



LAW DAY 2022

What is Law Day? Law Day, held annually on May 1, is a national day set aside to celebrate the role of law in our society and to cultivate a deeper understanding of the legal profession.

The Public Outreach Committee of the United States District Court for the District of Connecticut invites schools to participate in any of the following Law Day activities.

“TOWARD A MORE PERFECT UNION: THE CONSTITUTION IN TIMES OF CHANGE”

“We the People of the United States, in Order to form a more perfect Union ...” are the opening words of the U.S. Constitution. At 4,400 words and signed in 1787, it is one of the shortest and oldest written constitutions in the world. The Constitution not only outlines a blueprint for government, but also delegates power, articulates rights, and offers mechanisms for change. It is neither perfect, nor exhaustive, as our nation’s history makes clear. Legislation, court rulings, amendments, lawyers, and “we the people” have built upon those original words across generations to attempt to make the “more perfect Union” more real. That effort continues today, as contemporary leaders and everyday citizens raise their voices as loud as ever to fulfill the promise of the Constitution. Defining and refining those words of the Constitution might be our oldest national tradition, and how each of us works—together—toward a more perfect Union. For 2022, all Law Day activities will be conducted in-person or virtually.

- **READ A PICTURE BOOK TO ELEMENTARY SCHOOL STUDENTS:** A judge can visit an elementary school class via Zoom to read a picture book about the Constitution. Examples of such books are: *We the Kids: The Preamble to the Constitution of the United States* by David Catrow (5-8 year olds); *Democracy for Dinosaurs* by Laurie Krasny Brown (4-8 year olds); and *What Can a Citizen Do?* by Dave Eggers (Grades K-2).
- **JUDGE GUEST SPEAKER:** Have a conversation about the Law Day theme: Changing the Constitution-Formally and Informally. A judge can teach middle or high school students through Zoom from a PowerPoint emphasizing this year’s theme. The judge can address a list of related questions with the students. Presentations will be hosted virtually. *See Exh. A: “Changing the Constitution-Formally and Informally”*
- **TRIVIA GAMES:** The court can provide to middle or high school students educational materials related to the Constitution and related trivia questions. A judge and/or attorney can teach the subject matter and then participate in a fun Zoom or in-person trivia session with the students.

- ARTWORK CONTEST: The court can invite elementary through high school students to submit artwork and photographs depicting what the Constitution means to them. The court can display some artwork in the courthouse and can display digital artwork and photography during an evening Zoom session. The court can invite artists and their families to attend a Zoom session with a judge during which a short video of the displays in the courthouse and the digital submissions can be aired. Certificates and/or prizes can be awarded. *See* Exh. B: 2022 Artwork Contest Flyer
- ESSAY CONTEST: The court can invite middle or high school students to submit short essays. This year’s essay contest is “The Role of the Courts in Promoting Justice for All: The Equal Protection Clause.” Consistent with that theme, students are asked to consider how the federal courts have interpreted the meaning of the Equal Protection Clause in many different situations, and to think critically about how the Equal Protection Clause impacts individuals, communities, and American Society. *See* Exh. C: 2022 Essay Contest Flyer.
- COLLECT ORAL HISTORIES: Oral history is a technique for generating and preserving original, historically interesting information-primary source material-from personal recollections through planned recorded interviews. Students conduct interviews with members of the community or their families. Tips for collecting oral histories can be found on the Smithsonian Institution Archives website at: <https://siarchives.si.edu/history/how-do-oral-history> The collection on line at the University of Southern Mississippi website includes oral histories on diverse subjects such as the civil rights movement and other events that document the life and culture of Mississippians. *See* <http://www.usm.edu/oralhistory>; *COHCH.org (The Center for Oral History and Cultural Heritage)*. *See* Exh. D: “Tips and Example Questions”
- STUDENT MOCK TRIAL: Mock trial scripts can be found on a variety of websites. Mock trials may be conducted with a variety of age groups and across student and adult audiences, virtually or in classrooms or public areas. *See e.g.* <https://www.civicsfirstct.org/> (Civics First: Advancing Civics Education in Connecticut).
- PANEL DISCUSSIONS:
 - WEDNESDAY, APRIL 27, 2022 - 11:00 a.m.-12:00 p.m.: Virtual Law Day Event for Young Adults: Toward a More Perfect Union, Perspectives on Practice and the Constitution. This program is for schools and educators. The program will focus on the following: What is the role of the Constitution, especially in turbulent times? Should the Constitution be subject to more frequent change or be an unwavering source of guidance regardless of issues of the day? The program will explore these questions and discuss the role and impact of lawyers in society. This event may be livestreamed and a recording will be available for replay. *See* <https://abateacherportal.org/event/virtual-law-day-event-for-young-adults-toward-a-more-perfect-union-perspectives-on-practice-and-the-constitution/>
 - THURSDAY, APRIL 28, 2022- 2:00 pm.: A moderated panel will explore moments of constitutional change in the United States, especially in more recent years, looking at constitutional amendments, as well as social movements that lead to legislation, shifts in U.S. Supreme Court jurisprudence, and other

