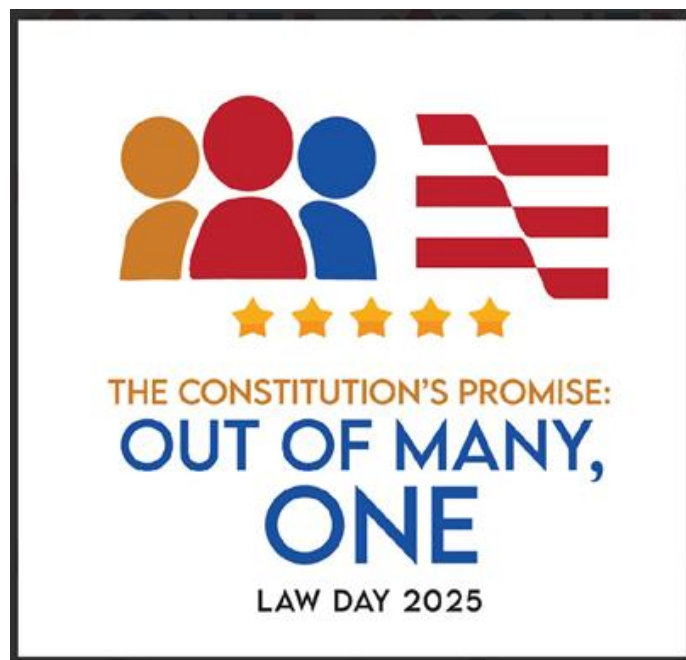




ESSEX VICINAGE 2025 LAW DAY



ELEMENTARY MOCK TRIAL FACT PATTERN *Southfield School Board* *v.* *Superintendent Carter*

A separation of powers lawsuit between the School Board of Southfield of and the Superintendent of Schools, Brian Carter over the use of AI to enforce a school smartphone ban.
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Law Day Fact Pattern

Samantha Green is a high school student who cares a lot about how artificial intelligence (AI) is used. She is part of a group called the Southfield Youth AI Ethics Group, which wants to make sure AI is used in a fair and safe way. Samantha is worried that AI could be used to track students in a way that isn't fair and might take away their privacy. She believes that using AI to monitor students all the time could make them feel like they are always being watched.

Recently, Southfield High School announced a new rule to help enforce its no-smartphone policy. To do this, the school planned to use AI technology that could detect when students had their phones and send alerts to school staff. The superintendent said this system would help students focus better in class. But Samantha and her group were concerned that the AI system might collect too much information about students without their permission.

To stand up for student privacy, Samantha started an online petition called "Students for Privacy." She wanted to pause the AI system until experts could review it and make sure it was safe and fair. Many students, parents, and teachers agreed with her and signed the petition. Samantha also organized a peaceful protest outside the school to spread awareness about the issue.

Wanting to make a bigger difference, Samantha spoke to the school board, the group that helps make important rules for the school. She told them that using AI to track students could be unfair and invade their privacy. Some members of the

school board agreed with her and asked Superintendent Carter to pause the AI system until it could be reviewed more closely.

However, Superintendent Brian Carter did not agree. He believed the AI system had already been checked and that the school needed it to enforce rules fairly. He felt that the school board was interfering too much in decisions that should be made by school leaders. He refused to let an independent team review the AI system.

Because the superintendent and the school board couldn't agree, things became even more serious. The school board told the superintendent he had to share information about the AI system and allow someone to review how it works, but he refused. The board believed it had the power to make rules for the school, while the superintendent believed it was his job to run the school without interference.

The disagreement became so big that the school board took the issue to court, asking a judge to make Superintendent Carter follow their request. In response, Superintendent Carter argued that the board was overstepping its authority and that school leaders should be the ones making day-to-day decisions.

Instructions for Teachers

This fact pattern involves a case in which the School Board of Southfield seeks an injunction from the court requiring Superintendent Brian Carter to comply with their directive compelling an investigation. The superintendent has filed a counter claim challenging the authority of the school board to conduct such an investigation. Students should be familiar with the entire fact pattern and understand the sequence of events prior to the date of the mock trial.

