

# From Cars to Controversy to Court: Lesson Plan

## Learning Objectives: Students will:

Identify the three branches of government.

Explain checks and balances.

Understand the concept of Judicial Review, including the significance of John Marshall and *Marbury v. Madison*.

Identify Article III of the U.S. Constitution.

Evaluate the role of the Judicial Branch in interpreting the laws, especially when controversy exists.

Explain the 4<sup>th</sup> Amendment protection against “unreasonable search and seizure.”

Engage in civil conversations about controversial topics in a respectful manner.

Compare the State of Texas Court System and the U.S. Federal Court System.

## TEKS:

7<sup>th</sup> Grade Texas History (113.19): 7.17B-C, 20A, 21E

8<sup>th</sup> Grade U.S. History (113.20): 8.18A-B, 19B, 19D, 15D, 29E, 31B

10<sup>th</sup> Grade World History (113.42): 22B

11<sup>th</sup> Grade U.S. History (113.41): 1A, 32A-B

12<sup>th</sup> Grade U.S. Government (113.44): 7D, 8C, 8H, 13A, 13C-D, 19A, 20C, 22A

## Materials Needed:

- Accompanying Power Point Presentation
- Interactive Intro Handout for Note-Taking (Cars, Controversy, and Courts)
- Handout with US and State of Texas Court Structure
- Civil Conversations Handout with Topic Outline and Questions (From Cars to Controversy to Court! Civil Conversations - Mini-Socratic Seminar)
- Teacher Background Info Sheet for Debriefing Discussion

## Relevant Vocabulary:

3 Branches of Government: Executive, Legislative, Judicial

4<sup>th</sup> Amendment

Article III of the U.S. Constitution

BAC (Blood Alcohol Content)

Blood Warrant

Custodial Interrogation

DWI

EDR (Event Data Recorder)

GPS (Global Positioning System)

John Marshall

Judicial Branch (U.S. - Supreme Court and Federal Courts; State of Texas – Texas Court System)

Judicial Review  
*Marbury v. Madison*  
Miranda Warnings  
Probable Cause  
Supreme Law of the Land  
Warrant

### Teaching Strategy:

1. Give students the Interactive Intro handout for note-taking as well as the handout with the U.S. and State of Texas Court Systems diagrams. As a bell-ringer, have students complete the section of the Interactive Handout in which they draw their own, more simplified, diagram of the U.S. and Texas Court Systems to have in their notes.
2. Follow the power-point (which will cover relevant TEKS in introducing the topic). Allow students to fill in their Interactive Intro Handout as you go through the slides. [In the NOTES SECTION for each slide, there is an optional teacher script for each slide. This is simply a suggested outline for your convenience, or it can be used if you are recording this portion for a flipped lesson.]
3. At the end of the power point, review the elements of Civil Conversations at the bottom right of their Interactive Intro Handout. As a class, build a consensus about how to conduct these conversations in a respectful way. If necessary, reword some of the elements or add class norms that students feel are important.
4. After completing the power point and agreeing on how to conduct a civil conversation, divide students into groups of approximately 6 students (group size can be adjusted based on class size and personal preference or this can be completed as a whole class using a Socratic Seminar model).
5. Give each group a set of the handouts with the topics and questions to discuss. You can give them the entire handout and let them work at their own pace through the questions or you can cut the page into 5 strips/sections (one for each topic) and give them to students one topic at a time with a specified time limit for each section.
6. After students have completed the civil conversations, reconvene as a whole class to debrief. Use the Teacher Background Info sheet to clarify some of the legal questions as necessary.
7. For an interactive approach, use The Four Corners method: mark each of the corners in the room with “Agree,” “Disagree,” “Strongly Agree,” or “Strongly Disagree.” State an assertion to students, such as “Officers should need a warrant to attach GPS devices to cars.” Students must then get up and move to the corner that represents their feeling on that question/statement. Discuss, and then move on to the next question.
8. If you would like to conduct a quick formative assessment, consider having students complete an “Exit Ticket” on a notecard or piece of paper, with the following questions:
  - a. Name 3 people in your group
  - b. State 2 things that you took away from this activity (this can be information, insights, new understanding, or reflection).
  - c. List 1 topic that your group could have discussed further if there were more time.
9. For further extension, have students play some of following games on computers or devices:
  - a. “All Rise” game at [texaslre.org/games](http://texaslre.org/games)
  - b. “Make Your Case” game at [scholastic.com/americanjustice/makeyourcase/](http://scholastic.com/americanjustice/makeyourcase/)
  - c. “Supreme Decision” game at [www.icivics.org/games](http://www.icivics.org/games)