indicators of significant legal change. The program will be conducted in partnership with the Law Library of Congress. The program will be streamed on YouTube and recorded.

https://americanbar.zoom.us/webinar/register/WN_scj37WTtWHy7Cx24oCBQ

- TEACH A 30 OR 50 MINUTE CLASS: Middle or high school classes, with or without the involvement of a judge and/or attorney, can show a 5-minute video and then present discussion starter questions to go along with the content of the video. See <https://www.uscourts.gov/about-federal-courts/educational-resources/annual-observances/law-day>; <https://www.annenbergclassroom.org/explore/>
- MATERIALS AND LESSON PLANS MAY BE FOUND AT:
 - <https://abateacherportal.org/changing-the-constitution-formally-and-informally-high-school/>
 - <https://abateacherportal.org/working-toward-justice-learning-about-legal-changemakers-elementary/>
 - <https://abateacherportal.org/changing-the-constitution-formally-and-informally/>
 - <https://abateacherportal.org/caniglia-v-strom/>
 - <https://abateacherportal.org/uzuegbunam-v-preczewski/>
 - <https://abateacherportal.org/lange-v-california/>

EXHIBIT A

We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Conversations About the Law Day Theme: Changing the Constitution—Formally and Informally



As the Law Day 2022 theme notes, defining and refining the words of the Constitution might be our oldest national tradition. Throughout our nation's history, we have changed the Constitution through many different avenues and for a plethora of reasons and causes. And although most of most of us are familiar with the formal way to change the Constitution, through the amendment process, it is by far not the only means to make refine the blueprint of our government.

Formal Changes

The most obvious way that the Constitution is changed is through the formal amendment process. To amend the Constitution certain protocols must be followed as set forth in Article V of the U.S. Constitution. There are currently 27 formal amendments to the Constitution (although the 21st Amendment repealed the 18th Amendment so there are currently 26 amendments in place).

According to Article V, there are two general steps that a proposed amendment must follow in order to be considered ratified. First, the proposed amendment must be approved by either 2/3 of both houses of Congress or state legislatures. Then, it must be approved by 3/4 of all the states, either by a vote of the state's legislatures or a state level convention.

Formal amendments have originated from a variety of avenues during our nation's history. For example, the 19th Amendment (removing sex as a barrier to voting) and the 26th Amendment (lowering the voting age to 18) all came about after wide-spread social movements and advocacy. On the other hand, amendments like the 13th (ending slavery) and the 22nd (creating term limits on the presidency) were initiated by Congress in response to an issue impacting the country. Finally, some amendments, such as the 11th (prohibiting lawsuits against states) and the 24th (banning poll taxes) came as a direct response to Supreme Court decisions.