On the day of the mock trial, a judge and two attorneys will visit your school. One of the attorneys will act as the attorney for the plaintiff the School Board of Southfield. The other attorney will act as the attorney for Superintendent Brian Carter.

Teachers should select four students to play the parts of the witnesses. The students should be familiar with their witness statements and the sequence of events. Some of the witnesses will be testifying for the plaintiff and some of the witnesses will be testifying for the defense. Witnesses will be cross-examined by the opposing attorneys. Both attorneys will make their closing arguments, and the judge will then lead a dialogue with the student body to decide the outcome of the case.

Teachers should also choose two students to act as co-counsel. They will assist the visiting attorneys. The judge, the attorneys and the teachers will decide beforehand whether the student attorneys will assist visiting attorneys or actually present the case while being coached by the attorneys. If the students are assisting the attorneys, they may suggest things that the attorney should include in the opening and closing statements. Students can suggest direct and cross-examination

questions for the witnesses. Teachers should inform the visiting attorneys and judge of the names of the student co-counsels prior to the start of the mock trial.

Normally, issues involving injunctions and enforcement of court orders would be for a judge without a jury to determine. However, for purposes of this mock court presentation, a jury will be empaneled to assist the judge. Prior to beginning the exercise, the teachers and judge will decide whether the student body as a whole will act as the jury or whether six students will be selected as a jury.

Instructions to the Attorneys and Judge

The students will have received the fact pattern in advance of the mock trial date. The teachers have selected students to portray the witnesses and to act as co-counsel. The judge will preside over the mock trial. The attorneys will role-play. One attorney will act as the attorney for the plaintiff and one attorney will act as the attorney for the defendants. The judge will give beginning instructions to the students. Each attorney will make an opening argument of not more than five minutes. The direct and cross-examination of each witness should take no longer than five minutes. Then the attorneys will each make a five-minute closing argument.

The judge will give the ending instructions and final charge. This will include a brief explanation of the applicable law. The judge will provide an overview of the facts of the case and an overview of the issues and arguments. The judge will then lead the students through an analysis of the issues so that they may make a decision.

The students acting as jurors should be encouraged to express their various viewpoints. Feedback and participation are encouraged. Following the presentation, a question-and-answer period is usually held with the students. Further, the theme for this fact patterns is the doctrine of ‘Separation of Powers’. There is material at the end of the fact pattern which discusses this concept. The judge and attorneys are encouraged to lead a discussion about this issue with the student body.

The Law Day theme this year is “The Constitution’s Promise: Out of Many, One.” Judges, attorneys and teachers should be familiar with the theme to and encourage dialogue with the student body. Additional information may be obtained by visiting the ABA website at [Law Day – ABA Teacher's Portal \(abateacherportal.org\)](http://abateacherportal.org)

Judge's Opening Instructions to Students

My name is _____ and I am a Judge in the case of School Board of Southfield v. Superintendent Brian Carter. This matter involves a directive issued by the School Board of Southfield over the use of an AI system to enforce its smartphone ban. The School Board of Southfield seeks an injunction from the court requiring Superintendent Brian Carter to comply with the directive issued by the School Board, compelling an investigation. The superintendent has filed a counter claim challenging the authority of the school board to conduct such an investigation.

I would like to introduce you to the attorneys. The plaintiff, School Board of Southfield will be represented throughout these proceedings by _____ (insert name of attorney(s) playing role of plaintiff's attorney). I would like him/her to rise and introduce himself/herself to you. The defendant and counterclaimant, Superintendent Carter will be represented by _____ (insert name of attorney(s) playing role of defense attorney). I would like him/her to rise and introduce himself/herself to you, and his/her client.

Ladies and gentlemen of the jury, you are the sole judges of the facts in this matter. Your determination of the facts must be based solely upon the evidence submitted during the course of the trial. When I use the term "evidence," I mean the testimony of witnesses who will testify, and any exhibits which may be marked into evidence.

The plaintiff and defendant are entitled to jurors who are impartial and agree to keep their minds open until a verdict is reached. Jurors must be as free from

bias, prejudice, or sympathy as humanly possible, and must not be influenced by preconceived ideas.

