

A graphic with the text "Florida: A Changing Constitution" in a stylized font, set against a background of an American flag and a bald eagle.

Objectives

Students will study a historical timeline of the Florida state constitution and note changes to the document over time. Through a flowchart graphic organizer, they will learn about the sequence of judicial review in the Florida Judicial Branch. Lastly, students will practice their persuasive writing skills. They will defend their opinion with specific examples and facts gathered through independent research.

Materials

To Change or Not to Change... Student Reproducible, Internet access, pen or pencil

Directions

1. Explain to students that each state in the U.S. has its own state constitution. Just like the U.S. Constitution, state constitutions have been altered and amended throughout history. Tell students that Florida has had six different constitutions in its history.
2. Distribute the *To Change or Not to Change...* Student Reproducible. Point out the *Constitution Timeline* at the top of the page. Note that the first Florida constitution was created in 1838. Explain that, in order to become a state, Florida had to create a constitution and have it approved by the United States Congress. The 1838 constitution was accepted in 1845, making Florida the 27th state in the country.
3. Instruct students to read the timeline and answer the *Constitution Timeline* questions. Review the answers as a class. (*Answers: 1. 1; 2. Because Florida left the United States and joined the Confederate States during the Civil War.*) Ask students why they think the Florida state constitution has been changed so much since 1838. Guide students in a discussion about possible reasons why a state might change its constitution.
4. Tell students that there are many similarities between the Florida constitution and the U.S. Constitution. One of the most important similarities is the division of government into three separate branches: Legislative, Executive, and Judicial. Explain that Article V, which defines the role of the Judicial Branch, has been in the Florida constitution since 1838. Since then, Article V has been amended numerous times. These amendments have changed the court system, helping the Judicial Branch become better organized and improve the process of appeal.
5. Direct students to look at the sidebar on the reproducible. Explain that the flowchart shows the order of appeal/review within the Judicial Branch. At the bottom of the chart is the first level of the Judiciary, the County Courts. These courts handle judicial matters within each county, up to a certain dollar value, including traffic violations. On the second level are Circuit Courts, which handle cases involving a higher dollar amount than County Courts, as well as most criminal and trial cases. The third level is the District Courts of Appeal, which handle cases from multiple Circuit Courts. The fourth level is the Supreme Court, which handles cases from the District Courts of Appeal. This is the highest level of the Judicial Branch. Discuss with students why they think there are multiple levels in the Judicial Branch (e.g., to create checks and balances; to make sure that trials and decisions are right and fair; etc.). Tell students that the changes to the Judicial Branch are an example of important adjustments to the Florida constitution.



Florida: A Changing Constitution

6. Tell students that an example of a part of the Florida constitution that has *not* changed over the years is the right to trial by jury. The 1838 constitution stated that “the right of trial by jury shall forever remain inviolate [protected].” Similarly, today’s constitution states that “the right of trial by jury shall be secure to all and remain inviolate [protected].” Explain to students that, while the current constitution contains more details about juries and jury trials, the right to trial by jury is a good example of a part of the constitution that was never changed.
7. Inform students that, for homework, they will be writing a persuasive essay. In their essay, they will need to argue for or against amending/changing the state constitution. Instruct students to read and answer the questions in Part I of the reproducible to help them begin their essays. Read aloud the instructions on Part II of the reproducible to help your students better understand the assignment. Assign a word length to the essay that is appropriate for your students. Point out the box at the bottom of the page. These Web sites will help your students begin their research. For more information on these sites, please see below.
8. **Wrap-up!** Ask students to read their essays aloud to the class. Encourage students to ask each other questions about their persuasive essays. To generate discussion, share with students your own opinion on amending the state constitution.

Photos: Composite image ©Digital Vision/Getty Images.

Lesson Extension

Have a great debate! Divide the class into three equal groups: one that supports changing the state constitution (Pro), one that does not (Con), and one group that will act as a Jury Panel. Give your students 15 minutes to prepare a defense of their position, including 30-second opening and closing statements. Instruct each member of the Jury to write two questions: one for the Pro side and one for the Con side. Bring the class back together and ask the Pro and Con sides to give their opening statements. After the opening statements, have the Jury Panel ask each side one question. After each question is answered, allow the opposition to have a quick rebuttal. Continue until all questions have been asked and answered. Ask each side to give closing statements. Finally, instruct the Jury Panel to vote on which side they agree with. The group with the most votes wins!