Informal Changes

Many changes to our constitutional system have come to exist even without formal amendments. As former Yale Law Dean Heather Gerken has said "Anyone who was awake in law school is aware that constitutional meaning has evolved over time even as the text has not."¹ One frequent informal change to the Constitution comes from sweeping federal legislation, as exemplified by the Civil Rights Act of 1964. The process for enacting federal legislation is obviously different than that to enact a formal amendment to the U.S. Constitution, and is by many measures, less difficult. Generally, both houses of Congress need to pass a federal law and then the President must sign the law (or two-thirds of Congress can pass it over the President's veto). Federal legislation covers a wide variety of topics including immigration, bankruptcy, copyright and civil rights, just to name a few.

Although a number of formal amendments to the Constitution have come in response to Supreme Court cases, the reverse is also true: Supreme Court cases have frequently had the same effect as formal amendments

1 <https://abateacherportal.org/changing-the-constitution-formally-and-informally/>

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I

without the formality. Woodrow Wilson is attributed to having said that the Supreme Court is “a constitutional convention in continuous session.” Supreme Court decisions, and in some instances, the Court itself, have frequently had the same impact as constitutional amendments.

The Supreme Court and constitutional amendments have a close and interlocking relationship; the Court’s judgement can (and has been) overruled by amendments, but the amendment process is so cumbersome, it rarely occurs. Consequently, the Court’s decisions are often the last word in defining and applying our constitutional rights and norms (rights-based issues), and in the establishing, and ensuring, the structure of our system of government (structure-based issues).

Of course, courts cannot simply go out looking for cases to rule on. A party with an active dispute must bring the case to court. Different courts have different specific jurisdictional rules, but in general, courts have firm rules and guidance on the types of cases they can hear.

Finally, interstate compacts serve as another great example of informal amendment to the Constitution. Such compacts are formal agreements between two or more states, affecting the rights and responsibilities of those states and their citizens. State compacts can be a useful tool for policy initiatives that will have difficulty getting over the high barriers for a constitutional amendment. To become effective, state compacts must be approved the states’ legislatures, and depending on the subject matter, by the U.S. Congress. Once in effect, compacts are contractual obligations for the states that are a party to them. In fact, contracts are often drafted using similar language and clauses as contracts, including detailing compliance and enforcement measures, withdrawal and termination terms, and administration and dispute resolution means. Some compacts require the creation of independent interstate agencies to help fulfill the compact’s purposes.

Common topics for interstate compacts include water rights, fishery regulations, bridge and tunnel development and maintenance, and mining regulations. The Multistate Tax Compact is a well-known example of a long-lasting compact, it became effective in 1967. The Compact created a Commission that facilitates proper tax collection and apportionment for multistate taxpayers. The Compact and Commission help ensure uniformity in state tax laws and avoid duplicate taxation. Fifteen states and the District of Columbia are members to the Compact. Another well-known example of an interstate compact commission is the Port Authority of New York and New Jersey.

Catherine Hawke is the Deputy Director of the American Bar Association’s Division for Public Education and the editor of the ABA’s Preview of United States Supreme Court Cases. She has a B.A. from the University of Michigan and a J.D. from the Loyola University Chicago School of Law.

EXHIBIT B

We the People

of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

2022 Artwork Contest



The Public Outreach Committee of the United States District Court for the District of Connecticut cordially invites students to help us celebrate Law Day 2022 by creating artwork relating to this year's theme:

Toward a More Perfect Union: The Constitution in Times of Change

"We the People of the United States, in Order to form a more perfect Union ..." are the opening words of the U.S. Constitution. At 4,400 words and signed in 1787, it is one of the shortest and oldest written constitutions in the world. The Constitution not only outlines a blueprint for government, but also delegates power, articulates rights, and offers mechanisms for change. It is neither perfect, nor exhaustive, as our nation's history makes clear. Legislation, court rulings, amendments, lawyers, and "we the people" have built upon those original words across generations to attempt to make the "more perfect Union" more real. That effort continues today, as contemporary leaders and everyday citizens raise their voices as loud as ever to fulfill the promise of the Constitution. Defining and refining those words of the Constitution might be our oldest national tradition, and how each of us works—together—toward a more perfect Union.

