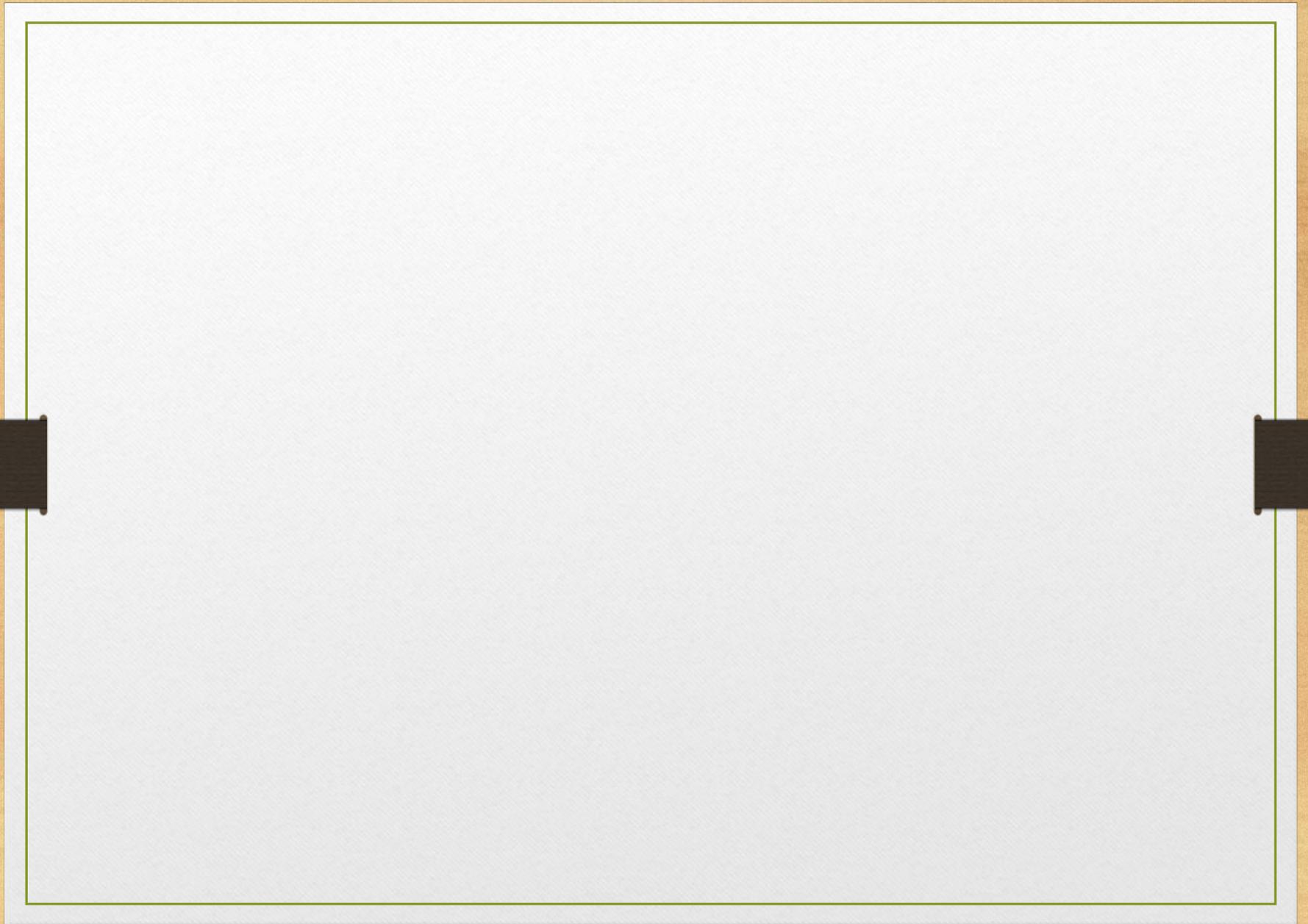
You find a \$20 bill in the hallway. What do you do with it?



Katko v. Briney

Briney owned an old farmhouse in Iowa, which had been unoccupied for years. Although he had posted “No Trespassing” signs outside, there were intruders from time to time. Determined to protect his property, Briney set a loaded shotgun inside the building and rigged it to fire if the bedroom door opened.

Later, a man named Katko broke into the house to steal some old bottles he thought were antiques. When he opened the bedroom door, the shotgun blasted off part of his leg.



Opening Assignment

John Locke wrote: “Men being by nature free, equal and independent...absolute lord of his own person and possessions...why will he part with his freedom, this empire, and subject himself to the dominion and control of any other power?” Locke was asking why people generally accept that laws are necessary and most people follow them.

Using three sentences, describe what life would be like without laws.

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Thomas Hobbes

The war of every man against every man...Continual fear and danger of violent death...Solitary, poor, nasty, brutish, and short.