**Extension for Gifted/Talented:**

Have students conduct a Mock Trial using either The DRSR Mock Trial Guide or the DRSR Mock Trial State of Texas v. Young. Both include all necessary materials. Both available online at: [www.drsr.info](http://www.drsr.info) or in print format, by request: <http://www.tmcec.com/drsr/materials-request-forms/drsr/>

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**FROM CARS...  
TO CONTROVERSY...  
TO COURT!**

Using Civil Conversations to Discuss:  
Road Related Case Studies,  
Constitutional Issues,  
Consequences and Costs



PICTURE SOURCE: [unreadable]

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**SUPREME LAW OF  
THE LAND...** ➡ The U.S. Constitution



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**U.S. CONSTITUTION**  
**FEDERAL LAWS**  
**STATE LAWS**

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**WHO DECIDES?**

Are local practices in line with federal laws?  
Is that YouTube video the whole story?  
Were a person's civil rights violated?  
Is the law fair?  
How do police enforce the law when it is inconsistent?



PICTURE SOURCE

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# WHO DECIDES?

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PICTURE SOURCE: <https://www.gettyimages.com/detail/stock-photo/usa-supreme-court-building>

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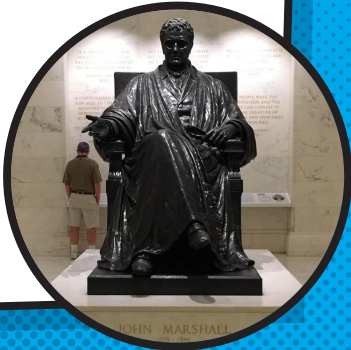
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# ARTICLE III !!!

Chief Justice John Marshall in *Marbury v. Madison*  
1803:  
"It is emphatically the province and duty of the  
judicial department to say what the law is.  
Those who apply the rule to particular cases,  
must of necessity expound and interpret that  
rule. If two laws conflict with each other, the  
courts must decide on the operation of each."



PICTURE SOURCE: Debber Kesi private collection taken by me

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“But there is one way in this country in which all men are created equal—there is one human institution that makes a pauper the equal of a Rockefeller, the stupid man the equal of an Einstein, and the ignorant man the equal of any college president. That institution gentlemen, is a court. It can be the Supreme Court of the United States or the humblest JP court in the land, or this honourable court which you serve. Our courts have their faults as does any human institution, but in this country our courts are the great levelers, and in our courts all men are created equal.”

*To Kill a Mockingbird* **HARPER LEE**

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## From Cars to Controversy to Court! Civil Conversations (Mini-Socratic Seminar)

**Instructions:** Your group should discuss each of the questions below. Everyone must participate respectfully in accordance with our class expectations.