Our goal is to help students and the public better understand the importance the law has in our daily lives, and the role the legal system—including the courts—plays in protecting the rights we cherish, which include equal protection of the laws; the right not to be deprived of life, liberty, or property without due process of law; and the freedoms of speech, the press, and religion. To that end, we ask the students participating in the art exhibit to create a piece of art relating to this year's theme.

A Certificate of Recognition will be awarded to all artists. Students in grades 3-12 are invited to participate. Artwork may be in the form of drawings, photographs, digital photographs, digital art forms, posters, or a similar medium. The poster size should be 8.5" x 11" or larger. All entries will be on display in the Federal Court-houses in New Haven, Hartford, and Bridgeport through the month of May, so they can be viewed by the general public, as well as courthouse employees. Digital entries will be displayed during a Zoom session for artists and their families.

By no later than **May 2, 2022** (or a date mutually agreeable), please submit all artwork to Public_Outreach@ctd.uscourts.gov, or submissions may be mailed to:

U.S. District Court, Office of the Clerk
Attn: Public Outreach Committee
141 Church Street
New Haven, CT 06510

All Law Day 2022 activities will be conducted in-person or virtually. We appreciate your participation and hope it is a rewarding experience for the students.

EXHIBIT C

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

2022 Essay Contest

The Role of the Courts in Promoting Justice for All: The Equal Protection Clause

In association with *Justice for All: Courts and the Community* and the New York State Bar Association, Commercial & Federal Litigation Section

In honor of Judge Robert A. Katzmann

The District of Connecticut is participating in the Second Circuit's 2022 Essay Contest, which is sponsored by the New York State Bar Association Commercial and Federal Litigation Section, in memory of Second Circuit Judge Robert A. Katzmann. When he was Chief Judge of the Second Circuit, Judge Katzmann founded Justice for All: Courts and the Community, the Second Circuit's civic education initiative, in 2014, and worked tirelessly to promote Justice for All's mission "to increase public understanding of the role and operations of the courts and bring courts closer to the community." Judge Katzmann was committed to the fair administration of justice and was passionate about educating students about the role of our courts, particularly the federal judiciary, in promoting justice for all.

One of the primary roles of the federal judiciary is to interpret the Constitution and to determine how the Constitution is applied to novel questions of law. One amendment that has been subject to much interpretation is the 14th Amendment, ratified in 1868 following the Civil War, which includes the Equal Protection Clause. The Equal Protection Clause of the 14th Amendment of the Constitution provides that the state shall not "deny to any person within its jurisdiction the equal protection of the laws." Although initially intended to address racial discrimination following the Civil War, the Equal Protection Clause has now been applied to prohibit discrimination based on many classifications including race, gender, and immigration status, among others. The broad phrasing of the Equal Protection Clause has been interpreted many times by the federal courts, including the Supreme Court, and has led to many landmark decisions shaping the meaning and impact of the Equal Protection Clause in modern American society.

One might be surprised to learn how recently some of these landmark decisions occurred. Landmark decisions involving the Equal Protection Clause include:

Brown v. Board of Education, 347 U.S. 483 (1954): In Brown, the Supreme Court ruled that "separate but equal" school facilities are inherently unequal (overruling an earlier decision in Plessy v. Ferguson, which held that if facilities were equal, separating by race did not violate the Equal Protection Clause). The Brown v. Board of Education decision held that public school segregation based on race violates the Equal Protection Clause.

Loving v. Virginia, 388 U.S. 1 (1967): In Loving, the Supreme Court held that a prohibition against interracial marriage violated the Equal Protection Clause.

Reed v. Reed, 404 U.S. 71 (1971): In Reed, the Supreme Court applied the Equal Protection Clause to gender discrimination for the first time, holding that a law that stated that "males must be preferred to females" with respect to appointing the administrator of an estate was unconstitutional.