The first order of business will be the plaintiff's opening statement. In the opening statement, the plaintiff will present their case and will outline what he/she expects to prove. Following that, the defense counsel, if he/she chooses, will make an opening statement. You will then hear testimony from various witnesses and review other evidence introduced by the plaintiff and the defendant.

At the conclusion of the testimony, the attorneys will speak to you again in closing statements. What is said by the attorneys in opening and closing statements is not evidence. The evidence will come from the witnesses who will testify and from the documents and tangible items that are admitted in evidence.

Following closing statements, I will provide you with final instructions on the law and you will then retire to consider your verdict. It is your duty to weigh the evidence calmly and without bias, passion, prejudice or sympathy. You must decide this case upon the merits.

Mock Trial Outline

OPENING STATEMENTS

Are we ready for opening statements? We will begin with the plaintiff.

Are we ready for witnesses? The Plaintiff may call its first witness.

WITNESSES FOR THE PLAINTIFF:

Samantha Green – Student Leader

Jordan Patel – School Board Member

Plaintiff rests

WITNESSES FOR THE DEFENSE:

Brian Carter – Superintendent

Rebecca Lawson – Assistant Principal at Southfield High

Defendant rests

CLOSING STATEMENTS

JUDGE’S INSTRUCTIONS AND FINAL CHARGE

Statement of Samantha Green – Student Leader

My name is Samantha Green, and I am a senior at Southfield High School. I have always cared about technology and fairness, so last year, I joined a group called the Southfield Youth AI Ethics Group. Our goal is to help people understand how artificial intelligence (AI) is used and make sure it is fair for everyone, especially in schools.

Everything started when I found out that my school wanted to use AI to track students' phones. The school already has a rule that says students can't use their phones during the day, and they believe this AI system will help catch students who break that rule. But I had some big questions like how does the AI work? Does it collect student information? Who gets to see that information? And what if it makes mistakes?

AI systems are not perfect, and sometimes they can be unfair. My group and I read stories about AI getting things wrong and causing problems for certain people. We were worried that this system could invade students' privacy or lead to students being unfairly watched all the time. The school superintendent says this system will help students learn better, but if that's true, why won't he let experts check to make sure it's fair? If the AI system is safe, then he should have no problem letting people take a closer look.

Since no one was answering our questions, I decided to speak up. I started a petition called "Students for Privacy" and shared it online. In just a few days, hundreds of students, parents, and teachers signed it, agreeing that we should learn more about the AI system before it's put in place. We also held a peaceful protest outside the school to spread the word.

Superintendent Carter did not like what we were doing. He said that the AI system was just helping the school enforce the rules and that students like me were making a big deal out of nothing. But I don't think it's fair for the school to use a system like this without making sure it respects student privacy.

Thankfully, the school board listened to us. They agreed that the AI system should be reviewed before it was used and passed a rule saying experts should take a closer look. But Superintendent Carter refused. He said only he gets to decide how school rules are enforced, and he ignored the school board's request.

I believe the school board has the right to investigate this system. AI tracking is a big deal, and one person should not be able to decide how students are monitored without anyone else checking. That's why I will keep speaking up until we know for sure that this system is fair, safe, and respects student privacy. I hope that the court will make Superintendent Carter answer questions so we can get the truth.

Statement of Jordan Patel – School Board Member

My name is Jordan Patel, and I am a member of the Southfield School Board. I am very upset that Superintendent Carter is making big decisions without being open and honest with the school board, parents, or students. The decision to use AI to track students' phones is not just a small change. This is a big deal that affects student privacy, school rules, and families in our district. A decision this important should not be made by one person without talking to the community first.

The school board agreed that students should not use their phones during the school day because we want to help them focus on learning. But we never agreed to use AI to watch students and track their phones. There is a big difference between making school rules and secretly using computers to monitor students all the time. The superintendent has gone too far by putting this system in place without asking the board, students, or parents for their opinions.

Many people in the community are worried about this system. Students, parents, and teachers have spoken up through petitions and protests, saying they don't want AI to track students without clear rules. The Southfield Youth AI Ethics Group, led by students like Samantha Green, has researched how AI tracking can be unfair and sometimes makes mistakes. Instead of listening to these concerns, Superintendent Carter is ignoring them. Families deserve answers.