Online Resources

These valuable Web sites can help your students get started on their essays:

www.floridabar.org

Official Web site of The Florida Bar; the Reporter’s Handbook provides background information about the court system in Florida

www.leg.state.fl.us

Official Web site of the Florida Legislature; contains numerous resources about the Florida constitution

www.law.fsu.edu/crc/conhist/contents.html

Online digital version of all of Florida’s state constitutions



Constitution Timeline

1838

First constitution written as Florida sought to become a state; accepted by the U.S. Congress

1861

"Confederate States" replaced "United States" in the constitution text during the Civil War

1865

New constitution created in order to rejoin the United States; rejected by the U.S. Congress

1868

New constitution created to more closely match the amended U.S. Constitution

1885

Updated version of the constitution that included new amendments and changes to the state government

1968

Constitution which established the current system of state government

QUESTIONS:

1. How many times did Florida get its constitution accepted by Congress?
2. Why did Florida change "United States" to "Confederate States" in 1861?

PART I

Answer the questions below based only on your own opinion. When you are finished, read the instructions for Part II.

1. Why do you think Florida's state constitution has had so many changes?

2. Do you think a government that changes its constitution is stronger or weaker than a government that does not? Why?

3. Would you rather live in a state that changed its constitution often or one that never changed its constitution? Why?

PART II

Use your answers above to write a short persuasive essay about the Florida state constitution. Do you think the constitution should have been changed? Why or why not? Be sure that your opinion is clear in the essay. In addition, do research online to find information and facts to support your position. You might even find that these facts change your opinion!

Visit these Web sites to help get your essay started:

- www.floridabar.org
- www.leg.state.fl.us
- www.law.fsu.edu/crc/conhist/contents.html

The Judicial Branch

Supreme Court
(1 court handling cases from the 5 District Courts of Appeal)

District Courts of Appeal
(5 courts handling cases from the 20 Judicial Circuits in Florida)

Circuit Courts
(20 Judicial Circuit Courts handling cases from their particular circuit, or group, of County Courts)

County Courts
(Each of Florida's 67 counties has their own County Court)



The lessons included on the Justice by the People Web site have been created to match national and Florida Sunshine State social studies standards. The charts below show the detailed breakdown of Florida standards covered by each lesson for grades 5–9.

Grade 5 Florida Social Studies Standards

Benchmarks	Met by these lessons:
AMERICAN HISTORY	
Standard 1: Historical Inquiry and Analysis	
SS.5.A.1.1 Use primary and secondary sources to understand history.	<i>Florida: A Changing Constitution, Making Decisions by Group, Participating in the Jury System, The Constitution in Today's America, The Jury System, We the People, What Makes an Amendment?</i>
SS.5.A.1.2 Utilize time lines to identify and discuss American History time periods.	<i>Florida: A Changing Constitution, The Constitution in Today's America, Voting and the Constitution</i>
Standard 5: American Revolution & Birth of a New Nation	
SS.5.A.5.3 Explain the significance of historical documents, including key political concepts, origins of these concepts, and their role in American independence.	<i>Florida: A Changing Constitution, A History of Conflict Resolution & the Jury System, Participating in the Jury System, The Constitution in Today's America, Voting and the Constitution, We the People, What Makes an Amendment?</i>
SS.5.A.5.10 Examine the significance of the Constitution, including its key political concepts, origins of those concepts, and their role in American democracy.	<i>Florida: A Changing Constitution, A History of Conflict Resolution & the Jury System, Participating in the Jury System, The Constitution in Today's America, Voting and the Constitution, We the People, What Makes an Amendment?</i>
CIVICS AND GOVERNMENT	
Standard 1: Foundations of Government, Law, and the American Political System	
SS.5.C.1.1 Explain how and why the United States government was created.	<i>The Constitution in Today's America</i>
SS.5.C.1.2 Define a constitution and discuss its purposes.	<i>Florida: A Changing Constitution, The Constitution in Today's America, We the People</i>
SS.5.C.1.4 Identify the Declaration of Independence's grievances and the Articles of Confederation's weaknesses.	<i>The Constitution in Today's America</i>
SS.5.C.1.5 Describe how concerns about individual rights led to the inclusion of the Bill of Rights in the U.S. Constitution.	<i>The Constitution in Today's America, The Jury System, We the People, What Makes an Amendment?</i>
Standard 2: Civic and Political Participation	
SS.5.C.2.3 Analyze how the Constitution has expanded voting rights from our nation's early history to today.	<i>The Constitution in Today's America, Voting and the Constitution</i>
SS.5.C.2.4 Evaluate the importance of civic responsibilities in American democracy.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Constitution in Today's America, The Jury System, Voting and the Constitution</i>
Standard 3: Structure and Functions of Government	
SS.5.C.3.1 Describe the organizational structure (legislative, executive, judicial branches) and powers of the federal government as defined in Articles I, II, and III of the U.S. Constitution.	<i>Florida: A Changing Constitution, Voting and the Constitution, We the People</i>
SS.5.C.3.2 Explain how popular sovereignty, rule of law, separation of powers, checks and balances, federalism, and individual rights limit the powers of the federal government as expressed in the Constitution and Bill of Rights.	<i>The Constitution in Today's America, Voting and the Constitution, We the People</i>
SS.5.C.3.4 Describe the amendment process as defined in Article V of the Constitution, and give examples.	<i>Florida: A Changing Constitution, The Constitution in Today's America, We the People, What Makes an Amendment?</i>
SS.5.C.3.5 Identify the fundamental rights of all citizens as enumerated in the Bill of Rights.	<i>A History of Conflict Resolution & the Jury System, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People</i>
SS.5.C.3.6 Examine the foundations of the United States legal system by recognizing the role of the courts in interpreting law and settling conflicts.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Jury System, We the People</i>

