

RECOMMENDATIONS (“Our Courts Arizona”):

I. Abbreviated Recommendations:

The Task Force makes the following recommendations regarding the “Our Courts Arizona” interactive civics program:

1. That the Arizona Administrative Office of the Courts (AOC) empanel a “redesign team” redesign the structure of OCA, and develop ways to best leverage the OCA to provide support and assistance to the many organizations that offer Civics education resources throughout the state. It is recommended that the “redesign team” be comprised of 5 or 7 members and be a diverse representation of the Judicial Branch. The redesign team should develop and implement a structured, standing OCA committee, with the mission of collaborating with other agencies that offer similar educational opportunities and include a method to track and efficiently coordinate the actions of OCA; including but not limited to, presentations; and
2. That the redesigned OCA make available a liaison to the Arizona Council for Social Studies or the Arizona Department of Education’s Civic Education Community Engagement Program or any other body that’s mission fits with the mission of the OCA.

II. Recommendation:

A staggering number of Americans are poorly informed about civics, the courts and basic Constitutional protections. There are many studies that show the declining degree to which the public is aware of the Constitutional protections we enjoy. “Protecting the rights guaranteed by the Constitution presupposes that we know what they are. The fact that many don’t is worrisome.” “These [survey] results emphasize the need for high-

quality civics education in the schools and for press reporting that underscores the existence of constitutional protections.”¹

A well-informed citizenry is essential to counter disinformation; particularly, with respect to our cherished, yet fragile, Constitutional Republic. It is widely recognized that a significant portion Americans are ill-informed of the precious protections and democratic processes we enjoy. “The Center for the Study of the American Dream at Xavier University reported that just 64 percent of native-born Americans could pass the naturalization test immigrants must take to become a US citizen. Immigrants applying for citizenship pass the simple civic literacy test at a rate of 97.5 percent ...”² Without a working knowledge of how our government operates, it is not surprising that efforts to discredit it are increasingly successful.

“U.S. democratic institutions are being attacked from external as well as internal forces, posing a national security threat that can no longer be ignored, according to security experts.” ... “ That was the assessment of Suzanne Spaulding and Elizabeth Rindskopf Parker, two former national security advisors who spoke at the program ‘Beyond the Ballot: How the Kremlin Works to Undermine the U.S. Justice System,’ presented Feb. 13 during the National Association of Bar Executives Midyear Meeting held in conjunction with the ABA Midyear Meeting in Austin, Texas.” ... “ ‘The threat to democracy in our civic education is one we need to take seriously,’ she said. ‘Disinformation is designed to undermine our political system.’ ”³

The Arizona Code of Judicial Conduct, Rule 1.2 requires that judges promote public confidence in the judiciary. In fact, Comment 6 to that rule encourages judges to actively participate in promoting the public’s understanding and confidence in the administration of justice.⁴

¹ (Quoting, Kathleen Hall Jamieson, September 12, 2017, “Americans Are Poorly Informed About Basic Constitutional Provisions”, Annenberg Public Policy Center of the University of Pennsylvania. <https://www.annenbergpublicpolicycenter.org/americans-are-poorly-informed-about-basic-constitutional-provisions/> . See also, Promoting Civic Literacy and Engagement during the COVID-19 Pandemic, March 23, 2020. <https://politicalsciencenow.com/promoting-civic-literacy-and-engagement-during-the-covid-19-pandemic/>)

² <https://youtu.be/xJFuOF04wss>

³ Disinformation, poor civic literacy imperil U.S. democracy, Feb. 17, 2020. <https://www.americanbar.org/news/abanews/aba-news-archives/2020/02/deepfakes-democracy-and-courts/>

⁴ <https://www.azcourts.gov/portals/137/rules/Arizona%20Code%20of%20Judicial%20Conduct.pdf>

OCA was initiated in 2014. Its purpose was to be an interactive civics program aimed at adult groups. Its goal was to provide easy to understand, non-partisan, interactive sessions to be taught by current and retired judges. The volunteer judges were to engage audiences and provide information about the importance of fair, impartial, and accessible courts and the rule of law.

The participation in this worthwhile program has greatly waned over the years. Currently, the program consists of a webpage⁵ explaining what the program offers and a link to the "Our Courts Arizona Request" form.⁶

Initially, the focus of the Task Force Workgroup assigned to "propose approaches to public education and communication that accurately reflect the roles and processes of courts" was to examine how to revitalize, promote and broaden the audience for OCA. However, after numerous meetings with teachers, leaders and experts in the field of Civics, Government and Social Studies education, it was discovered that there are currently many different organizations already offering excellent opportunities virtually identical to OCA. The areas that these organizations are overwhelmingly in need of support and assistance in are:

1. Marketing their availability ("getting the word out") to teachers, principals, organizations' leadership, parents, students, etc.;
2. Recruiting of subject matter experts; and
3. Content creation.