The school board tried to do the right thing by asking for an independent team to review the AI system. This was a responsible request. But instead of working with us to make sure the system is fair and safe; Superintendent Carter has

refused to let experts check it. He also refused to follow the board's request for more information. This is very dangerous. If the superintendent can use AI to watch students without permission, what's stopping him from making other unfair rules in the future?

This is not just about AI; it's about making sure school leaders follow the rules and listen to the community. The school board is supposed to help guide big decisions, and Superintendent Carter is ignoring that role. If he really believes the AI system is fair, why won't he let anyone check it? What is he hiding?

I fully support this case to make sure the superintendent follows the rules. His actions ignore the authority of the school board and silence students and parents. We cannot let one person make all the decisions without anyone checking if they are fair. The court must step in and make him explain his actions. Until then, I stand with the students, parents, and community members of Southfield in asking for fairness, honesty, and respect for the rights of everyone affected by this decision.

Statement of Superintendent Brian Carter

My name is Brian Carter, and I am the Superintendent of Southfield Public Schools. I believe technology can help make schools better and keep classrooms focused on learning. That's why we are using an AI system to help enforce our school's no-smartphone rule. This system will make sure the rule is followed the same way for every student, so that learning isn't disrupted by phone use.

I know that not everyone agrees with this plan. Recently, Samantha Green and the Southfield Youth AI Ethics Group spoke out against the AI system, saying it could invade student privacy and be misused. I appreciate their concern and think it's great that students care about important issues. But I believe they are misunderstanding what this system does. It is not spying on students; it is simply helping teachers and staff make sure the school's no-smartphone rule is followed fairly.

It's important to remember that I did not make the rule about banning smartphones. That decision was made by the school board to help students stay focused in class. My job is to make sure the rule is enforced. Without a system like this, some students might be punished for breaking the rule while others are not, which wouldn't be fair. The AI system helps make sure the rule is applied equally to everyone.

Samantha and her group started a petition and held a protest to try to stop the AI system from being used. I respect their right to share their opinions, but I believe their concerns are based on fear, not facts. The AI system does not store personal information or track students, it only detects when someone is using a smartphone

where they shouldn't be and lets staff know. If we delay using this system, enforcing the rule will be much harder and less fair.

Unfortunately, the school board gave in to the pressure and voted to stop the system until a separate review could be done. This is unnecessary and only slows down the process of keeping classrooms distraction-free. As superintendent, I have the responsibility to make sure school rules are followed. I will not let outside interference prevent me from doing my job.

Now, the school board is pushing even further by demanding more information and even taking legal action against me. They are trying to control a decision that should be handled by school administration. I refused to go along with this because I believe their actions go beyond their authority.

I will not back down from making sure our schools run smoothly. The people of Southfield trust me to make choices that help students and teachers. This lawsuit is just a distraction from what really matters which is helping students learn in an environment without unnecessary disruptions. The rules are clear, and enforcing them is my job, not the school board's. We cannot let this delay stop us from making our schools better. Our students and teachers deserve a fair and effective way to keep learning on track, and that is exactly what I will make sure happens.

Statement from Rebecca Lawson – Human Resource Manager

My name is Rebecca Lawson, and I am the assistant principal at Southfield High School. I have worked in education for many years and have seen how difficult it can be to keep students focused while in class. Smartphones have become a major distraction, making it harder for students to concentrate and for teachers to do their jobs. That's why I support using an AI system to help enforce our school's no-phone policy. This system will help make sure the rule is followed fairly and consistently for everyone.

I know that some students and parents are concerned about this technology. Phones aren't always just distractions. Some students need them for medical reasons, like checking their blood sugar or managing other health conditions. Others may need to stay in touch with their families during the school day. These are important concerns, and I agree that we need to make sure the AI system is used in a way that considers these special situations. How will it know the difference between a student using their phone responsibly and one who is just playing games? These are questions we need clear answers to as we move forward.

Even though I understand these concerns, I believe this system is a helpful tool. Teachers and staff already have so much to manage, and enforcing the no-phone rule has been difficult. Some students follow the rule, while others break it without getting caught. This AI system will help make sure all students are treated fairly and held to the same expectations. It isn't meant to spy on students, but rather to help keep classrooms focused and free from unnecessary distractions.

