

**THE US CONSTITUTION 3.0: FOUNDING PRINCIPLES  
AND 21ST-CENTURY CHALLENGES**

**Thursday, June 7, 2012**

**Room 444, Tivoli Center, Auraria Campus**

**7:30 Coffee, bagels**

**8:00 Introductions/Welcome**

Melissa Hart, Byron White Center for the Study of American Constitutional Law

**8:10 Claim Your Powers Group Activity and Introduction to the workshop theme**

Using the first three Articles of the Constitution, we'll review the powers delegated to the three branches of government and apply them to various situations using a classic law-related education lesson.

Jackie Johnson, Associate Director, CELD

**9:00 What's Wrong with Congress?**

Madison's Federalist Paper #10 teaches us that the framers established a representative form of government; direct democracies cannot control conflicts among factions. Today, everyone seems to have an answer for what's wrong with Congress.

Congressman David Skaggs, Senior Strategic Advisor, McKenna Long & Aldridge

**10:15 Break**

**10:30 Deliberating in a Democracy: TABOR as a Case Study**

**Panel Presentation:** David Skaggs, Richard Westfall, Hale Westfall, LLP

**Structured Academic Controversy**

What does it mean to live in the US form of republican government? Participants will analyze Federalist 10 and deliberate the meaning of founding principles. The deliberation will use the Structured Academic Controversy methodology with a focus on the federal lawsuit challenging Colorado's 20-year-old taxpayer-controlled state budgeting process—the Tax Payer's Bill of Rights.

**12:00 Deliberation Debrief**

**12:30 lunch**

**1:00 The Size and Scope of the Executive Branch**

The Constitution vests the executive power in the President of the United States. Today, the executive branch carries out the laws through a network of administrative agencies. Is today's executive/administrative branch and its relationship with the rest of the federal government consistent with the separation of powers envisioned by the Constitution's framers? Can the President function effectively as the chief executive of the nation when the political and financial pressures in today's partisan reality mean that there is very little time that a President is not campaigning for office?

Hal Bruff, Nicholas Rosenbaum Professor of Law, University of Colorado Law School

**2:15 Assessing Student Learning**

- **The WTP Congressional Hearing**

Three experienced high school *We the People* teachers will address the separation and balance of powers in the Constitution by demonstrating a mock congressional hearing, the WTP culminating activity.

Hugh Miller, Platte Canyon High School, Edna Sutton, Denver School for Science and Technology, and Liz Correa-Leslie, Abraham Lincoln High School

- **The Marshall-Brennan Moot Court**

Professor Melissa Hart and several University of Colorado law students will demonstrate how constitutional issues are debated in an appellate court argument by demonstrating a moot court argument, the culminating Marshall-Brennan Constitutional Literacy Project activity.

**3:00 Credit and Course Registration**

Jackie Johnson, CELD Associate Director

**3:15 Adjourn**

**Friday June 8, 2012**

**Note room change: Room 208, King Center**

**7:30 Coffee, bagels**

**8:00 Independence and the Judiciary**

Independence – and the perception of independence – are fundamental to an effective judicial system. The judiciary today faces an erosion of public faith that risks undermining its effectiveness as a co-equal third branch in our federal system. How have changes in the way cases are managed and decided impacted public confidence in the possibility of a neutral judicial system?

Melissa Hart, Associate Professor and Director, Byron R. White Center for the Study of American Constitutional Law.

**9:30 Teaching Controversial Issues: Immigration Reform and Arizona's SB1070.**

Arizona's SB 1070 Immigration Law, "Support Our Law Enforcement and Safe Neighborhoods Act," includes enforcement provisions for trespassing, harboring and transporting illegal immigrants. The law has been controversial since its passage, with most of the political debate focused on the possibility of "racial profiling" created by the law. But the Supreme Court's evaluation of the law will turn not on issues of race but on the relationship between the states and the federal government.

New materials from Street Law using a moot court strategy will be demonstrated.

**10:30 Break**

**10:45 Concurrent sessions. We the People, We the Students**

With assistance from University of Colorado Law Students and WTP mentors, participants will prepare for culminating events for the *We the People* or the Marshall-Brennan programs.

**12:00 Lunch**

**12:30 Presentations: WTP hearings and oral arguments for the Marshall Brennan Programs. they have prepared**

**2:15 Checks, Balances, and Relationships**

Participants, working in small groups, will use the triangle graphic on checks/balances always included in civics textbooks, to display new understandings about the relationships between branches.

**2:45 Evaluation, completion certificates**

**3:15 Adjourn**