

Adjudicating Terrorism Cases: Curriculum Design and Faculty Development

Tamil Nadu State Judicial Academy

Chennai, India

NOVEMBER 12 – 13, 2022

Project Summary

The judiciaries of India and the United States are collaborating to develop a curriculum on the adjudication of terrorism-related cases. Phase One of this initiative, a 10-session virtual program, offered an overview of The Hague Memorandum on Good Practices for the Judiciary in Adjudicating Terrorism Offenses (“Hague Memorandum”). This workshop will review the Hague Memorandum and introduce participants to curriculum development and teaching strategies. Over the next six months, working group members will develop workshop content, refine their teaching skills, and prepare to deliver two programs for district court judges.

CEELI Online

All workshop materials can be accessed on the CEELI Online portal.

Saturday, November 12, 2022

9:30AM Opening Remarks

*The Honorable Mr. Justice M. Sundar
High Court of Madras / Member, Board of Governors
Tamil Nadu State Judicial Academy*

9:45AM Introduction of the Project

*Cristobal Diaz
Director of Outreach and Development
CEELI Institute*

9:50AM Overview

This two-day program has four objectives: (i) review the Hague Memorandum and related Indian law and procedure; (ii) introduce adult education and interactive teaching methods; (iii) create a draft agenda for future CT workshops; and (iv) assign curriculum development responsibilities. Participants (the “Working Group”) will be actively involved throughout the program.

*Mira Gur-Arie
Director, International Office
Federal Judicial Center*

10:00AM **Introductions**

Participants and faculty will introduce themselves and describe their legal and judicial careers, including their experience (if any) with terrorism-related litigation.

10:30AM **What is Terrorism? Discussion Activity**

Most people know what terrorism looks like: a threat or act of violence against non-combatants motivated by ideology and intended to intimidate, coerce, harm or kill. This broad definition has many nuances. We will explore the different ways acts of terrorism can be implemented, the broad range of actors and victims, and common assumptions and stereotypes that may impact court proceedings.

Jim Chance
Senior Judicial Education Attorney
Federal Judicial Center

11:00AM **Tea Break**

11:30AM **Adjudicating Terrorism Cases**

During this session, we will discuss The Hague Memorandum and related legal and procedural issues in the context of the assigned fact pattern.

Magistrate Judge Jonathan E. Hawley
Federal District Court (C.D. Illinois)

12:45PM **Lunch Break**

1:45PM **Challenges in Adjudicating Terrorism Cases: Think-Pair-Share**

Indian judges presiding over terrorism-related cases must be familiar with a number of legal, evidentiary, procedural and technical areas. This exercise will initiate the process of developing a workshop agenda.

Working group members will divide into 4 pairs of two.

- Each pair will identify 3-4 potential workshop topics, and record their list on the distributed paper.
- After 30 minutes, each pair will report back their list of topics.
- The group will collectively nominate the top 10 - 12 topics to prepare for tomorrow morning's session

Mira Gur-Arie

2:45PM **Tea Break**

3:15PM

Cyber-Enabled Crime and Terrorism Cases

How is cyberspace facilitating terrorism? This session will identify some of the principal vectors through which cybercrime aids terrorism, from money laundering to encrypted communication, to acts of cyber-terrorism and its tools (malware, hacking, ransomware). We will discuss some of the legal and procedural issues that arise in cyber-facilitated terrorism cases.

Dr. Harold D'Costa
President, Cyber Security Corporation

5:00PM

Preview: Curriculum Design and Faculty Development (Day 2) Wrap Up

During today's final session, we will review the objectives for tomorrow's program.

Jim Chance

Sunday, November 13, 2022

9:30AM

Overview: What is Adult Education?

Judges are task oriented, self-driven, and very busy. Judicial education should provide judges the opportunity to gain mastery of essential knowledge, skills, and values. During this session, we will review the principles of adult education, discuss the meaning of judicial "competencies," and offer examples of general competencies for first instance judges.

Jim Chance

10:00AM

Order the Concepts Activity: The Hague Memorandum

Participants will review the 10 - 12 topics identified during yesterday's Pair and Share activity.

Divide into 2 groups of four judges. Each group will:

- Discuss the 10 - 12 topics. Should more be added to the list? Should any be eliminated?
- Write one topic on each of the distributed sticky cards
- Prioritize its final list of topics and tape the cards to the wall, in order of importance

At 10:45, we will reassemble and review each groups' list.

- Can a consensus be reached for the "Top 8" topics?

Mira Gur-Arie

11:00AM

Tea Break

11:30AM

Competencies for Adjudicating Terrorism: Brainstorm

What knowledge, skills, and attributes do judges need when presiding over terrorism-related cases?

Judge Hawley

12:00PM

Learning Objectives: Return to Groups

Strong curriculum design has an internal structure based on learning objectives. These objectives reflect the demonstrable skills, knowledge, and values participants will acquire during a workshop. Learning objectives also facilitate the selection and organization of course content and instructional strategies.

- Group One will draft learning objectives for one of its workshop topics.
- Group Two will draft learning objectives for one of its workshop topics.

After 25 minutes, each group will report back.

Jim Chance

1:00PM

Lunch Break

2:00PM

Jigsaw Activity: The “What” and “Why” of Learning Activities

Learning activities, like those incorporated into this workshop, facilitate active participation to enhance learning and provide an opportunity to apply knowledge and practice skills. In this session, we will explore examples of learning activities, offer suggestions for design and sequencing, and practice drafting exercises.

Groups One and Two will reassemble. Each group will:

- Select one workshop topic
- Choose a learning activity to reinforce the associated learning objectives
- Develop instructions for the activity, including the allotted time and describe any materials that will be needed (for example, flip charts, laptop, small tables, extra rooms).
- After 30 minutes
 - Group One will have 15 minutes to present its activity to Group Two
 - Group Two will have 15 minutes to present its activity to Group One
- Participants will offer feedback on the learning activity design and instructions.

Mira Gur-Arie

3:15PM

Case Management and Pretrial Conferences: Scenario Work

Using the hypothetical scenario, the group will work through the judge’s role in active case management.

Judge Hawley

4:00PM

Tea Break

4:30PM

Curriculum Design and the “What” and “How” of Teaching

The process of curriculum development includes many stages: assessing the learning needs of the target audience, developing educational objectives, designing activities to teach and reinforce the information being delivered, and planning program implementation. In this session we will review the design process, select and assign workshop topics, and begin to formulate an outline of the program.

Jim Chance

5:00PM

The Action Plan

In this final session, we will develop an “Action Plan” for future discussion and implementation.

Mira Gur-Arie

5:15PM

Wrap-Up & Adjourn