The many different organizations throughout the country that share OCA's common mission of providing the public with opportunities to learn about the critical areas of Civics and the courts are abundant. Below are some of those organizations primarily based in Arizona:

⁵ <https://www.azcourts.gov/ourcourtsaz>

⁶ <https://www.azcourts.gov/Portals/196/Users/091/91/91/OurCourtsArizonaRequest2015.pdf>

Organization	Service(s) Provided	Web Address
Arizona Council for Economic Education (ACEE)	Teaching resources and student/teacher workshops for civics classes	ACEE / Arizona Council for Economic Education https://www.azecon.org/
Arizona Council for History Education (ACHE)	Teaching resources for civics teachers	ACHE / Arizona Council for History Education https://azhistorycouncil.org/
Arizona Council for the Social Studies (ACSS)	Teaching resources and teacher workshops for civics classes	http://acssaz.org/
Arizona Department of Education (ADE)	Teacher resources and support	ADE / Arizona Department of Education https://www.azed.gov/calendar/events/
Arizona Foundation for Legal Services and Education - We the People; Project Citizen; Kids Voting AZ; Mock Trial; Teen Court; Law Day; Constitution Day; Connecting with Classrooms	Connects volunteers to classrooms; teaching resources, curriculum, civics competitions	www.lawforkids.org or www.azbf.org
Arizona Geographic Alliance (AzGA)	Teaching resources/lesson plans and teacher workshops for civics classes; Guest Speakers	AzGA / Arizona Geographic Alliance https://geoalliance.asu.edu/
Arizona Historical Society (AHS)	Teaching resources/lesson plans and teacher workshops for civics classes	AZHS / Arizona Historical Society https://arizonahistoricalociety.org/
Arizona Humanities	Guest Speakers	https://www.azhumanities.org
Arizona Law Alliance	Guest Speakers	
Attorney General Community Outreach	Guest Speakers	https://www.azag.gov/outreach/presentation-request
AZ Model UN	Program based out of U of A which has brought High School students together for a UN simulation annually	https://www.arizonamun.org/
Center for the Future of Arizona	Teacher resources	https://www.arizonafuture.org/
Citizenship Counts	Teaching resources/lesson plans and teacher workshops for civics classes; Guest Speakers	https://citizenshipcounts.org/
iCivics - National Organization	Teaching resources/lesson plans for civics classes	www.icivics.org
Inspire US	Voter registration - will go to AZ schools to register students and give presentations	https://www.inspire2vote.org/
Joe Foss Institute	Teaching resources/lesson plans	https://joefossinstitute.org/
League of Women Voters	Voter registration - will go to AZ schools to register students	https://www.lwv.org/
Maricopa County Recorder's Office	Provides student tours of tabulation center, guest speakers, allows schools to use voting machines	https://recorder.maricopa.gov/
National Council for Social Studies	Teaching resources and teacher workshops for civics classes	https://www.socialstudies.org/
YMCA	Conducts annual Youth in Government simulation that gives students an opportunity to simulate Legislative, Executive and Judicial branches of government at the Capitol	www.ymca.net

The Arizona Foundation for Legal Services and Education⁷ is one of the organizations that is actively involved promoting Civics education. In 1978, the State Bar of Arizona created the Arizona Foundation for Legal Services & Education, charging it with the mission of promoting access to justice for all Arizonans. Part of the way the Foundation strives to fulfill this mission is by preparing Arizona youth for civic responsibility.

During the course of investigating how to best “revitalize” OCA, it became clear that the way to best achieve its goal of providing “... a refresher.... [to] some of the cornerstones of our democratic form of government, our rights, and the importance of separation of powers.... [and to] ... address these issues in an interactive way and to encourage further thought and discussion about the topics addressed”⁸ would be to

⁷ <https://azbf.org/>

⁸ See, “What is Our Courts Arizona?” at <https://www.azcourts.gov/ourcourtsaz>

support the many organizations already performing this immensely important endeavor. The phrase “we shouldn’t reinvent the wheel” was bandied about.

During one of our many Workgroup meetings, two speakers enthusiastically expressed the need for support and assistance in the above-mentioned areas. Ms. Tammy Waller⁹ expressed that an opportunity for coordinating courts with schools and pairing history and civics with real-world court experiences would be of immeasurable value.

