

Teaching Justice Issues with Three Civil and Criminal Cases, Resulting in Outcomes of Yes, No, and Maybe

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ABSTRACT

Achieving justice through the legal system is often slow, frustrating, and requires patience and persistence. This paper discusses three actual cases that the author uses in an Introduction to Law class to show students how to use the legal process to achieve justice, though the results are mixed:

- (1) This case dealt with a mining company dumping coal slurry in a dammed river, with an elementary school directly downstream. Other than the obvious catastrophic results of a potential dam breach, elevated incidences of cancer were reported for school staff and students, prompting a student's grandfather to walk 400 miles to get an audience with his U.S. Senator. Years later, through fortunate and unfortunate events, grandpa secured enough public and private funding to build a new school, far away from the coal company (Justice = YES);
- (2) Ten days after 9/11, the U.S. Congress passed the September 11 Victim Compensation Fund of 2001. The purpose of the Fund was to provide monetary relief to injured individuals on the ground and for family members of those who died. The Fund paid approximately \$7 billion to such people. One condition for applying to the Fund was a waiver to file lawsuits seeking compensation. While most families pursued this form of compensation, a handful of families filed a civil lawsuit, seeking money and answers from the government on what actually happened on that fateful day. One by one, these families settled, as it became clear that answers would not be provided in the interests of national security. Ten years after 9/11, the last family settled (Money = YES but Justice = NO); and
- (3) In 1987, a father and son were arrested for alleged child molestation acts committed in their basement, which was set up to teach computer classes. In an atmosphere where local residents were whipped into understandable fear and anger, the father entered into a plea deal, believing that action would benefit his son's case. However, facing a hostile community and life in prison if convicted, the teenager accepted a plea deal that incarcerated him for 13 years. After getting out of prison, significant evidence surfaced indicating that these crimes may not have occurred. To date, the son is seeking a new trial in an effort to clear his name and to be removed from a sex offender list (Justice = MAYBE).