Grade 6 Florida Social Studies Standards

Benchmarks	Met by these lessons:
WORLD HISTORY	
Standard 1: The student will utilize historical inquiry skills and analytical processes.	
SS.6.W.1.1 Use time lines to identify chronological order of historical events.	<i>Florida: A Changing Constitution, The Constitution in Today's America, Voting and the Constitution</i>
SS.6.W.1.3 Interpret primary and secondary sources.	<i>Florida: A Changing Constitution, Making Decisions by Group, Participating in the Jury System, The Constitution in Today's America, The Jury System, We the People, What Makes an Amendment?</i>

Grade 7 Florida Social Studies Standards

Benchmarks	Met by these lessons:
CIVICS AND GOVERNMENT	
Standard 1: The student will demonstrate an understanding of the origins and purposes of government, law, and the American political system.	
SS.7.C.1.3 Describe how English policies and responses to colonial concerns led to the writing of the Declaration of Independence.	<i>The Constitution in Today's America, The Jury System, We the People, What Makes an Amendment?</i>
SS.7.C.1.4 Analyze the ideas (natural rights, role of the government) and complaints set forth in the Declaration of Independence.	<i>The Constitution in Today's America</i>
SS.7.C.1.5 Identify how the weaknesses of the Articles of Confederation led to the writing of the Constitution.	<i>The Constitution in Today's America</i>
SS.7.C.1.6 Interpret the intentions of the Preamble of the Constitution.	<i>We the People</i>
SS.7.C.1.7 Describe how the Constitution limits the powers of government through separation of powers and checks and balances.	<i>The Constitution in Today's America, Voting and the Constitution, We the People</i>
SS.7.C.1.9 Define the rule of law and recognize its influence on the development of the American legal, political, and governmental systems.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Jury System, We the People</i>
Standard 2: The student will evaluate the roles, rights, and responsibilities of United States citizens and determine methods of active participation in society, government, and the political system.	
SS.7.C.2.2 Evaluate the obligations (obeying the laws, paying taxes, defending the nation, serving on juries) of citizens.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Jury System</i>
SS.7.C.2.4 Evaluate rights contained in the Bill of Rights and other amendments to the Constitution.	<i>A History of Conflict Resolution & the Jury System, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People, What Makes an Amendment?</i>
SS.7.C.2.5 Distinguish how the Constitution safeguards and limits individual rights.	<i>Florida: A Changing Constitution, The Constitution in Today's America, Voting and the Constitution, We the People</i>
SS.7.C.2.6 Simulate the trial process and the role of juries in the administration of justice.	<i>The Jury System, Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial</i>

Source: Florida Department of Education

■ Jury System Lessons

■ Constitution Day Lessons

Grade 7 Standards, Cont'd.

Standard 3: The student will demonstrate an understanding of the principles, functions, and organization of government.