Constitution

- Ratified in 1787
- Initially only 9 of 13 states agreed
- Remaining states agreed when Bill of Rights added
- Constitution - Created the Government
- Bill of Rights - Gave rights to U.S. Citizens *and others*

Constitution

- Established *Federal* Government
 - Interstate Commerce
 - Foreign Policy
 - National Defense

Due Process Clause

- 5th Amendment
 - no person shall be deprived of life, liberty or property without due process of the law
- 14th Amendment
 - nor shall any state deprive any person of life, liberty or property without due process of the law

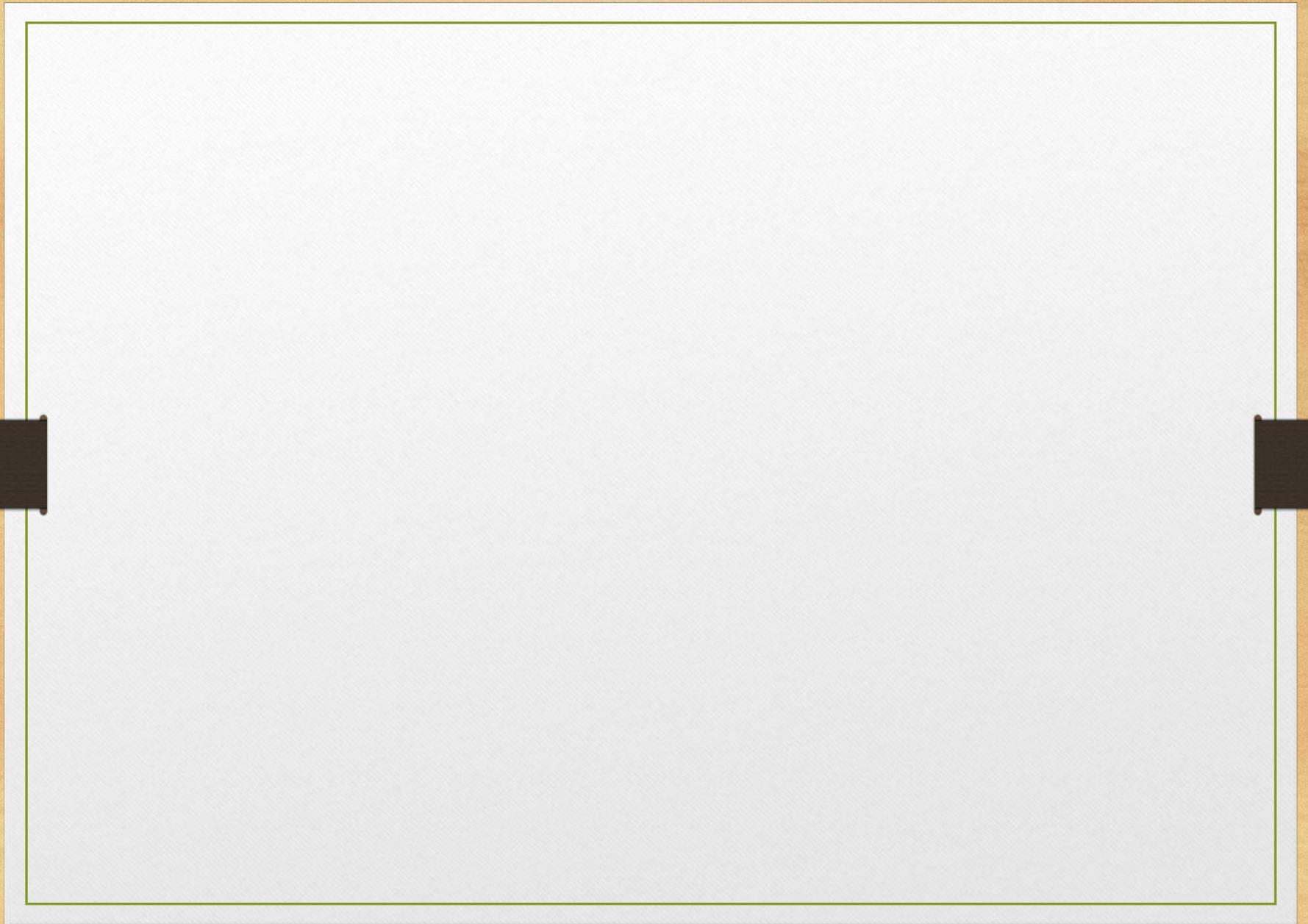
What is Due Process

- Defined simply
 - Due = owed
 - Process = steps (basically Notice & Hearing)
- When can the government deprive you of life, liberty, or property?
 - Compare Individual Interest to Government Interest

Case Example

During the Korean War, the United Steelworkers of America union attempted to go on strike against factory owners over working conditions. The President of the United States ordered the Secretary of Commerce to seize and operate most of America's steel mills.

What are the government's interests? What is the steelworkers' interests? Who should win? Explain.



Opening Assignment

You are pulled over for a traffic stop. You feel like your Constitutional rights have been violated by the police officer.

Describe a specific situation where this might happen (make one up if needed).

How do you respond to the officer?

Explain why.

