

OPEN NINTH:  
CONVERSATIONS BEYOND THE COURTROOM  
ENGAGING EDUCATION  
CREATING CIVIC-MINDED STUDENTS  
EPISODE 95  
March 9, 2020  
HOSTED BY: DONALD A. MYERS, JR.

(Music)

**NARRATOR:** Welcome to another episode of “Open Ninth: Conversations Beyond the Courtroom” in the Ninth Judicial Circuit Court of Florida.

And now here’s your host, Chief Judge Don Myers.

**CHIEF JUDGE MYERS:** Hello, and welcome to Open Ninth. Here with me today is Dawn Dunham. She’s a seventh grade teacher at Maitland Middle School here in Orange County and happens to have been the teacher for one of my children at Maitland Middle School. Dawn’s work in the classroom goes well beyond the textbook, offering students experiential opportunities to learn about our system of governance, the rule of law and their civil responsibilities. She engages her twelve and thirteen year olds in what can be sometimes some dry material through debate and discussion, having them weekly identify and discuss real world events, campaigns and elections, and culminates their studies in a supreme court style, oral argument, complete with robes and gavels and a pocket copy of the Constitution for each student. Dawn was recognized as the Teacher of the Year at Maitland Middle School in 2012 and I am so glad that you are here with me today. Thank you for being here. Tell your students hello.

**MS. DUNHAM:** Hi, kids, I miss you. You’re amazing kids. If it wasn’t for you, I wouldn’t be here.

**CHIEF JUDGE MYERS:** Awesome. So Dawn, I want to just start a little bit with your background. And tell us how is it that you became a teacher because that’s not been your entire career journey.

**MS. DUNHAM:** Correct. Yes, I went to Western Michigan University in Kalamazoo, Michigan. My degree was in business administration. Growing up if you would have asked me, I would have said, I wanted to be a teacher or a librarian. My junior year of high school I took an accounting class and thought, wow, this is super cool. Debits, credits, it really made sense. So I became a business major. And worked in banking until after our second child was born in 1991 and decided I needed to be closer with my kids’ schedule so when Kevin was three, no, excuse me, four I got a job at Dommerich Elementary which is right next door to Maitland Middle as an aid. For six years I was there and then I morphed into substitute teaching and I

kind of called that my student teaching. And then 15 years ago I became a teacher. Literally my interview was would you like to come work here full-time because at Maitland Middle I was like their permanent sub. And it's been an absolutely amazing wonderful career. I did the alternative certification through Orange County Public Schools.

**CHIEF JUDGE MYERS:** So how did you end up settling into the civics education area?

**MS. DUNHAM:** Well, I started out in sixth grade which is World History. Did that for three years, then three more years with U.S. History, eighth grade. And then when civics was created with the Sandra Day O'Connor app, I went through a lot of training that summer. I was tapped to teach civics so that was ten years ago that I became a civics teacher.

**CHIEF JUDGE MYERS:** So I did a lot of training out at the Lou Frey Institute at UCF to get me prepared to teach this really robust, big time subject because do have a course exam that's worth thirty percent of the student's grade.

**CHIEF JUDGE MYERS:** Awesome. So civics is not limited to the court system, obviously.

**MS. DUNHAM:** No, sir.

**CHIEF JUDGE MYERS:** Tell us a little bit about the breath of the curriculum.

**MS. DUNHAM:** Oh, Lord, um, we start with citizenship, how somebody becomes a citizen. We get into influential documents, such as the Magna Carta, the English Bill of Rights, common sense. We go into Montesquieu and Locke which is a lot to ask a seventh grader to really think about. Then we get into the three branches. That's a huge part of our curriculum. The Constitution. Right now I'm working on state and local government. We go into Supreme Court cases. Federalism is my next unit. We end up with global studies. We look at all the different conflicts America has been in over the years. And one big one that the kids stumble a lot on that we work really hard on is forms and systems of government. And that one is kind of tough.