### 4<sup>th</sup> Amendment, Cars, and Controversy:

1. Body Cameras: Policing is a dangerous job. Officers respond to calls without knowing what danger awaits them. Recent police actions resulting in controversial deaths (some of which have been recorded by cell-phones), have sparked nationwide discussion of difficult topics, including what police and civilian interaction should look like.
  - a. Should law enforcement officers wear body cameras?
  - b. If so, should they be on all the time? Would this affect the privacy of people in the community?
  - c. Who should bear the expense of purchasing body cameras for different law enforcement agencies that may already have a stretched budget?
  - d. What should be the protocol for an officer deciding when to turn it on or off? Should the officer have the discretion?
  - e. Would body cameras change the behavior of civilians when they interact with law enforcement? Would it change the officer's behavior?
  - f. Would body cameras just become "one more thing" for a law enforcement officer to have to wear, do, or worry about or would it add transparency to interactions that cause controversy? Could it do both? Which one is more important?
2. Car Searches: People have protection against "unreasonable searches and seizure" of their property. But is this 4<sup>th</sup> Amendment protection different for a person's car than it would be for their house?
  - a. What do you think gives rise to "probable cause" for an officer to search someone's car?
  - b. Is a drug-sniffing dog being walked around your car a "search?" Is it an "unreasonable search?"
  - c. Should law enforcement officers be allowed to attach a GPS tracking device to a suspect's car to track their movement during an investigation? If so, should there be limits?
  - d. Most cars today are equipped with Event Data Recorders (EDR) that record speed, direction, etc. In what situations or investigations should law enforcement be able to access the information stored in these systems? Should car manufacturers be able to track or store this data?
  - e. How should the 4<sup>th</sup> Amendment be applied to one's private car when it is driving on public roads? Does one have an expectation of privacy on the highway?

3. Searches of Persons: All kinds of things affect one's ability to drive a car safely. So where do we draw the line between a person's right to refuse a personal search and society's right to be safe on the roads that we share?
- Should law enforcement officers be able to access cell-phone records in the course of a crash investigation?
  - When do law enforcement officers need to read someone their rights? What do you think is the difference between an "investigative detention," being "in custody," and being "arrested?"
  - If a car is stopped for suspicion of driving while intoxicated, should the driver have the right to refuse a breathalyzer test for blood alcohol content (BAC)? Should they have the right to refuse a blood draw (blood test) to test for BAC?
  - Should there be consequences for refusing these kinds of tests? If so, what should they be? Should there be a criminal charge, a fine, an arrest, etc?
  - Should a warrant be required for these kinds of searches? Would the loss of time that it takes to get a warrant affect the accuracy of the test?
  - In Texas, "No Refusal Weekends" exist where law enforcement agencies crack down on Driving While Intoxicated by expediting warrant requests for BAC tests (judges remain on call and can issue the warrant right away). When do you think would be the top 10 weekends for increased DWI's?

#### Traffic Laws & Criminal Justice Controversy:

4. Distracted Driving: Car technology has made driving safer than ever before. However, motor-vehicle related deaths are on the rise. Complex problems, such as distracted driver behaviors, make improving public safety a difficult task. How do we maintain our personal liberty while preserving public safety?
- Texas has just recently passed a bill to make texting while driving illegal. Should handheld talking on the phone also be illegal? Should texting at a stop light be illegal? What are the dangers?
  - Should officers be allowed to check your phone if you are pulled over for suspected texting while driving?
  - What should the fine or penalty be if the bill passes the Texas Legislature? Should it be more for repeat-offenders?
  - Should hands-free phone calls and texting be permitted? Is all hands-free phone use risk-free?
  - What will it take to truly change dangerous driver behaviors such as texting and driving?

5. Costs of the Crime: Breaking traffic safety laws can be extremely expensive. From citations and fines, to court costs, to paying for an attorney...the bills add up.
- Should the fines or punishments be different for drowsy driving than it is for drunk driving? Even in circumstances where the result is the same, injury or death?
  - Should the driving infractions of minors go on their permanent record? Does the seriousness of the offense matter?
  - Should parents be forced to pay the fines for their child's speeding ticket? If one cannot afford to pay a fine, what should be the consequence?
  - For what offenses should someone lose their license for 1 year? 2 years? Permanently?
  - Review the chart below. What costs were you unaware of? If people knew this, would it change their behavior? In what instances would it change behavior and what instances would it not? What do you imagine are the added "costs" of a charge of Vehicular Manslaughter?

