



בית הלב

BHL

HS

BINAS HALEV BAIS YAAKOV

KNOW YOURSELF. KNOW EXTRAORDINARY.

Binas Halev Bais Yaakov

LEGAL TEAM CLUB

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דברים טז:ט

צֶדֶק צֶדֶק תִּרְדֹּף
לְמַעַן תַּחְיֶה!

JUSTICE, JUSTICE PURSUE, SO
THAT YOU WILL LIVE!

”



A LETTER FROM A Legal Professional

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Dear Students,

In the Torah, we find a wealth of wisdom that calls for justice, fairness, and the pursuit of knowledge. You now have the opportunity to take these precious ideals and bring them into the foundation of your school, creating a space not just for learning about the law but for living and breathing it.

Imagine this: you, surrounded by friends, engaged in real cases that spark your passion for justice, voicing your thoughts in debates that challenge and shape your beliefs, and digging into the twists and turns of Torah research that make you see the world in a whole new light. It's not just about grades or ticking off boxes; it's about you discovering your passion for morality within, ready to make a difference.

Join to become a part of something bigger – a family of thinkers, dreamers, and doers. The journey ahead isn't just about being a student; it's about becoming the person that you want to be. The School Legal Team is your training ground, your chance to explore, experiment, and uncover the superpowers you didn't know you had.

So, I urge each of you to dream a little bigger, and to say 'yes' to a future where every challenge is a chance to shine.

Here's to adventures, discovering hidden talents, and the joy of knowing you're capable of amazing things.

Sincerely,

Josh Kon
Binas Halev Bais Yaakov, Legal Team Club Judge



Joining the Legal Team

BEING A RESPONSIBLE STUDENT,
YOU GET RIGHTS TO LEGALLY PROTECT.

Open membership to students interested in learning about advocacy, persuasion, and defending their peers.

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ORDER OF LEGAL PROCEDURES





Club Protocol

UNDERSTANDING THE BINAS HALEV CONSTITUTION:

1. Familiarize yourselves with the BHL's student handbook and core values, which serve as the "constitutional document" for the school.
2. The Torah is the preamble, upon which all rules must be built. The Binat Halev Core Values are the Constitutional rights and responsibilities. The BHL Handbook is the interpretation and application of the rights and responsibilities of a student.
3. Review the values that are supposed to permeate the handbook. Review the handbook's rules, regulations, and disciplinary procedures.

CASE SELECTION

Individual Case

1. Student vs BHL/Teacher. Identify a specific case of a disciplinary action that students believe warrant legal review. Focus on those with potential constitutional or procedural issues.
2. Student vs. Student. Identify a specific case of student misconduct that was allegedly not properly addressed, such as a dispute between students, cheating, slandering name, etc.

Policy/Procedural Amendment

1. Student Body vs. BHL. Identify policies (rules) or procedures (schedules, discipline procedures, systematic procedures.. etc) that warrant adjustment or amendment based on an inconsistency with the Torah, School Values, and/or normal thought and conduct.

EVIDENCE COLLECTION AND REVIEW OF STATUTES

1. For each case, develop a clear understanding of the specific infraction, consequence, and/or the proposed amendment and the circumstances surrounding it. Gather witness statements (affidavits), video, audio, physical, and documentary evidence, if applicable.
2. Research relevant legal precedents, constitutional rights, Torah resources, and case studies from lessons or other sources to support your argument



LEGAL TEAM MEETING AND REVIEW

1. Hold regular meetings to discuss cases, review arguments, and provide feedback.
2. Collaborate to strengthen the legal arguments.

SUBMITTING A COMPLAINT FOR REVIEW

Individual Case Complaint:

1. Before submission to the school, there must be a documented attempt between the parties to amicably resolve the issue on their own. These will be reviewed by the court.
2. You must send prior notice to the opposing counsel, it is imperative that both parties are fully aware of the complaint's submission to the school.

For all cases continue here:

1. Email your completed complaint to legalclerks@binashalev.com.
2. In addition to the digital version, you must submit a physical copy of your briefs to the Binas Halev Legal Clerks for review.
3. Your complaint will be reviewed to ensure it has the foundational requirements. Then it will be sent to a professional legal team who will scrutinize its validity.