**CHIEF JUDGE MYERS:** So I, thinking back to my high school days, can remember a class that was taught here in Florida. I don't know if it was a nationwide class, but my high

school civics class was Americanism versus Communism and it was a contrast of governmental forms in addition to an in depth study of the American form for all three branches of the government. Incredibly challenging –

**MS. DUNHAM:** Interesting. I can imagine.

**CHIEF JUDGE MYERS:** And more relevant at the time I think than it probably is now.

**MS. DUNHAM:** Right. Yeah, growing up in the north I didn't have a class like that but I fondly, fondly remember my civics, my U.S. History, my government classes and social studies was always just my thing. I always loved it, so –

**CHIEF JUDGE MYERS:** So now, you can't embarrass me. We do occasionally watch that TV show, Are You Smarter than a Fifth Grader. And you're in this stuff every day, you're teaching your kids, I'm just going – I'm going to take one for the team here and say it's been a while so –

**MS. DUNHAM:** That's hilarious.

**CHIEF JUDGE MYERS:** Be kind and be gentle with me.

**MS. DUNHAM:** Okay, I sure will.

**CHIEF JUDGE MYERS:** So you are a teacher here in Orange County Public Schools and again, how many years have you been doing that?

**MS. DUNHAM:** Fifteen.

**CHIEF JUDGE MYERS:** All right. And what would you say as a teacher are your biggest challenges?

**MS. DUNHAM:** It is a difficult subject for students to buy into because it is not as relevant to a twelve and thirteen year old as maybe it would be a senior in high school. They've heard of a lot of things. They may have a lot of misconceptions. It's kind of interesting, sometimes they bring in their background or what they've heard at home, and they say things that aren't really relevant. So I think it's just the age group we teach this to. It's a great beginner course but it gets harder I would say or more robust their senior year in government. I have a really good friend that was teaching civics that has jumped over to that side, and she said it's

interesting because you think they would remember some of the things they do, but now she could go deeper.

**CHIEF JUDGE MYERS:** Right.

**MS. DUNHAM:** Does that make sense?

**CHIEF JUDGE MYERS:** Absolutely.

**MS. DUNHAM:** Yeah, so it's – it's a lot of scratching the surface and then a lot of depth as well, depending on the student's interest. Some kids go way above and beyond and it's amazing where they come from, and I'm like wow, how did you get that? So it's pretty cool because you do see kids from so many different backgrounds and that's another – you know, where do they come from? Some kids are from out of the country. I can think of some students I have right now from Venezuela, so that's kind of an interesting contrast. Hey, you left because of your government there and they say, yeah, we don't have the freedoms we have in America.

**CHIEF JUDGE MYERS:** Now, Venezuela is communist, correct?

**MS. DUNHAM:** Socialist –

**CHIEF JUDGE MYERS:** Socialist, communist, okay.

**MS. DUNHAM:** Yeah, you know, they always love talking about North Korea. That's like a big thing. And you know, if things are going on in the news too, they tend to really perk up with that.

**CHIEF JUDGE MYERS:** Right, so we have major things going on in the news. We won't go into depth –

**MS. DUNHAM:** Major things, yes sir. No, we won't.

**CHIEF JUDGE MYERS:** -- about those things. We'll stay away from the politics but this has to be just a tremendous learning opportunity in terms of process.

**MS. DUNHAM:** It is. Yeah, actually we talked about it today just as a bonus question, what branches of government are involved in what is going on and it happened to start today. And who presides over that trial? So they knew some of it. They've been keeping up with it.

**CHIEF JUDGE MYERS:** Fascinating. Well, I have a trip planned to the United States Supreme Court in February, and will have the opportunity I hope to sit with a couple of our United States Supreme Court Justices. One of our local judges was recently appointed to a fellowship for the Supreme Court and she's off on an intensive research evidence driven type project related to issues in the Federal Court system. And I'm excited to be able to go up, to be able to feel the wood in the courtrooms up there and to hopefully have the opportunity to spend some time speaking with one of our justices. What an honor that would be.