Cost of a DWI Arrest and Conviction	
Punishment	<p>First Offense</p> <ul style="list-style-type: none"> <li>A fine of up to \$2,000<sup>2</sup></li> <li>Up to 180 days in jail<sup>3</sup></li> <li>Loss of driver's license for not less than 90 days or more than one year<sup>4</sup></li> </ul> <p>Second Offense*</p> <ul style="list-style-type: none"> <li>A fine of up to \$4,000<sup>5</sup></li> <li>Up to one year in jail<sup>6</sup></li> <li>Loss of driver's license for one year<sup>7</sup></li> </ul> <p>Third Offense*</p> <ul style="list-style-type: none"> <li>A fine of up to \$10,000<sup>8</sup></li> <li>Two to ten years in prison<sup>9</sup></li> <li>Loss of driver's license for not less than 180 days or more than two years, unless the court has ordered an ignition interlock device, in which case, suspension becomes for not less than one year or more than two years<sup>10</sup></li> </ul> <p>*After two or more DWI convictions in five years, installation of a special ignition switch that prevents a vehicle from being operated if the driver has been drinking is required.<sup>11</sup> This costs \$54-\$150 to install and \$600-\$2,800 in monthly fees<sup>12</sup></p>
Bail	\$185 - \$5000 <sup>13</sup>
Attorney's fees	\$275 - \$10,000 <sup>14</sup>
Court costs	\$25 - \$1500 <sup>15</sup>
Court-ordered classes	\$25 - \$185 <sup>16</sup>
Vehicle towing and impoundment	\$30 - \$350 <sup>17</sup>
Hearing to regain driver's license	\$125 - \$1,937 (includes attorney fees) <sup>18</sup>
SR-22 Insurance	\$75 - \$2,400 <sup>19</sup>
Ankle monitor	Up to \$4,500 (\$375 per month for 12 months) <sup>20</sup>

DRSR, How Much a DWI Costs, Page 1 of 2,  
Last revised on September 5, 2012



# Cars, Controversy, & Courts

*Review and check for understanding:*

What are the three branches of government?

What is the highest Court in the United States?

How can each branch of the U.S. government “check” the power of the other two branches?



[Warm-Up] Brainstorm examples of laws related to traffic safety, motor-vehicles, or anything else “road-related”:

Can you identify whether any of the laws you came up with are likely state laws or federal laws?

**What is the Supreme Law of the Land?**

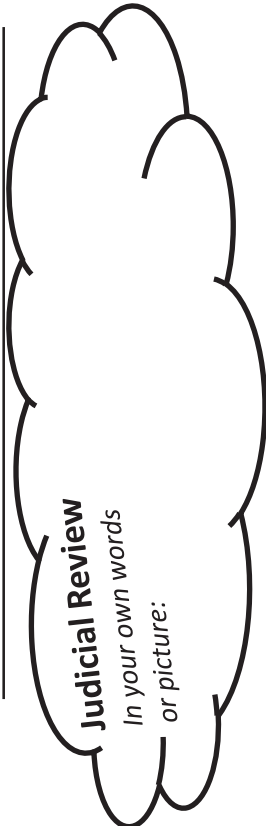
Which Amendment to the U.S. Constitution provides the protection of “Freedom of Speech?”

Which Amendment to the U.S. Constitution provides the protection against “Unreasonable Search and Seizure?”

Article \_\_\_\_ of the U.S. Constitution established the federal judiciary.

How was the power of the Judicial branch established?

Chief Justice \_\_\_\_\_  
Year \_\_\_\_\_  
Case Name \_\_\_\_\_



Using the handout as a guide, create your own, simpler diagram for the state and federal court structure.

**Federal:**

**State:**

## Civil Conversations Include:

- ✓ Listening carefully when others are speaking
- ✓ Speaking calmly and encouraging others to speak who may be quiet
- ✓ Asking clarifying questions if you do not understand something
- ✓ A focus on ideas and not personalities
- ✓ Engaged and respectful discussion and not debate (there is no winner, silly!)

**Can we all agree on these norms?**

**Have we left anything out?**



FROM CARS TO CONTROVERSY TO COURT

## TEACHER BACKGROUND INFO

Students will get engrossed in the conversations from this assignment, and the topics may lead them to different tangents. That's OK! At the end of the lesson when you are debriefing as a whole class, consider using closure questions that direct them back to the interactive lecture notes from the introductory power point to reinforce the learning. For example:

- “How is it that federal courts can rule on controversial issues in one state?”
- “How can state courts rule on cases in which constitutional liberties are in question?”
- “How do court decisions change the way laws are enforced?”
- “How is this an example of checks and balances?”