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Types of Laws

- Constitutional Law
- Statutory Law
- Case Law

Constitutional Law

- No law can be enforced if it violates the Constitution
 - Specifically prohibited activity
 - Separation of powers
- A law that is vague violates due process

Statutory Law

- Laws written by elected representatives
 - Congress/State Legislature
 - Statutes
 - Local Governments
 - Codes and Ordinances

Case Law

- Courts only interpret statutory law
 - What does the law mean?
 - How does it apply to *this case*?
- Can void any statutory law that is unconstitutional

Precedent

- Any decision by a court is binding on all courts below
- A court of appeals explains its decision in writing

TEXAS SUPREME COURT

**Court of Appeals
Lubbock**

**Court of Appeals
Fort Worth**

**District Court
Lubbock**

**District Court
Fort Worth**

**District Court
Dallas**

**Municipal Court
Lubbock**

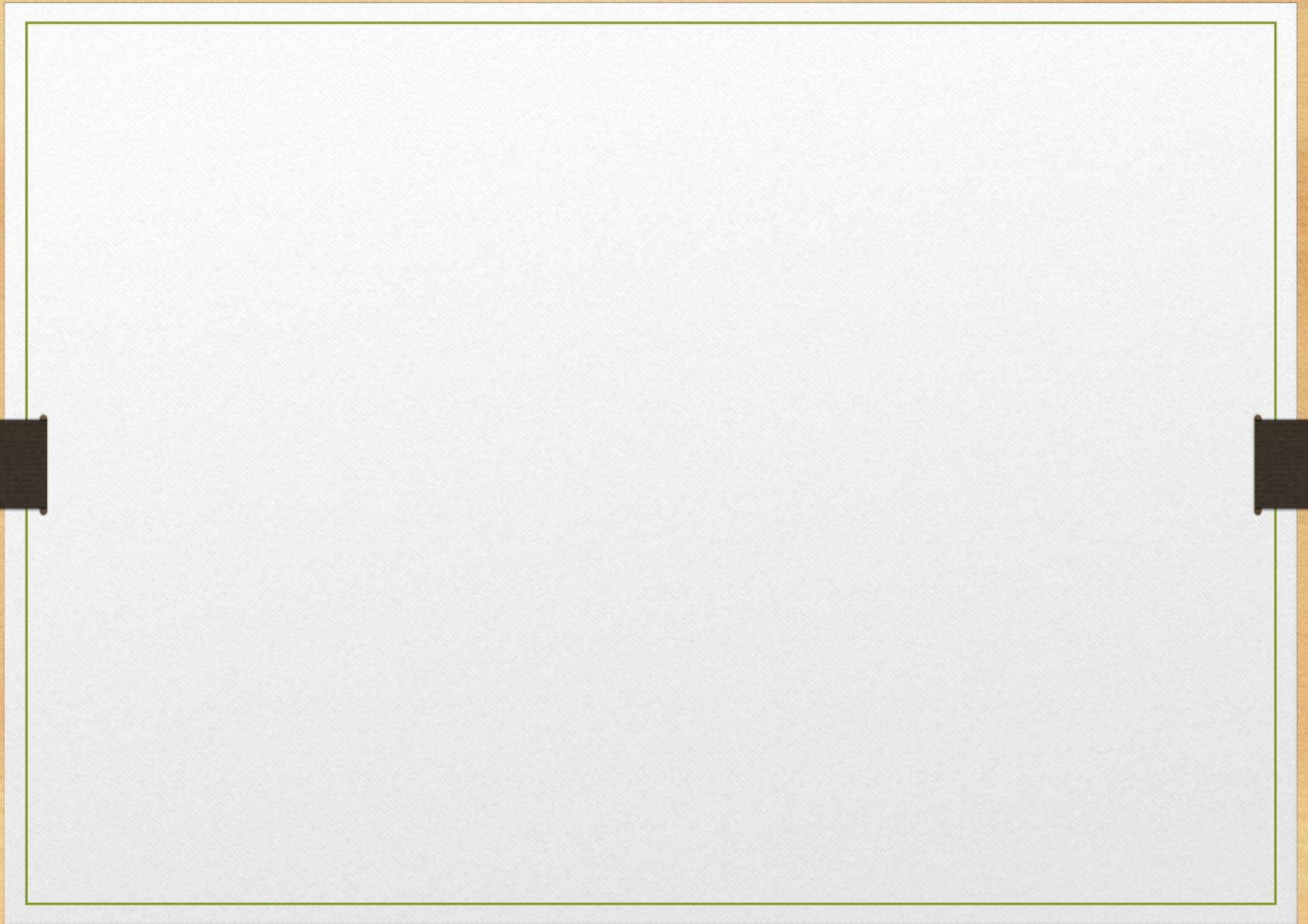
**Municipal Court
Fort Worth**

**Municipal Court
Dallas**

Assignment

- ✗ Get in Groups of 3
- ✗ Write a “law” for enforcing against littering in the hallways at school
 1. Define littering
 2. Identify the responsible party
 3. Assign consequences

Litter Law



Fixing the Legal System

1. Why was the science teacher okay with grizzly bears but scared of lawyers?
2. A failed lawsuit may not cost that much in dollars and cents in the grand scheme of things, but what is the real problem they create?
3. What's keeping us from building the fastest rail network?
4. How does simplifying the legal system help with the problems?