**MS. DUNHAM:** That would be an incredible honor. I've not been inside the Supreme Court Building but I've been outside of it. It's just a beautiful building.

**CHIEF JUDGE MYERS:** That's fantastic.

**MS. DUNHAM:** DC is my great place. I've actually done some studying in DC to enhance my teaching.

**CHIEF JUDGE MYERS:** Tell me about that.

**MS. DUNHAM:** Oh, cool, yeah, I've done two things. I've been at Mount Vernon for a week. That was when I taught U.S. History so that was, oh, my, gosh, that year after – that summer, everything I did was through the lens of George Washington. And the Mount Vernon Ladies Association sponsored me because they were the ones that saved Mount Vernon. I don't know if you know this story. They were going down the Potomac. And it was all in disrepair and they saw that, and they said we need to do something about this. So the Mount Vernon Ladies Association really restored Mount Vernon. So that – I mean, I was drinking my coffee, looking over the Potomac River, you know, being up in the portico where other people couldn't – there was all the back –

**CHIEF JUDGE MYERS:** Did you stay at Mount Vernon?

**MS. DUNHAM:** Not in the house but there's some apartments –

**CHIEF JUDGE MYERS:** Okay.

**MS. DUNHAM:** -- that they do for people that are –

**CHIEF JUDGE MYERS:** That's the most gorgeous piece of property, and it does hold so much historical significance. What a tremendous opportunity.

**MS. DUNHAM:** We were able to lay the wreath at George and Martha Washington's grave. And we actually got to go inside where other people don't, you know, so that was cool. And the other one I did with C-SPAN for about four days. Both times I had to go through a rigorous process to get accepted and C-SPAN was awesome. And I use it a lot because they're pretty unbiased. They're just the news and really do a great job. I think his name is Brian Lamb, isn't he – no, I'm forgetting. He spoke to us. Just some great speakers and just a great opportunity to just enhance my teaching.

**CHIEF JUDGE MYERS:** I don't know that most people know the lengths that our teachers as professionals go to to enhance their own skills, to be able to do something more than just teaching the curriculum.

**MS. DUNHAM:** Right.

**CHIEF JUDGE MYERS:** So that's great.

**MS. DUNHAM:** When you care about it and want to enhance your own ideas, I think that helps, and I think hopefully that transfers to my students.

**CHIEF JUDGE MYERS:** Right.

**MS. DUNHAM:** You know, you're basically an actor for 46 minutes each period and, you know, they want to see if they can understand. But the nice thing, I guess is that every student has an issued laptop, so if they ask me a question, I will be super honest and say, I'm not sure, let's look that up. I had it today with a majority of something on the side of the house, let's look that up. I think that's right but let's double check that. So that's kind of a neat thing. So they own their own learning at times.

**CHIEF JUDGE MYERS:** And that's great for teaching them to become life-long self-learners.

**MS. DUNHAM:** Right.

**CHIEF JUDGE MYERS:** Which is really what I think to live in this era means. I think it compels us to have to do that.

**MS. DUNHAM:** Correct.

**CHIEF JUDGE MYERS:** So let's talk about teaching, all right. We're going to dive in a few minutes into a couple of Supreme Court cases that you teach as a regular part of your curriculum and that are relevant I think to the topic of education. First of all, how many total students do you have, six or seven periods a day –

**MS. DUNHAM:** Six periods a day. I have 130 students.

**CHIEF JUDGE MYERS:** Okay, total.

**MS. DUNHAM:** 130 – the state says 22, but there's some with 23, just depends. 22 is the limit but I have one small class, so it turns out to 130.

**CHIEF JUDGE MYERS:** Okay. And your job is to communicate some really tough stuff. I mean, these are written by constitutional scholars, judges, folks who have studied the law and principle and origins, and everything that touches upon some really huge topics. How do you do that? You described yourself as an actress or an actor for 46 minutes, but how do you accomplish that?