### From Cars to Controversy to Court! Civil Conversations (Mini-Socratic Seminar)

**Instructions:** Your group should discuss each of the questions below. Everyone must participate respectfully in accordance with our class expectations.

4<sup>th</sup> Amendment, Cars, and Controversy: *4<sup>th</sup> Amendment: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

1. Body Cameras: Policing is a dangerous job. Officers respond to calls without knowing what danger awaits them. Recent police actions resulting in controversial deaths (some of which have been recorded by cell-phones), have sparked nationwide discussion of difficult topics, including what police and civilian interaction should look like.
  - a. Should law enforcement officers wear body cameras?
  - b. If so, should they be on all the time? Would this affect the privacy of people in the community?
  - c. Who should bear the expense of purchasing body cameras for different law enforcement agencies that may already have a stretched budget?
  - d. What should be the protocol for an officer deciding when to turn it on or off? Should the officer have the discretion?
  - e. Would body cameras change the behavior of civilians when they interact with law enforcement? Would it change the officer's behavior?
  - f. Would body cameras just become “one more thing” for a law enforcement officer to have to wear, do, or worry about or would it add transparency to interactions that cause controversy? Could it do both? Which one is more important?



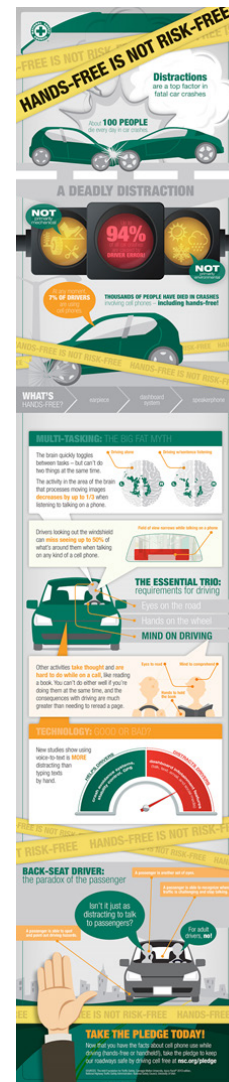
2. Car Searches: People have protection against “unreasonable searches and seizure” of their property. But is this 4<sup>th</sup> Amendment protection different for a person’s car than it would be for their house? *In Carroll v. United States*, 267 U.S. 132 (1925), the Supreme Court established the “vehicle exception” to the Fourth Amendment warrant requirement. Law enforcement officers may search a car without a warrant if they have “probable cause.” *In California v. Acevedo*, 500 US 565 (1991), the Court clarified this further by stating, “The police may search an automobile and the containers within it where they have probable cause to believe contraband or evidence is contained.”
- a. What do you think gives rise to “probable cause” for an officer to search someone’s car? *Officers are trained observers and may identify suspicious activities, behaviors, tools, smells, etc. that give probable cause to search.*
  - b. Is a drug-sniffing dog being walked around your car a “search?” Is it an “unreasonable search?” *In Illinois v. Caballes*, 543 US 405 (2005), the Supreme Court held that law enforcement officers do not need reasonable suspicion to conduct a drug dog sniff around a vehicle (there is no expectation of privacy in the air around one’s vehicle). A drug dog “hit” (reaction) on a car is probable cause to search.
  - c. Should law enforcement officers be allowed to attach a GPS tracking device to a suspect’s car to track their movement during an investigation? If so, should there be limits? *In United States v. Jones*, 565 US (2012), the Supreme Court ruled that attaching a GPS tracking device to a suspect’s car, without a warrant, is a violation of the Fourth Amendment.
  - d. Most cars today are equipped with Event Data Recorders (EDR) that record speed, direction, etc. In what situations or investigations should law enforcement be able to access the information stored in these systems? Should car manufacturers be able to track or store this data?
  - e. How should the 4th Amendment be applied to one’s private car when it is driving on public roads? Does one have an expectation of privacy on the highway? *For interesting debate of this topic, listen to the oral arguments in U.S. v. Jones (cited above). Oral arguments are available at <https://www.oyez.org/cases/2011/10-1259>*

