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June 20, 2018

Senator Sonia Chang-Diaz  
State House, Room 111  
Boston, MA 02133

Rep. Alice Peisch  
State House, Room 473-G  
Boston, MA 02133

Senator Cindy F. Friedman  
State House, Room 413-D  
Boston, MA 02133

Rep. Paul Tucker  
State House, Room 136  
Boston, MA 02133

Senator Dean A. Tran  
State House, Room 312-D  
Boston, MA 02133

Rep. William L. Crocker, Jr.  
State House, Room 39  
Boston, MA 02133

**Re: S. 2375, An Act to promote and enhance civic engagement**

Dear Conference Committee Members:

I write as President of the Boston Bar Association (BBA), a volunteer organization of nearly 13,000 members drawn from private practice, corporations, government agencies, legal-aid organizations, the courts, and law schools. Our mission is to advance the highest standards of excellence for the legal profession, facilitate access to justice, serve the community at large and promote diversity and inclusion. I write to express our support for S.2375, *An Act to Promote and Enhance Civic Engagement*, and to urge you to act on this legislation before the end of formal legislative sessions for the year.

Across the country, recent research has consistently documented the alarming lack of understanding Americans have about the practices and processes of the government and its institutions. For example, one recent survey revealed that two-thirds of Americans cannot name all three branches of the government and one-in-five believes that a 5-4 Supreme Court decision is returned to Congress for reconsideration.

As an association of attorneys, we understand just how crucial it is that students are instilled with an understanding of our government and how it functions, at the federal, state, and local level. Our legal institutions, a critical underpinning of our democracy, can function only when individuals interacting with the system have an understanding of, and commitment to, the rule of law.

Alarming, the judiciary's unique role in our state and federal governments may be especially vulnerable when the public lacks knowledge of key

concepts like the role of checks and balances, separation of powers, and judicial review. Indeed, even retired U.S. Supreme Court Justice David H. Souter noted in 2009 that the biggest threat to judicial independence was “a public majority unaware of the basic shape of government.” A lack of appreciation among the citizenry of the function of the courts in our cherished system of checks and balances can make them susceptible to partisan attacks that undermine faith in the judiciary as one of the three co-equal branches of government.

The provision of civics education in public schools will ensure the next generation understands the role of all parts and functions of the government, sustaining confidence in the key institutions of a constitutional democracy, including the courts, the jury, and other critical aspects of our justice system.

As such, we urge you to ensure that legislation on civics education, supported overwhelmingly by both the Senate and the House this session, is reported to the full Legislature in time for a final vote by July 31. While we understand legitimate concerns about the ability of all school districts to find the resources for this curriculum, the BBA has endorsed the approach of making this a mandatory element of the overall syllabus. To do otherwise risks creating a two-tiered system in which only some of the Commonwealth’s students will enjoy a full understanding of what it means to be an engaged citizen in our democracy.

We stand ready, as an organization, to offer our expertise and our perspective to assist in the implementation of the law, and the development of an enhanced civics curriculum. Just as Massachusetts has shown the way time and again as a leader in elementary and secondary education, this bill offers us the opportunity to lead on civics education as well.

Very Truly Yours,



Mark Smith  
President

cc: Speaker Robert DeLeo  
Senator Harriette Chandler