**MS. DUNHAM:** A lot of hands on. You know, I have realized that that works best, debating. Let's look at an issue today, was a review. It sounds like the silliest thing, the kids love this. I have little white boards, dry erase markers and these magnetic erasers. You'd think I would have given them fifty dollars, but they love that, you know, being able to write, being able to talk about it. Turn and talk to your neighbor. There is a lot of reading but I try to chunk it into small – small segments. There is some – I don't know if you're familiar, but there's this great website called, iCivics.org. Again, made by Sandra Day O'Connor. When the Act went through, she, you know, she said we need to have something to help teach them. There's games. There's about 15 to 20 games and they're like video games. The kids love those. Like, there's one called, Do I have A Right? And it's about the Bill of Rights. And they're lawyers, and they say, can we take the case or not? And then you have all these people waiting in the wings and then they rage. They call it raging, and they have to leave, and they love that. Their favorite one



though is called, Win the Whitehouse. It's all about the Electoral College. And they like have issues they have to decide. And they have to decide if you're going to go for Republican or you're going to go for Democrat, which states you are going to visit, and they love those games. And when I first started teaching civics, we had no textbooks, we had no really scope and sequence of the curriculum. We didn't have a test that year. It was kind of, we were the test school, and that pretty much was my bread and butter was iCivics so I've loved that ever sense. And I really, really appreciate that they have that. There's a ton of resources out there.

**CHIEF JUDGE MYERS:** When you take that part of your curriculum that focuses in on the court system, tell us about what some of the objectives are? What is it that you're really seeking to teach the kids?

**MS. DUNHAM:** Okay, well, definitely, it's, you know, our third Article in the Constitution so one of the things that we really compare it to is, look at how big Article 1 is. Hugh. Article 2 is a little bit smaller. Article 3 is very small, you know, and we talk about Marbury versus Madison, judicial review, how the court got on an even keel with the other two branches. And then we go all the way, we diagram how, you know, all the way to the Supreme Court, starts at, you know, lower courts and how does it get all the way through. They're fascinated by the fact that a Supreme Court just doesn't hear everything that they hear. They're very fascinated in criminal court as you can imagine.

**CHIEF JUDGE MYERS:** I can imagine.

**MS. DUNHAM:** Much more than civil and that's one of the big differences that I have to tell them is that, you know, there's two different paths here. There's civil and there's criminal. I do a mock trial every year. One of your judge's that works here in this building has helped me. I don't know if I can mention –

**CHIEF JUDGE MYERS:** You can, absolutely.

**MS. DUNHAM:** Okay, thank you Judge Rodriguez and your husband. You have been super awesome to me for the last six or eight years. In fact, I taught both of their children. They've come in and helped me with my mock trial. They love it and the kids love it too. Because they ask great questions. So I do like a civil case. There's a ton out there that I can use. So that's super awesome that the kids can feel what it looks like. I mean, I make the room look

like a jury. I have in the past done Tinker versus Des Moines and I actually have nine graduation robes that I have gotten over the years and I've given each of them a role and I've kind of highlighted it. It's hard – I don't know if you're familiar with the website called Oyez –

**CHIEF JUDGE MYERS:** Um-hum.

**MS. DUNHAM:** O-Y-E-Z.

**CHIEF JUDGE MYERS:** I have seen that, yes.

**MS. DUNHAM:** Oyez, super great website that helps me. We've listened to a few oral arguments and again, I don't want to always say it's the Supreme Court because I want to make sure they understand there's lower courts because one of the things that I really want them to know, if they're ever in a situation, that they're in a court, how they need to behave, what their decorum would be. I'm really big on jury duty, okay.

**CHIEF JUDGE MYERS:** Love that. Thank you so much.

**MS. DUNHAM:** I'm very, very big on jury duty. In fact, when I was summoned, I remember bringing in my summons and showing, yes, I have to go. And we really – at the beginning of the year we do duties and obligations, and how an obligation to be on a jury is something your parents have to do or your loved ones.