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I

Plyler v. Doe, 457 U.S. 202 (1982): In Plyler, the Supreme Court held that a law denying enrollment in public schools to children who were not “legally admitted” to the country violated the Equal Protection Clause. The Court concluded that the Equal Protection Clause applies to all persons within the United States, regardless of whether they entered the country legally, although an individual’s right to equal treatment is not absolute.

Obergefell v. Hodges, 576 U.S. 644 (2015): In Obergefell, the Supreme Court held that the Equal Protection Clause guarantees the right of same-sex couples to marry because denial of that right would deny same-sex couples equal protection under the law.

The cases listed above are just a few of the many cases in which the Supreme Court has interpreted and applied the Equal Protection Clause and are intended to provide an illustration of the evolution of equal protection jurisprudence over the last century.

In honor of Judge Katzmann’s commitment to the administration of justice and to educating students about the role of the courts in promoting justice for all, the theme for this year’s essay contest is “The Role of the Courts in Promoting Justice for All: The Equal Protection Clause.” Consistent with that theme, students are asked to consider how the federal courts have interpreted the meaning of the Equal Protection Clause in many different situations, and to think critically about how the Equal Protection Clause impacts individuals, communities, and American society.

In discussing the role of the courts in promoting justice for all through the Equal Protection Clause, you may want to consider the following questions:

- Why is the Equal Protection Clause important in modern American society?
- Considering the Supreme Court decisions described in the prompt, how has the Supreme Court’s interpretation of the Equal Protection Clause helped to protect the rights of different groups of people?
- In your opinion, is the Equal Protection Clause functioning as intended?
- What is important for students like yourselves to know about the Equal Protection Clause and the decisions interpreting it?
- Within the scope of the constitutional role of the federal judiciary, how else can courts promote justice for all?

To enter, write an essay of 500 words or less that addresses this year’s theme. Essays should be typed or handwritten in ink. When you are ready to submit, attach a cover sheet that includes a number assigned to the student, the student’s school, grade, and teacher. **Do not include your name on the essay.** Entries will be judged on accuracy of information, clarity of expression, content, and originality. Essays with the attached cover sheet should be emailed to Public_Outreach@ctd.uscourts.gov by **May 2, 2022** (or a mutually agreeable date).



EXHIBIT D

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Tips and Example Questions



Start with Introductions.

PARTICIPANT 1: My name is (name). I am (age) years old. Today is (date), and I'm speaking with (partner's name), who is my (relationship). I am recording this interview in (place, city, state; e.g., "my home in Nome, Alaska").

PARTICIPANT 2: My name is (name). I am (age) years old. Today is (date), and I'm speaking with (partner's name), who is my (relationship). I am recording this interview in (place, city, state; e.g., "my home in Nome, Alaska").

Introduce the reflection or conversation.

"Today, we're talking about the 2022 Law Day theme: Toward a More Perfect Union: The Constitution in Times of Change," or "I see the Law Day theme this year is Toward a More Perfect Union: The Constitution in Times of Change, and I want to talk about it," or even "The Constitution—huh?"

Ask questions, see where discussion goes, grapple with concepts and experiences.

These are examples; feel free to develop and respond to your own questions:

1. What do you think about when you hear "a more perfect union?"
2. What does a "more perfect union" mean or look like to you?
3. If you think about "a more perfect union," what comes to your mind?
4. What is an example of something that could help us toward a "more perfect union"?
5. What is a challenge facing a more perfect union today?
6. Do you have personal experiences related to this?
7. How has living through that, or this time, made you feel or shaped you?
8. How do you think the law might help to effect change?
9. Are there ways that you are working or supporting changes?
10. What events of the past year stand out to you related to the Law Day theme? Why?
11. What do you think a more perfect union means to our country?
12. Has that meaning changed over time?
13. What do you do to help us towards a more perfect union?
14. Is there someone who you admire as an advocate for a more perfect union?
15. Do you have a vision for the future relative to a more perfect union?

Wrap up with a final message, or goodbye.

Thank everyone for participating.