3. Searches of Persons: All kinds of things affect one's ability to drive a car safely. So where do we draw the line between a person's right to refuse a personal search and society's right to be safe on the roads that we share?
- a. Should law enforcement officers be able to access cell-phone records in the course of a crash investigation? *The Court decided, in Riley v. California, 573 US 134 S. Ct. 2473 (2014), that law enforcement officers need a warrant to search a person's cell phone.*
  - b. When should law enforcement officers read someone their rights? *See Miranda v. Arizona, 384 US 436 (1966), which established that suspects must be read their rights when they are "in custody" and being interrogated. The Courts have looked at the "totality of the circumstances" to determine if a situation meets this criteria. There are some exceptions to the Miranda rule, such as the "public safety exception" during emergency crises (such as a terrorist attack).*
  - c. If a car is stopped for suspicion of driving while intoxicated, should the driver have the right to refuse a breathalyzer test for blood alcohol content (BAC)? Should they have the right to refuse a blood draw (blood test) to test for BAC? *In the case of Birchfield v. North Dakota, 579 US \_ (2016), the Supreme Court distinguished between blood tests and breath tests and found blood tests to be more invasive and thus, more protected. A person may be subject to civil penalties (such as loss of license) and criminal charges for refusing a breath test, but they cannot be subject to criminal charges for refusing a blood test without a warrant. NOTE: a person can still face civil penalties for refusing a blood test and drivers can still be arrested for drunk driving, even in the absence of either of these tests.*
  - d. Should there be consequences for refusing these kinds of tests? If so, what should they be? Should there be a criminal charge, a fine, an arrest, etc? *See information above for "c."*
  - e. Should a warrant be required for these kinds of searches? Would the loss of time that it takes to get a warrant affect the accuracy of the test? *See information above for "c." Also, in Missouri v. McNeely, 569 US \_ (2013), the Supreme Court ruled that warrants were required for the taking of a non-consensual blood sample.*
  - f. In Texas, "No Refusal Weekends" exist where law enforcement agencies crack down on Driving While Intoxicated by expediting warrant requests for BAC tests (judges remain on call and can issue the warrant right away). When do you think would be the top 10 weekends for increased DWI's? *The State of Texas Court of Criminal Appeals (the highest court in Texas for criminal case appeals) stated that "implied consent" as stated in the Texas Transportation Code does not mean blood can be drawn without a warrant when a driver has refused the search. State of Texas v. Villareal, 2014. On "No Refusal Weekends," a judge is "on call" to quickly expedite warrants by phone in suspected DWI cases.*

## Traffic Laws & Criminal Justice Controversy:

4. Distracted Driving: Car technology has made driving safer than ever before. However, motor-vehicle related deaths are on the rise. Complex problems, such as distracted driver behaviors, make improving public safety a difficult task. How do we maintain our personal liberty while preserving public safety?
  - a. Texas has recently passed a bill to make texting while driving illegal. Should handheld talking on the phone also be illegal? Should texting at a stop light be illegal? What are the dangers? *Texas House Bill 62 was signed by the Governor but will undergo more changes under this special session.*
  - b. Should officers be allowed to check your phone if you are pulled over for suspected texting while driving?
  - c. What should the fine or penalty be if the bill passes the Texas Legislature? Should it be more for repeat-offenders?
  - d. Should hands-free phone calls and texting be permitted? Is all hands-free phone use risk-free? *For a follow-up writing activity on this question, see the Expository Writing Handout that includes this question and the following infographic. More information can also be found online at <http://www.nsc.org/learn/NSC-Initiatives/Pages/distracted-driving-hands-free-is-not-risk-free-infographic.aspx>*

What will it take to truly change dangerous driver behaviors?