**CHIEF JUDGE MYERS:** That's fantastic.

**MS. DUNHAM:** I'm huge on that.

**CHIEF JUDGE MYERS:** Well, in the court system we have such a tremendous appreciation for people who serve in the role as a juror. It really is one of the very most important things that happens here in the courthouse, to have folks from the community to sit impartially, fairly, to be able to assess the facts and then to take the law that's given to them by the court and to go back in that room and wrestle with that case. And I use wrestle in the figurative sense, not the literal sense. But I have seen our juries and how hard they work to get to right results and I just think it is one of the very – it's certainly the most active way that the average citizen gets to participate in democracy. I mean, we get to go down and vote. But to sit in a trial is such a high honor and for the parties who are so grateful for people who commit their

time, their energy, their effort to come down. We really do love the jury system and love juries here in our courthouse, so I appreciate you teaching that.

**MS. DUNHAM:** And another thing you would love is every year we watch Twelve Angry Men with guiding questions. They love it. Oh, my, gosh, it's 6 to 6, it's 7 to 5, you know, and how they count it down. And I don't want them – don't want to do anything because you guys are watching this, but we do that at the end of the year. The old one, the Henry Fonda one.

**CHIEF JUDGE MYERS:** Exciting. That's great.

**MS. DUNHAM:** The classic.

**CHIEF JUDGE MYERS:** Oh, yes.

**MS. DUNHAM:** I love teaching that.

**CHIEF JUDGE MYERS:** I think I saw that presented recently at the Playhouse at Rollins.

**MS. DUNHAM:** Oh, cool.

**CHIEF JUDGE MYERS:** They did a fabulous job with it.

**MS. DUNHAM:** Because it's all dialogue but it's very compelling and they just really figure about that, but I'm really big on that. Unfortunately, I've never served on a jury. I've been up here in one of your courtrooms before but was not asked not to serve on the jury.

**CHIEF JUDGE MYERS:** Well, many times it is simply the fact that we have jurors here ready to hear a case that causes that case to resolve, whether it's a plea entered by a criminal defendant, or a settlement in a civil case, we say that sometimes just seeing the whites of the jurors' eyes is enough to convince some people they need to resolve their case. So you served; you just didn't get to do it in the courtroom.

**MS. DUNHAM:** Right, I was close. I was close. I was actually in a courtroom up here but was asked, you know, just – you know, what is it called? Voir – give me the word.

**CHIEF JUDGE MYERS:** Voir dire.

**MS. DUNHAM:** Yes, yes.

**CHIEF JUDGE MYERS:** Voir dire, a French term that I'm told, I don't speak French, but I'm told it means to speak the truth. It's the interview process.

**MS. DUNHAM:** And as I said, you have to be true. The word bias comes up a lot. You would love this. Today's bell work was lady justice, blind folded with a scale, what does that mean? Tell me what that means. I use a lot of images. I use political cartoons. Images seem to really work with this age group and they like that. They really notice the blind fold. That she should be unbiased.

**CHIEF JUDGE MYERS:** Great. So let's talk through two cases.

**MS. DUNHAM:** Sure.

**CHIEF JUDGE MYERS:** All right.

**MS. DUNHAM:** I'm excited about this.

**CHIEF JUDGE MYERS:** And these two are meaningful obviously in the area of education. Although one of them is not an education case at all.

**MS. DUNHAM:** I know.

**CHIEF JUDGE MYERS:** So we'll start with Plessy versus Ferguson and tell me, how do you get your students excited about Plessy versus Ferguson?

**MS. DUNHAM:** I know. Was it 1898, am I right on my dates there?

**CHIEF JUDGE MYERS:** 1896. You're close and I have that written on paper here in front of me. Your teacher knew that but she just double checked it with me. Go ahead.

