

# 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**