COMPLAINT PROCESSING:

1. If your complaint does not follow the correct protocol you will receive a request to resubmit the complaint with all the proper requirements. If your complaint does not have any legal legitimacy, it will be dismissed and the case will be closed.
2. If your complaint has legal legitimacy, the defendant will receive a letter notifying them that they have been served. You will receive a notice that the complaint is currently being processed.
3. The defendant's lawyers will then craft a response, they will respond individually to each fact - disputing it, agreeing with it, and/or giving additional information that was not listed. This response will address each allegation, and possibly include counterclaims.
4. Settlement agreements can be suggested to the opposing party from either side. If agreed upon, Binas Halev is to be notified and the judicial process will end.
5. Each side should engage in gathering any and all necessary evidence for their arguments.



6. Evidence and affidavits from both sides are released to the opposing party.
7. A Pre-trial Conference date is set. There, negotiations may take place and requests can be aired in front of the Judge.
8. If no settlement is reached, a court date will be set.

COMPLAINT FORMATION:

Ensure your complaint follows the appropriate guidelines. If a complaint is missing any essential details it will not be processed. See the next section for a detailed guide.



Formal Complaint Guidelines:

GUIDELINES FOR PREPARING AN INDIVIDUAL CASE COMPLAINT:

Brief Title: The title should reflect the nature of the appeal, including the matter of the case and the specific case number.

I. Introduction:

- Clearly state the intention to appeal against a particular decision.
- Outline the context and significance of the appeal.
- Assert the contradiction between the decision and Binas Halev's values or policies.

II. Statement of Facts:

- Number each relevant fact of the case without argumentative statements.
- This section should be a play by play of all relevant details of the incident.
- List specific dates, incidents, and any penalties given.
- Maintain a neutral tone while being thorough and accurate.

III. Argument:

- Present a logical structure, subdividing arguments into clear sections.
- Highlight any procedural errors in the disciplinary process. An inconsistency between the disciplinary action taken and the constitution. Describe how these errors might have affected the outcome.
- Connect the issue to foundational BHL and Torah principles, referencing appropriate doctrines, teachings, or scholarly works.
- Include case studies or legal precedents to support your argument. Such as: other school handbooks, Scientific evidence, the US constitution, and/or BHL classroom lessons.
- Cite alternative practices that could be applied.

IV. Conclusion:

- Summarize the core arguments made.
- Stress the misalignment of the decision with the school's educational mission.



V. Prayer for Relief:

- Enumerate the specific requests.
- Suggest constructive actions.
- Call for policy revisions that could prevent this issue from occurring again.

Signature Block:

- Provide space for the representative's signature to authenticate the brief.
- Include the current date.
- Include signature and date lines.

Attachments:

Certificate of Service: Your certificate as a legal representative of Binas Halev

- List and label all supporting documents, such as:
 - Exhibit A: Infractions Issued
 - Exhibit B: Relevant Sections from the Student Handbook
 - Exhibit C: Witness Statements
 - Exhibit D: Academic Records of the Appellant
 - Exhibit E: Educational and Doctrinal Sources

GUIDELINES FOR PREPARING A PROCEDURE/POLICY AMENDMENT:

Brief Title: The title should reflect the aim of the policy change, clearly indicating the area of policy or procedure in question.

I. Introduction:

- Declare the intent to advocate for a policy or procedure change.
- Provide a brief overview of the current BHL policy's limitations or issues.
- Highlight the significance of the proposed change for the school community.

II. Need for Change:

- Identify and articulate the specific BHL policy or procedure in question. Outlining the Handbook.
- Explain the reasons why your suggested change is necessary, referencing any relevant incidents or patterns that demonstrate the policy's shortcomings.
- Emphasize the dissonance between current policy outcomes and BHL's values and educational goals.
- Discuss the impact of the current policy on students, staff, or the educational process.