**MS. DUNHAM:** Okay. What's interesting about Plessy, and this is how I do teach the Supreme Court cases, it's going to come up here in this quarter, is I break down ten landmark Supreme Court cases. That's what they tell us that we should learn, and I, what we call jigsaw, so every two to three kids get a case. They get to decide based on five or six leading questions how they're going to present it to their peers. And some kids have embedded videos, some kids have done this, but to teach actual Plessy, and I've not always done it this year, we really talk about what the term separate but equal is. Again, images are really important.

**CHIEF JUDGE MYERS:** So what's a powerful image that you use for that idea?

**MS. DUNHAM:** Showing the two different train cars because the whole idea is, and then they say he was one-eighth black, and they're like, what? What? I show a picture of Plessy. What? One-eighth black. You know, people had to have papers.

**CHIEF JUDGE MYERS:** And so for our listeners who may not be familiar with Plessy versus Ferguson or perhaps left it behind in a civics class somewhere long ago, the case originated as a challenge to a law that had been enacted in the State of Louisiana. And they called it the Separate Car Act. And this was an 1890 law that required that all of the railroads operating inside the state provide equal but separate accommodations for white and colored, and that was the word they used, was colored riders. And it prohibited passengers from entering accommodations that, other than those that they had been assigned to on the basis of their race. So tell us a little bit about, so you've told us Plessy was one-eighth black. How did Plessy get involved in this lawsuit?

**MS. DUNHAM:** He was actually asked to do it to challenge the law. So he was kind of the person that challenged it and said, but it's not equal. That's the whole idea. It wasn't equal. If you would look at the train car for the white car and then as you said the colored car, they weren't equal. And he was put, again, I'm kind of blanking here, but Plessy is Homer Plessy and then Ferguson I believe is the judge?

**CHIEF JUDGE MYERS:** No, I think Ferguson would have been somebody associated

—

**MS. DUNHAM:** There you go, with the railroad?

**CHIEF JUDGE MYERS:** With the railroad. The governmental railroad entity, exactly.

**MS. DUNHAM:** Sorry, it's been a full year since I taught that so I had to think about that for a second. So yeah, it was interesting that they kind of set him up to do this.

**CHIEF JUDGE MYERS:** Most of the time we think about cases just happening. This one was happened to. There was a group in Louisiana that decided they wanted to challenge this law and see if they can get a ruling ultimately out of the Supreme Court to try to get to equality among the races and this one didn't make it there.

**MS. DUNHAM:** Right, I think it's a 7-2 decision.

**CHIEF JUDGE MYERS:** 7-1.

**MS. DUNHAM:** 7-1 because one – they didn't have nine there. One abstained –

**CHIEF JUDGE MYERS:** Right, exactly. One of them abstained.

**MS. DUNHAM:** Yeah, I knew it was not, you know, we really look at those 5-4 decisions, like, whoa, that was pretty close so that was all the way until the 1950s when it got challenged in Brown.

**CHIEF JUDGE MYERS:** Right, and so the standard at that point separate but equal.

**MS. DUNHAM:** Separate but equal.

**CHIEF JUDGE MYERS:** So long as they had the same facilities, this was a railroad car case, but I think it eventually took on the connotation and implication that separate but equal in all environments would have been acceptable under the law of Plessy.

**MS. DUNHAM:** Right, and that's kind of interesting because you got to kind of put things in context, almost a timeline, when did the civil war end, 1865. That wasn't that far – it was the south, you know, I try to do that. Sometimes I think they should have American History prior to civics because some of that comes into play a lot.

**CHIEF JUDGE MYERS:** I can imagine.

**MS. DUNHAM:** You know, like when I teach the 13<sup>th</sup> Amendment, which is ending slavery. Okay, 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> Amendments all have something to do with slavery. So you know, my American History background is super helpful to me as I'm teaching these things too.