Some people think the school board should stop and review the system again, but I don't believe that's necessary. The no-phone rule was already put in place to

help students learn, and this system simply helps enforce it. If there are issues with how it works, we can make adjustments, but we shouldn't get rid of a system that could make our school a better place to learn. I encourage students and parents to give it a chance and trust that it is being used to help create a fair and focused learning environment for everyone.

Judge's Ending Instructions to Students and Final Charge

GENERAL INFORMATION

Ladies and gentlemen of the jury, the evidence in this case has been presented and the attorneys have completed their summations. We now arrive at the time when you, as jurors, are to perform your final function in this case.

At the outset, let me express my thanks and appreciation to you for your attention to this case. I would like to commend counsel for the professional manner in which they have conducted themselves and for their courtesy to the court and jury during this trial.

As jurors, it is your duty to weigh the evidence calmly and without passion, prejudice or sympathy. Also, speculation, conjecture and other forms of guessing play no role in the performance of your duty.

NATURE OF CHARGES

The plaintiffs in this action are the School Board of the City of Southfield. They have issued a directive mandating an investigation into the use of AI to monitor the use of student smartphones. The superintendent has refused to comply with the directive. The plaintiffs argue that the request that the directive should be enforced by the court and the investigation be allowed to proceed.

The defendant in this action is Superintendent Brian Carter of Southfield. He argues that the investigation is improper. The defendant argues that the investigation is an improper interference with the powers of the superintendent and violates the principles of Separation of Powers. It is his position that the directive should not be enforced, that he has done nothing wrong, and the court should order

an end to the investigation. The defendant has also filed a counter claim asserting that the School Board has overstepped their authority.

FUNCTION OF THE JURY

At the start of this case, I explained that you are the judges of the facts. You and you alone are the sole and exclusive judges of the evidence, the credibility of the witnesses and the weight to be given to the testimony of each witness. It is your sworn duty to arrive at a just conclusion after considering all the evidence which was presented during the course of the trial.

FUNCTION OF THE COURT

The function of the court is to determine all questions of law arising during trial and to instruct the jury as to the law which applies in this case. You must accept the law as given to you by me and apply it to the facts as you find them to be.

CREDIBILITY OF WITNESSES

As the judges of the facts, you are to determine the credibility of the witnesses. In determining whether a witness is worthy of belief, you may take into consideration the witness's demeanor, inconsistent statements and any and all other matters in the evidence which serve to support or discredit the testimony.

BURDEN OF PROOF

The burden of proof is on the plaintiff in this case to prove their claim by a preponderance of the evidence. To prove an allegation by a preponderance of the evidence, the plaintiff must convince you that it is more likely true than not true. You must ask yourself, as to each issue, if the plaintiff has satisfied that burden.

If the evidence on a particular issue is evenly or equally balanced or not persuasive, then that issue has not been proven. An easy way to understand this is to picture a scale or seesaw. If the weight on both sides is even, then plaintiff has not met the requirement to prove the case. However, if it tips a little more to plaintiff's side than the other, the plaintiff wins.

INSTRUCTIONS AS TO VERDICT FORM

To assist you in reporting a verdict, I have prepared a verdict sheet.

APPOINTING FOREPERSON:

(Insert juror's name) you are the foreperson of the jury because of your position in the jury box. You will preside over the deliberations and tell us the verdict when reached. Your vote carries no greater weight than that of any other deliberating juror.

THE JURY DELIBERATES, WITH JUDGE'S GUIDANCE

THE VERDICT IS RECEIVED AND READ AS TO EACH COUNT

Verdict Sheet

Plaintiff

School Board of Southfield

: Date:

: No.

v.

: Judge

Defendant

Superintendent Brian Carter

-----X

Count No. 1 reads:

Should an injunction be issued requiring Superintendent Brian Carter to allow the Southfield School Board to conduct an independent review of the AI phone tracking system before implementation?

Yes _____ No _____

OR

Count No. 2 reads:

Did Superintendent Brian Carter establish that the Southfield School Board overstepped its authority and therefore this case should be dismissed?