5. Costs of the Crime: Breaking traffic safety laws can be extremely expensive. From citations and fines, to court costs, to paying for an attorney, the bills add up. *For more on the costs of breaking traffic safety laws, see various information sheets from The Texas Municipal Courts Education Center and Driving on the Right Side of the Road: <http://www.tmcec.com/drsr/educators/lessons-and-curriculum/publications/>*

- e. Should the fines or punishments be different for drowsy driving than it is for drunk driving? Even in circumstances where the result is the same, injury or death?
- f. Should the driving infractions of minors go on their permanent record? Does the seriousness of the offense matter?
- g. Should parents be forced to pay the fines for their child’s speeding ticket? If one cannot afford to pay a fine, what should be the consequence?
- h. For what offenses should someone lose their license for 1 year? 2 years? Permanently?

Review the chart below. What costs were you unaware of? If people knew this, would it change their behavior? In what instances would it change behavior and what instances would it not? What do you imagine are the added “costs” of a charge of Vehicular Manslaughter? *Chart and further info available at [http://www.tmcec.com/files/6013/9577/3696/How\\_Much\\_a\\_DWI\\_Costs.pdf](http://www.tmcec.com/files/6013/9577/3696/How_Much_a_DWI_Costs.pdf)*

Cost of a DWI Arrest and Conviction	
Punishment	<p>First Offense</p> <ul style="list-style-type: none"> <li>• A fine of up to \$2,000<sup>2</sup></li> <li>• Up to 180 days in jail<sup>3</sup></li> <li>• Loss of driver’s license for not less than 90 days or more than one year<sup>4</sup></li> </ul> <p>Second Offense*</p> <ul style="list-style-type: none"> <li>• A fine of up to \$4,000<sup>5</sup></li> <li>• Up to one year in jail<sup>6</sup></li> <li>• Loss of driver’s license for one year<sup>7</sup></li> </ul> <p>Third Offense*</p> <ul style="list-style-type: none"> <li>• A fine of up to \$10,000<sup>8</sup></li> <li>• Two to ten years in prison<sup>9</sup></li> <li>• Loss of driver’s license for not less than 180 days or more than two years, unless the court has ordered an ignition interlock device, in which case, suspension becomes for not less than one year or more than two years<sup>10</sup></li> </ul> <p>*After two or more DWI convictions in five years, installation of a special ignition switch that prevents a vehicle from being operated if the driver has been drinking is required.<sup>11</sup> This costs \$54-\$150 to install and \$600-\$2,800 in monthly fees<sup>12</sup></p>
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Attorney’s fees	\$275 - \$10,000 <sup>14</sup>
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Court-ordered classes	\$25 - \$185 <sup>16</sup>
Vehicle towing and impoundment	\$30 - \$350 <sup>17</sup>
Hearing to regain driver’s license	\$125 - \$1,937 (includes attorney fees) <sup>18</sup>
SR-22 Insurance	\$75 - \$2,400 <sup>19</sup>
Ankle monitor	Up to \$4,500 (\$375 per month for 12 months) <sup>20</sup>

