

Lesson Plan: “YOU Be the JUDGE: Comparing Major Supreme Court decisions (1960s-80s) Podcast”

SS24.US2.14c: *“Compare and contrast major Supreme Court decisions from the 1960s through the 1980s and explain how they reflect an ongoing national debate regarding the expansion and limits of civil liberties, civil rights, and constitutional protections.”*

SS24.USG.6d: *“Explain how landmark United States Supreme Court cases have shaped the constitutional interpretation and expansion of civil liberties and civil rights.”*

Grade Level: 11th or 12

Time Required: 5–7 class periods (50 minutes each)

Product: 5–7 minute student-produced podcast episode

Skills Focus: Research, analysis, oral communication, historical thinking, digital literacy

Learning Objectives

Students will:

- Investigate and explain landmark Supreme Court cases using primary source documents
- Compare and contrast the constitutional principles and outcomes of at least two cases
- Explain how these rulings reflect broader societal debates about civil rights and liberties
- Produce an original podcast episode demonstrating their understanding

Materials Needed

- Primary source packets (majority opinions, dissenting excerpts, case summaries)
- Podcast planner & script template
- Access to recording tools (phones, laptops, Audacity, or online tools like Soundtrap)
- Rubric for assessment
- Optional: Headphones, microphones (can be basic or school-provided)

Primary Source Documents (by case)

Students must reference excerpts from at least one primary source per case in their podcast:

1. Gideon v. Wainwright (1963) (right to counsel)
 - Majority opinion: Justice Hugo Black
2. Miranda v. Arizona (1966) (reading of rights)
 - Majority opinion: Chief Justice Earl Warren
 - Dissent: Justice Harlan
3. Tinker v. Des Moines (1969)(freedom of speech in school)
 - Majority opinion: Justice Abe Fortas
4. Roe v. Wade (1973) (abortions, women's healthcare)
 - Majority opinion: Justice Harry Blackmun
5. Regents of UC v. Bakke (1978) (affirmative action)
 - Opinion: Justice Lewis Powell
 - The Court ruled that while the use of racial quotas was unconstitutional, race could be considered as one factor among many in admissions decisions to promote diversity
6. New Jersey v. T.L.O. (1985) (search and seizure)
 - Majority opinion: Justice Byron White
7. Loving v. Virginia (1967)(marriage)
 - Majority opinion: Chief Justice Earl Warren

Lesson Timeline

Day 1: Introduction & Hook

- Do Now: “Should the Constitution change with society, or stay fixed?”
- Mini-Lesson: Role of the Supreme Court in interpreting rights
- Intro to Project: Explain podcast goals, expectations, rubric
- Activity: Preview all 6–7 cases using a with a gallery walk
- Homework: Choose 2 cases for podcast topic

Day 2: Research Day

- Students are grouped by case interest (in pairs or trios)
- Provide case packet (summary + primary source excerpts)
- Students complete a Case Analysis Sheet:
 - Issue & background
 - Constitutional amendment(s) involved
 - Summary of decision + quote from opinion
 - Societal impact
 - Connections to national debates (past & present)

Day 3: Compare & Connect

- Use a Venn diagram or comparison chart to analyze similarities/differences between their two cases
- Students research a modern-day Civil Rights issue or case that connects to one of the rulings

(e.g., Dobbs v. Jackson connects to Roe v. Wade; student protests and Tinker;

affirmative action decisions and Bakke)

Day 4–5: Podcast Planning & Script Writing

- Introduce podcast structure: (give students examples of podcast and their structure)
 - Intro with a hook (personal story, or quote from case or question)
 - Explain each case
 - Compare/contrast the two cases
 - Discuss how these cases still matter today
 - Reflect on what the rulings say about society
- Students write podcast script using a provided template
- Include at least two quotes from primary source documents and an analysis of the quotes
- Peer feedback & teacher check-in

Day 6–7: Record & Edit (creativity days)

- Students record podcast using phones or editing software
- Add intro music, transitions (optional)
- Final product should be 5–7 minutes long
- Submit final audio file + script

Presentation (Optional Day 8): Podcast Listening Gallery

- Set up a gallery walk where students listen to each other's podcast episodes (could expand by moving the gallery walk to the auditorium and allowing other teachers and

students or community members to listen to the students final project)

- Use listening sheets to give feedback or reflect on key takeaways

Assessment Rubric (25 points) Categories: Historical Accuracy, Use of evidence from Primary Sources, Comparison of cases and Modern Connection, and Podcast quality, creativity, and organization.

Final Reflection (Exit Slip or Journal Prompt)

Extension Options and adaptations

- Post podcasts on school website or share with community
- Submit student work to competitions (History day)
- Invite a local attorney or judge to listen and give feedback
- Change cases to Judge Johnson's cases and include a field trip to the courthouse

Teacher-Guided Questions

Use these questions to lead class discussions, small group conferencing, or to support self-reflection during the podcast creation process.

Case Research Phase

- What was the central constitutional question in this case?
- What amendment(s) were at the heart of the ruling?
- How did the Court's decision either expand or limit individual rights?
- What does the dissenting opinion argue, and how does it differ from the majority?
- Why do you think this case was important in the past and present?
- What effect did this decision have on society?

Compare & Contrast Phase

- What do your two cases have in common?
 - Similar rights or constitutional issues?
 - Similar political or historical contexts?
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- How did the outcomes of each case differ?
- Did both rulings expand rights, or did one limit them?
- What trends do you notice in how the Court interpreted the Constitution over time?

Modern Connection Phase

- Where do we still see this issue in today's world?
- Is there a current event, law, or court case that mirrors this case's issues?
- Would the Court rule the same way today? Why or why not?
- Do you think the rights in your case are more protected, less protected, or about the same today?

Podcast Writing & Recording Phase

- Does your script clearly explain each case's background and ruling?
- Have you included quotes from at least one primary source per case?
- Do you clearly explain the comparison between the two cases?
- Is your modern-day connection relevant and clearly explained?
- How are you keeping the listener engaged? (Tone, music, pacing?)
- Does your conclusion reflect on the significance of these decisions today?

Final Reflection Prompts (Post-Project)

- What did you learn about how the Supreme Court shapes national debates?
- Which case do you think had the biggest long-term impact—and why?
- If you could revisit one ruling today, would you change it? Why or why not?
- How has your understanding of civil liberties or rights changed?