

CHOPPED TREE SCENARIO

PURPOSE

To explain the concept of due process and how it works in the United States.

INSTRUCTIONS

1. Ask participants to form pairs, or conduct this as a collective, depending on size and make-up of the group.
2. Provide or explain Chopped Tree Scenario provided. It may be helpful to provide a visual.

MODIFICATIONS & TIPS

- The Chopped Tree scenario provided is meant to serve as a metaphor, but can be adapted and modified for the context of the group.

Scenario for Chopped Tree:

There is a family and they have planted a beautiful fruit tree on their property. After many years, the tree has become quite tall and plentiful with fruit. However, their neighbor frequently complains about the fruit landing on his/her property and threatens to chop the tree down. One day, the family is not at home, and when they come home, they find that their tree has been chopped down. They immediately accuse their neighbor.

3. Ask participants: What could happen next?
4. After discussing, provide participants with the following additional information on the scenario:

The neighbor denies that he/she cut the tree down, but the family is convinced. They demand that the neighbor compensate them for the loss of the fruit. The neighbor, wanting to avoid further argument, pays the family a large sum of money that he/she had been saving.

5. Ask participants: Was this the correct decision? Is it fair? Why or why not? What are the advantages of this choice? What are the challenges?
6. Now ask participants to consider the phrase: "right to due process". What do you think this means? Provide this definition: the right to be treated fairly through the use of certain procedures if one is accused of a crime. Explain that in the United States, the Fifth and Fourteenth Amendments require due process. You may want to provide participants with the Rule of Law Fact Sheet for more details. See [Appendix for more additional links on the Fifth and Fourteen Amendments](#).
7. Ask participants to consider the scenario. Was what happened to the family fair? What about the neighbor? How could having a system of due process have helped or changed the outcome?

ADDITIONAL RESOURCES

The following resources provide details about the rights outlined in the Fifth and Fourteenth Amendment.

- **Constitution Center – Fifth Amendment**
- **Constitution Center – Sixth Amendment**
- **Constitution Center – Fourteenth Amendment**
- **United States Courts – Fifth Amendment Activities**
- **United States Senate – Landmark Amendments**

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