Ms. Jennifer Castro¹⁰, from the Arizona Foundation for Legal Services and Education, also offered many ideas of how OCA could be a valuable partner in this critical area of education. She indicated that some of the areas where they could use help are:

1. Mock trials and other court-related events and programs. She explained that having people who work in courts there makes a difference and lets the public see court representatives outside of the courthouse¹¹;
2. Outreach. Classrooms and school leadership often do not know what the courts have to offer. One of the specific things the “redesign team” can explore is how we can help to promote the programs. None of the organizations contacted had a Public Information Office. Even a link on the AOC or supreme court’s website, or a tweet mentioning an event, can help with outreach and promotion¹²;
3. Volunteers. This is an area where OCA could be of invaluable assistance. Access to real-world subject matter experts who are comfortable with speaking, our

⁹ Tammy Waller is the Director for K-12 Social Studies and World and Native Languages at the Arizona Department of Education. She has been at the department for 5 years. She is also co-manager of the Civic Education and Community Engagement Program, a state wide program supporting schools that have demonstrated strong civic learning and engagement through an award program. She is in charge of the statewide Civic Learning Conference and provides continuous professional development for educators. Currently, she is also on the Executive Committee, Steering Committee, and co-chair of the History Task force for the Educating for American Democracy NEH/DOE grant. Tammy also is involved with the Arizona Mock Trial Program, is adjunct faculty at Arizona State University, and has been a state and national trainer for Law Related Education Programs.

¹⁰ Jennifer Castro is the Senior Director of Education Programs at the Arizona Foundation for Legal Services and Education providing direction for the Foundation’s civic and law-related trainings. She oversees program implementation into schools, and provides technical assistance to Arizona educators. She works closely with the Arizona Department of Education as well as local and national funders to implement civic education. Ms. Castro received her B.S. at Arizona State University and her Masters Degree from Grand Canyon University.

¹¹ It is noteworthy that there are also several organizations that coordinate Mock Trial Programs like “Court Works”, lead by Judge Mary Muguia of the 9th Circuit Court of Appeals. The recommended redesign team can be a conduit to coordinating volunteers for those different programs.

¹² None of the various Civics Education organizations contacted have Public Information Offices.

judges, is something that is tailor made for OCA to spearhead. For judges that want to volunteer but are not interested in speaking engagements, there is an opportunity to assist as well. For example, the LawforKids.org website has questions posted by students about courts and their role. Those questions are going unanswered. Judges could be of great assistance there. Given the chaotic circumstances schools are experiencing due to the current COVID-19 pandemic, teaching "... institutions are under rising pressure to increase the number and variety of online [opportunities]."¹³ For the judges whose schedule previously did not afford the time, or whose location made it difficult to travel to presentation locations, remote/virtual options are available. The methodology of teaching and presentations is rapidly evolving toward the virtual platform. This will make judges' availability more plentiful; and

4. Liaisons. A representative of the judiciary would be a valuable asset on the boards of the Arizona Council for Social Studies, or the Arizona Department of Education's Civic Education and Community Engagement Program, or any other body that's mission fits well with the mission of the OCA. Both of the above-mentioned speakers enthusiastically requested our presence on the aforementioned bodies.

OCA has the ability to positively impact Civics education in Arizona and these recommendations are offered in an effort to lead that impact.

II. Conclusion:

The Task Force makes the following recommendations regarding the "Our Courts Arizona" interactive civics program:

1. That the Arizona Administrative Office of the Courts (AOC) empanel a "redesign team" to redesign the structure of OCA, and develop ways to best leverage the OCA to provide support and assistance to the many organizations that offer Civics education resources throughout the state. It is recommended that the "redesign team" be comprised of 5 or 7 members and that it be a diverse representation of the Judicial Branch. The redesign team should develop and implement a structured, standing OCA committee, with the mission of collaborating with other agencies that offer similar educational opportunities and

¹³ Promoting Civic Literacy and Engagement during the COVID-19 Pandemic, March 23, 2020. <https://politicalsciencenow.com/promoting-civic-literacy-and-engagement-during-the-covid-19-pandemic/>

include a method to track and efficiently coordinate the actions of OCA (e.g., speaking engagements, Mock Trial assistance, presentations, etc.); and

2. That the redesigned OCA select a liaison to the Arizona Council for Social Studies or the Arizona Department of Education's Civic Education Community Engagement Program or any other body that's mission fits with the mission of the OCA.