SS.7.C.3.3 Illustrate the structure and function (three branches of government established in Articles I, II, and III with corresponding powers) of government in the United States as established in the Constitution.	<i>Florida: A Changing Constitution, Voting and the Constitution, We the People</i>
SS.7.C.3.5 Explain the Constitutional amendment process.	<i>Florida: A Changing Constitution, The Constitution in Today's America, What Makes an Amendment?, We the People</i>
SS.7.C.3.6 Evaluate Constitutional rights and their impact on individuals and society.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People, What Makes an Amendment?</i>
SS.7.C.3.7 Analyze the impact of the 13th, 14th, 15th, 19th, 24th, and 26th amendments on participation of minority groups in the American political process.	<i>Voting and the Constitution, We the People, What Makes an Amendment?</i>
SS.7.C.3.8 Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.	<i>Florida: A Changing Constitution, Voting and the Constitution, We the People</i>
SS.7.C.3.10 Identify sources and types (civil, criminal, constitutional, military) of law.	<i>A History of Conflict Resolution & the Jury System</i>
SS.7.C.3.13 Compare the constitutions of the United States and Florida.	<i>Florida: A Changing Constitution</i>

Grade 8 Florida Social Studies Standards

Benchmarks

Met by these lessons:

AMERICAN HISTORY

Standard 3: The student will demonstrate an understanding of the causes, course, and consequences of the American Revolution and the founding principles of our nation.

SS.8.A.3.9 Evaluate the structure, strengths, and weaknesses of the Articles of Confederation and its aspects that led to the Constitutional Convention.	<i>The Constitution in Today's America, The Jury System</i>
--	---

Standard 5: The student will examine the causes, course, and consequences of the Civil War and Reconstruction, including its effects on American peoples.

SS.8.A.5.7 Examine key events and peoples in Florida history as each impacts this era of American history.	<i>Florida: A Changing Constitution</i>
--	---

CIVICS AND GOVERNMENT

Standard 1: The student will evaluate the roles, rights, and responsibilities of United States citizens and determine methods of active participation in society, government, and the political system.

SS.8.C.1.6 Evaluate how amendments to the Constitution have expanded voting rights from our nation's early history to present day.	<i>Voting and the Constitution, We the People</i>
--	---

Source: Florida Department of Education

■ Jury System Lessons

■ Constitution Day Lessons

Grade 9 Florida Social Studies Standards

Benchmarks

Met by these lessons:

AMERICAN HISTORY

Standard 1: The student will use research and inquiry skills to analyze American history using primary and secondary sources.

SS.912.A.1.3 Utilize time lines to identify the time sequence of historical data.	<i>Florida: A Changing Constitution, The Constitution in Today's America, Voting and the Constitution</i>
SS.912.A.3.13 Examine key events and peoples in Florida history as they relate to United States history.	<i>Florida: A Changing Constitution</i>

CIVICS AND GOVERNMENT

Standard 1: The student will demonstrate an understanding of the origins and purposes of government, law, and the American political system.

SS.912.C.1.1 Evaluate, take, and defend positions on the founding ideals and principles in American Constitutional government.	<i>Florida: A Changing Constitution, The Constitution in Today's America, Voting and the Constitution</i>
SS.912.C.1.5 Evaluate how the Constitution and its amendments reflect the political principles of rule of law, checks and balances, separation of powers, republicanism, democracy, and federalism.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People, What Makes an Amendment?</i>

Standard 2: The student will evaluate the roles, rights, and responsibilities of United States citizens and determine methods of active participation in society, government, and the political system.

SS.912.C.2.2 Evaluate the importance of political participation and civic participation.	<i>A History of Conflict Resolution & the Jury System, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People, What Makes an Amendment?</i>
SS.912.C.2.8 Analyze the impact of citizen participation as a means of achieving political and social change.	<i>A History of Conflict Resolution & the Jury System, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People, What Makes an Amendment?</i>

Standard 3: The student will demonstrate an understanding of the principles, functions, and organization of government.

SS.912.C.3.3 Analyze the structures, functions, and processes of the legislative branch as described in Article I of the Constitution.	<i>Florida: A Changing Constitution, Voting and the Constitution, We the People</i>
SS.912.C.3.4 Analyze the structures, functions, and processes of the executive branch as described in Article II of the Constitution.	<i>Florida: A Changing Constitution, Voting and the Constitution, We the People</i>
SS.912.C.3.5 Identify the impact of independent regulatory agencies in the federal bureaucracy.	<i>The Constitution in Today's America</i>
SS.912.C.3.6 Analyze the structures, functions, and processes of the judicial branch as described in Article III of the Constitution.	<i>Florida: A Changing Constitution, Voting and the Constitution, We the People</i>
SS.912.C.3.15 Examine how power and responsibility are distributed, shared, and limited by the Constitution.	<i>Making Decisions by Group, A History of Conflict Resolution & the Jury System, Participating in the Jury System, Prepare for Trial, The Constitution in Today's America, The Jury System, Voting and the Constitution, We the People, What Makes an Amendment?</i>

Source: Florida Department of Education

 Jury System Lessons

 Constitution Day Lessons