Yes _____ No _____

Ms./Mr. Foreperson, please rise.

Ms./Mr. Foreperson, has this jury agreed upon a verdict?

Ms./Mr. Foreperson, is that verdict unanimous?

Vocabulary List

Admissible Evidence: evidence the court allows to be admitted at trial. Evidence which the trial judge finds is useful in helping the trier-of-fact, which cannot be objected to on the basis that it is irrelevant, immaterial, or violates the rules against hearsay and other objections.

Attorney: a person who has been qualified by a State or Federal court to provide legal services, including appearing in court.

Burden of Proof: a duty placed upon a civil or criminal defendant to prove or disprove a disputed fact. In a criminal trial, the burden of proof requires the prosecutor to prove the guilt of the accused “beyond a reasonable doubt.” In a civil trial, the burden of proof is usually “by a preponderance of the evidence.”

Circumstantial Evidence: evidence in a trial that is not obtained directly from an eyewitness or participant and requires some reasoning to prove a fact.

Credibility: whether testimony is worthy of belief, based on competence of the witness and likelihood that it is true.

Cross Examination: the examination of a witness by the party opposed to the one who produced her/him.

Damages: the amount of money that a plaintiff, the person suing, may be awarded in a civil case.

Deliberate: to weigh, discuss and consider.

Direct Examination: the examination of a witness by the party on whose behalf he/she is called.

Evidence: every type of proof legally presented at trial (allowed by the Judge) which is intended to convince the trier-of-fact of alleged facts material to the case.

Exhibits: a paper, chart, or other item presented to the court.

Injunction: is a court order compelling a party to do or refrain from doing a specific act.

Judicial Review: Courts have the power to interpret the law and strike down laws which are unconstitutional.

Judge: an official with the authority and responsibility to preside in a court, try lawsuits and make legal rulings.

Jury: a group of persons sworn to render a verdict or true answer on a question or questions submitted to them.

Jury Charge: direction that the Judge gives the jury concerning the applicable law of an issue or case.

Preponderance of the Evidence: the greater weight of the evidence required in a civil (non-criminal) lawsuit for the trier-of-fact (jury or judge without a jury) to decide in favor of one side or the other.

Testify: to give evidence, ‘under oath’, as a witness.

Verdict: a jury’s decision or judgment.

Witness: an individual who sees, hears or perceives something; an individual who provides testimony in court.

Applicable Law

Statutes

New Jersey Statutes 18A:10-1: Conduct of Districts

18A:10-1. The schools of each school district shall be conducted, by and under the supervision of a board of education . . .

New Jersey Statutes 18A: 17-20 Superintendent; General Powers and Duties

18A:17-20. a. [A] superintendent of schools shall have general supervision over the schools of the district or districts . . . and shall keep himself informed as to their condition and progress and shall report thereon, from time to time, to, and as directed by, the board and he shall have such other powers and perform such other duties as may be prescribed by the board or boards employing him.

He shall have a seat on the board or boards of education employing him and the right to speak on all educational matters at meetings of the board or boards but shall have no vote.

b. [A] superintendent of schools . . . shall be the chief executive and administrative officer of the board or boards of education employing him and shall have general supervision over all aspects, including the fiscal operations and instructional programs, of the schools of the district. . . and shall keep himself informed as to their condition and progress and shall report thereon, from time to time, to, and as directed by, the board and he shall have such other powers and perform such other duties as may be prescribed by the board or boards employing him.

He shall have a seat on the board or boards of education employing him and the right to speak on all matters at meetings of the board or boards but shall have no vote.

Case Law

Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803),

In a landmark decision of the U.S. Supreme Court established the principle of judicial review. Decided in 1803, *Marbury* is regarded as the single most important decision in American constitutional law.

As it applies to Federal Separation of Powers...Marbury v. Madison established that the American courts have the power to invalidate laws that they find to violate the U.S. Constitution. It also defined the boundary between the constitutionally separate executive and judicial branches of the federal government and established the courts as the authority to review and resolve disputes between branches of government. The case originated in early 1801 and involved a dispute between outgoing President John Adams and incoming President Thomas Jefferson.

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