**CHIEF JUDGE MYERS:** I'll bet. Well, context is everything. I took a con law class when I was in law school and it was incredibly in depth into a lot of Supreme Court decisions and our professor had argued cases at the United States Supreme Court, many cases, and he would let us go back and forth, and back and forth over the written opinion and those things that we could read on the face of the opinion. And then he'd come back to us later and say, well, it's not really what they argued. Let's talk about the context in which this case was decided. What was going on in society? What was important to people? What was the source of unrest,

whatever the case may be? And ultimately he said that drove the decision making as much as anything.

**MS. DUNHAM:** And you know, you look at the – I've done this too, you look at the actual justices, what is their background, who were they appointed by, what have you. You can get that deep. It just depends on if the class is ready for that or if – do you extend your lesson because you can really get pretty deep with that.

**CHIEF JUDGE MYERS:** Sure, sure. So we ride Plessy – Plessy versus Ferguson for 50 years, a little more.

**MS. DUNHAM:** Oh, yeah, almost – yeah, 55 to 60 years.

**CHIEF JUDGE MYERS:** Right.

**MS. DUNHAM:** And then here comes which one that overturns it?

**CHIEF JUDGE MYERS:** Brown versus Board of Education.

**MS. DUNHAM:** Yes, sir.

**CHIEF JUDGE MYERS:** Every law student's thrill.

**MS. DUNHAM:** I think every educator knows it too. I know many of my administrators said that when they were reading their educational leadership, they always had to do an in depth study of that particular case.

**CHIEF JUDGE MYERS:** Sure, so set us up in context.

**MS. DUNHAM:** All right. Linda Brown was a black young lady in Topeka, Kansas. Her – she's named as the main one but there was a group of people that said, why do we have to go ten blocks to a school when the nearest school is two blocks away. Again, separate but equal. There was a school for, shall we use it, black children. There was a school for white children. Did go all the way to the Supreme Court. Thurgood Marshall was their attorney, later a Supreme Court Justice. So what I love to do with this case is just have the students just look around their classroom. Could you all be sitting here together if this was still it? No. And then I bring in my own parents. My parents have both passed away but they lived in New Mexico and California. My dad couldn't go to school with students that were Mexican, New Mexico. My mother talks

about right after Pearl Harbor, all of a sudden the Japanese kids being gone and them being segregated so I talk a little bit about that. So we think of it as there, but there were segregations all over the place. I grew up in the north. I didn't really – didn't see that. So what I love about this case is just as relevant because it's school, and again, powerful images. I have this really cool book that I use that shows one classroom this way, another classroom this way. You can, you know, just old books, old broken down desks, nicer desks, nicer – nicer textbooks, what have you, and I know – I don't know if you know about this but there's this really interesting thing with a doll in there but I won't get into that. I've done it a couple of times with students, depending on their interest level but there's – there was something done showing them a doll and which one would you go to, the white doll or the black doll. And it was just super interesting. It has to do with that case as well. But what I love about it is it's a 9-0 decision. They realize that separate but equal didn't apply in schools because it wasn't equal. And another thing that comes out of that that is desegregating schools in certain states which I'm starting to teach just next week, didn't do that with much haste. You know, they drag their feet about getting separate but equal. Little Rock Nine gets into that. So there's a lot of offshoots of Brown versus Education, not just that case, but my favorite image to show them is Linda Brown sitting up there with her mother with the headline, it's an iconic image of you know, Brown versus Education 9-0.

**CHIEF JUDGE MYERS:** And that was the first one. There was a Brown versus Board two because of exactly what you were talking about, the idea that the school boards did not move forward with segregation plans or desegregation plans to try to unify the school bodies and they had to go back to the courts to enforce those things.

**MS. DUNHAM:** Correct.

**CHIEF JUDGE MYERS:** I read an interesting follow-up and I don't know if you knew this, but about Linda Brown and that later in her life she became a plaintiff in another case against Brown versus Board of Education. And –

**MS. DUNHAM:** Did not know that.

**CHIEF JUDGE MYERS:** I did not know that either. But this is apparently reported by the Topeka Capitol Journal that said in 1979, now with her own children in Topeka schools, she became a plaintiff in a resurrected version of Brown versus Board of Education where she sued



the school district for not following through with desegregation again. And this is now the 1980s.