III. Argument:

- Present a structured argument supported by evidence such as case studies, testimonies, or statistical data.
- Support your case with evidence, grounded in BHL's experiences and teachings from the Torah.
- Incorporate instances from BHL Student or Teacher experience that highlight the need for change.
- Integrate scholarly research, educational theories and practices that align with BHL's values, or legal precedents that support the proposed change.
- Argue the benefits of the proposed change for the wider school community, including improved outcomes, fairness, or alignment with BHL values.

IV. Proposed Policy or Procedure:

- Clearly define the proposed changes to the policy or procedure.
- Explain how these changes address the issues identified, ensuring they are rooted in BHL's core principles.
- Detail the implementation plan, including any transitional arrangements, training, or resources required.

V. Conclusion:

- Concisely recap the argument and the necessity for change, stressing the alignment with BHL's mission.
- Call for a policy change that will uphold the school's commitment to its values. Emphasize the anticipated positive impact of the proposed policy.
- Urge the school's judicial system or governing body to consider the appeal seriously.

VI. Call to Action:

- Provide a clear and direct request for the specific steps to be taken by the decision-makers.
- Suggest a timeline for the review and implementation of the policy change.

Signature Block:

- Include space for the representative's signature, affirming the brief's content.
- Date the document to ensure timeliness.
- State that the brief has been submitted to the appropriate parties within the school's governance structure.
- Signature and date lines for official submission.

**Attachments:**

Certificate of Service: Your certificate as a legal representative of Binas Halev

- List supporting documents, which may include:
 - Comparative analysis of policies from similar institutions.
 - Data sheets with relevant statistical information.
 - Expert opinions or endorsements of the proposed policy change.
- Petition/Student conducted Binas Halev Questionnaire Results
- Case summaries used to illustrate the need for change.



Order of Procedure

1. Documentation (Evidence Collection):

- Students (Plaintiffs) gather all relevant evidence, including but not limited to, witness statements (affidavits), documentary evidence, and physical evidence if applicable.

2. Code of Conduct Review (Review of Statutes):

- Review the school's code of conduct (statutes), which serves as the governing legal document within the educational institution.

3. Filing a Claim (Complaint):

- Draft a formal complaint, articulating the issue, the parties involved, and the specific sections of the school code that have been allegedly violated.

4. Submission to School Authority (Clerk of Court):

- Submit the complaint to the designated school authority (clerk of court), who is responsible for overseeing the disciplinary process (docketing the case).

5. Service of Process:

- The respondent (defendant) is officially notified (served) with the complaint and any other summonses or orders.

6. Response to the Claim (Answer):

- The respondent files an answer to the complaint, addressing each allegation and possibly including counterclaims.

7. Discovery Phase:

- Both parties engage in a discovery phase, exchanging information, evidence, and lists of witnesses.



8. Pre-Hearing Conference (Pre-Trial Conference):

- A meeting is conducted to set timelines, clarify issues, and attempt settlement before proceeding to a hearing (trial).

9. Adjudicatory Hearing (Trial):

- An impartial panel (jury/judge) hears the case, including opening statements, witness testimonies (examinations and cross-examinations), presentation of evidence, and closing arguments.

10. Deliberation and Verdict (Judgment):

- The panel deliberates and then issues a written decision (verdict), which includes findings of fact and conclusions of law.

11. Sentencing (Remedies):

- If a violation is found, appropriate sanctions (remedies) consistent with the school code are determined.

12. Appeals Process:

- Parties have the right to appeal the decision to a higher authority (appellate court).

13. Final Resolution:

- The appeals process is exhausted, and the final decision is implemented, concluding the case (res judicata).

14. Enforcement:

- The school ensures that the decision and any sanctions are carried out (enforcement of the judgment).



Instagram



FOLLOW US, JOIN THE JURY, AND HELP OUR STUDENTS TO USE THEIR VOICES FOR GOOD!

Legal Consultants

JOSHUA
KON

DAVID
ROBBINS

AVRAHAM
LIEBERMAN

THANK YOU TO EVERYONE WHO MADE THIS POSSIBLE FOR BINAS HALEV STUDENTS: THE NEXT BRIGHT GENERATION OF KLAL YISROEL.