DRSR, How Much a DWI Costs, Page 1 of 2,  
Last revised on September 5, 2012

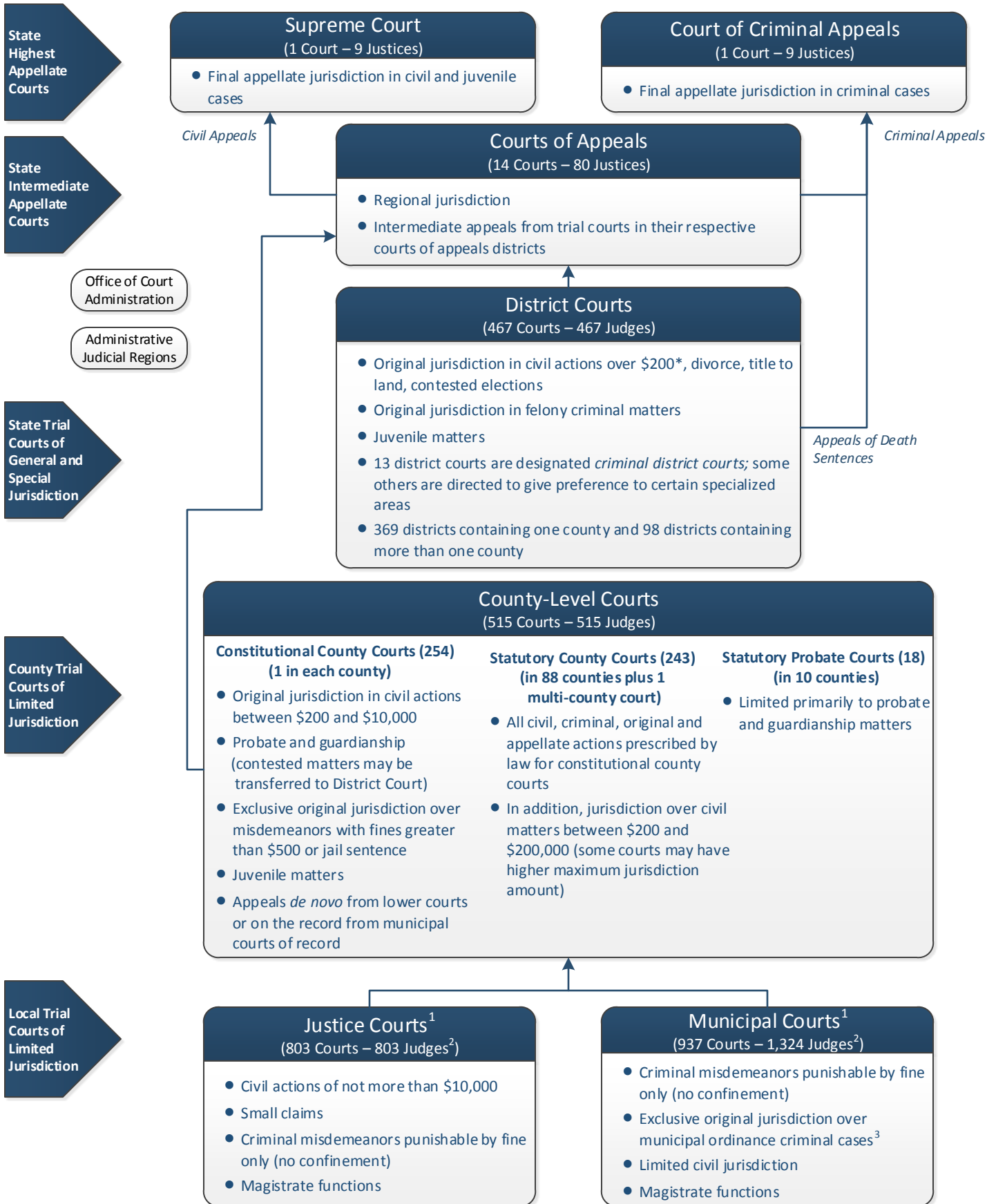
Two other interesting Supreme Court cases regarding traffic stops:

*Heien v. North Carolina, 574 US 135. S. Ct. 530 (2014): Does a police officer’s mistake of law provide the individualized reasonable suspicion that the Fourth Amendment requires to justify a traffic stop?*

*Rodriguez v. United States, 575 US 135. S. Ct. 1609 (2015): Is the use of a K-9 unit, after the conclusion of a traffic stop and without reasonable suspicion of criminal activity, a violation of the Fourth Amendment prohibition on unreasonable search and seizures?*

# Court Structure of Texas

March 1, 2017



1. All justice courts and most municipal courts are not courts of record. Appeals from these courts are by trial *de novo* in the county-level courts, and in some instances in the district courts.  
 2. Some municipal courts are courts of record—appeals from the courts are taken on the record to the county-level courts. As of February 2017, 169 courts indicated that they were a court of record; a list is posted at <http://www.txcourts.gov/about-texas-courts.aspx>.  
 3. An offense that arises under a municipal ordinance is punishable by a fine not to exceed: (1) \$2,000 for ordinances that govern fire safety, zoning, and public health or (2) \$500 for all others.