**MS. DUNHAM:** Right and this is 1954, wow.

**CHIEF JUDGE MYERS:** Yes, so 1980 she has to bring another case that makes its way all the way through the Federal Appeals Court where the appeals court says, sure enough, they have not done everything necessary for desegregation and the Supreme Court decided not to review that so they had to enact yet another desegregation plan in the 90s.

**MS. DUNHAM:** Interesting. I think she passed away not too long ago.

**CHIEF JUDGE MYERS:** She did about two years ago.

**MS. DUNHAM:** Yeah, I remember when she did. So yeah, that's – and then of course I always show them that Thurgood Marshall then became a Supreme Court Justice and so that's the thing, you know, it's kind of like when you get into a website, you can just go deeper and deeper and deeper down the hole. There's so many offshoots you can do with things like this. Okay, what happens next or what do you think? I use again a lot of images of civil rights. Again, I'm teaching federalism here in this next week and that's one thing I'm going to do is desegregating schools because the federal government said you have to do this. The states kind of did it in their own way. And who is always the Supreme law of the land, it's the Federal – it's the Constitution. So this is a, you know, very – very famous case and the students really like it I think because it's relevant to them. They also like Miranda. They love Miranda.

**CHIEF JUDGE MYERS:** Love Miranda, I'm sure they do. I'm sure they do.

**MS. DUNHAM:** And they heard, you know, you have the right to remain silent. They know where that's from but you know the funny thing with Miranda is they always want to know well, what did he do? Okay, that's – we're not going to talk about that, what did he do to become arrested, we're going to talk about, you know, the Fifth Amendment. So it all goes into hand because I do the Bill of Rights prior to doing my Supreme Court cases and that's a big part of it, is which Bill – which right was violated, you know, like Miranda is the Fifth, and separate but equal is more like the 14<sup>th</sup> Amendment and what have you.

**CHIEF JUDGE MYERS:** That's awesome. Well, Dawn, I'm just so impressed with what you get to do with twelve and thirteen year olds and how you're able to communicate those concepts that can be difficult, can be sensitive, but they're so important for our kids to learn. And you know, we come off the heels of Martin Luther King, Jr. Day and the celebrations around yes, a man, but more so than the man, the ideals of that civil rights activist and I think it's so critical that we continue to teach our kids those lessons even though it's so easy to say our children are colorblind, our children – and it is true, it's neat, it's cool but they need to continue that into adulthood for the benefit of a rich and diverse society and community.

**MS. DUNHAM:** I couldn't have said that better. You're absolutely right. I mean, even if it's just a little spark of interest, even as something, you know, oh, I remember that in Ms. Dunham's class, it makes me happy. And my greatest pleasure living in the community that I work and live in is having kids come back and visit me. Oh, I remember that – I saw one yesterday driving. She's 16 years old and she was driving and I'm like – she goes, I remember when I did something because I love Hamilton so they all remember about how much I'm a Hamilton person and that's been huge help. Well, it makes the finding father's cool.

**CHIEF JUDGE MYERS:** It does. Yeah, a hip, cultural thing to happen to be able to talk about. And all those kids, they know the music.

**MS. DUNHAM:** Oh, yeah.

**CHIEF JUDGE MYERS:** They know it cold.

**MS. DUNHAM:** Upside down, sideways. I know it too so I have to admit I'm kind of a Hamilton junky here.

**CHIEF JUDGE MYERS:** That's great. Dawn, thank you so much for visiting with us here today.

**MS. DUNHAM:** Oh, my pleasure. Thank you for having me.

**NARRATOR:** You've been listening to "Open Ninth: Conversations Beyond the Courtroom" brought to you by Chief Judge Donald A. Myers, Jr. and the Ninth Judicial Circuit Court of Florida. For more information about the Ninth Judicial Circuit Court, follow us on Twitter, Facebook, Instagram and LinkedIn.