

Trial Roles

| Roles | | | |
|-------------------------------|------|---------|--------------------|
| Witness Name | Role | Student | Document for Trial |
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| Prosecution Opening Statement | | | |
| Defense Opening Statement | | | |
| Defense Closing Statement | | | |
| Prosecution Closing Statement | | | |

Witness and Direct Examination Preparation Sheet (Option 1)

Direct Examination – These are your witnesses. You need to ask open-ended question (not yes or no) to get them to tell a story to help your defendant. The witness and lawyer doing direct examination should work on this together using the text.

What is the witness' main claim and main supporting reason?

| Clues | Information to help your case (Quotation or summary from text) | Open-ended question(s) to ask for witness to discuss that information |
|---|---|--|
| Name of witness | | |
| Witness' job; other key background information | | |
| Witness' relationship to the defendant | | |
| A key date(s)/event(s) in testimony? – Witness' location at that date | | |
| Reason/evidence #1 from text to support your case | | |
| Reason/evidence #2 from text to support your case | | |
| Reason/evidence #3 from text to support your case | | |
| Reason/evidence #4 from text to support your case | | |
| Reason/evidence #5 from text to support your case | | |

What is your main point that you want to make sure to clarify and repeat?

Witness and Direct Examination Preparation Sheet (Option 2)

Direct Examination – These are your witnesses. You need to ask open-ended question (not yes or no) to get them to tell a story to help your defendant. The witness and lawyer doing direct examination should work on this together using the text.

What is the witness' main claim and main supporting reason?

| Clues | Information to help your case (Quotation or summary from text) | Open-ended question(s) to ask for witness to discuss that information |
|---|---|--|
| Name of witness | | |
| Witness' job; other key background information | | |
| Witness' relationship to the defendant | | |
| A key date(s)/event(s) in testimony? – Witness' location at that date | | |
| Major point of the story/testimony | | |
| Major point of the story/testimony | | |
| Major point of the story/testimony | | |
| Major point of the story/testimony | | |

What is your main point that you want to make sure to clarify and repeat?

Cross Examination Preparation Sheet (Option 1)

These are the other side's witnesses. You need to force the witness to make a mistake. **Find a hole in his/her story.** Find another way to see the text. You can lead the witness. **Ask only yes or no questions.** Make a statement that seems like a question. Find ways to **discredit** the witness by exposing bias or lack of information/knowledge.

What is the witness' main claim and main supporting reason that you want to make sure to address?

| Clues | Information to help your case (Quotation or summary from text) | Yes/no question(s) for witness to get him/her to admit that information |
|---|---|--|
| Name of witness | | |
| Witness' Job; Other key background information | | |
| Witness' relationship to the defendant | | |
| 1 Reason the witness lacks credibility (bias, etc) | | |
| 2 nd reason witness lacks credibility | | |
| 1 Key piece of information the witness doesn't know or didn't see | | |
| 1 key piece of information that is vague or could be understood in a different way | | |
| 2 nd key piece of information that is vague or could be understood in a different way | | |
| 1 inconsistency within text (witness says something contradictory) | | |
| Statement(s) that contradicts key evidence from a Defense Exhibit | | |

Cross Examination Preparation Sheet (Option 2)

These are the other side's witnesses. You need to force the witness to make a mistake. **Find a hole in his/her story.** Find another way to see the text. You can lead the witness. **Ask only yes or no questions.** Make a statement that seems like a question. Find ways to **discredit** the witness by exposing bias or lack of information/knowledge. Find the following in the text:

- 1) Lack of credibility (bias)
- 2) Misinformation
- 3) Lack of information
- 4) Vagueness
- 5) Inconsistency/Contradiction within itself
- 6) Statement(s) that contradicts key evidence from an Exhibit or Stipulated Fact

What is the witness' main claim and main supporting reason that you want to make sure to address?

| Clues | Information to help your case (Quotation or summary from text) | Yes/no question(s) for witness to get him/her to admit that information |
|---|---|--|
| Name of witness | | |
| Witness' Job; Other key background information | | |
| Witness' relationship to the defendant | | |
| -Lack of credibility (bias) -Misinformation -Lack of information -Vagueness -Inconsistency -Contradicts an Exhibit or Fact | | |
| -Lack of credibility (bias) -Misinformation -Lack of information -Vagueness -Inconsistency -Contradicts an Exhibit or Fact | | |
| -Lack of credibility (bias) -Misinformation -Lack of information -Vagueness -Inconsistency -Contradicts an Exhibit or Fact | | |
| -Lack of credibility (bias) -Misinformation -Lack of information -Vagueness -Inconsistency -Contradicts an Exhibit or Fact | | |

Opening and Closing Statement Preparation Sheet

1-2 lawyers on your team should write the statement

Preparation before writing: Ask the lawyers and witnesses on your “team” about the most important point they will make. Write down one key point for each witness/lawyer.

Opening: Write a 1-page statement outlining your side’s case, highlighting the major points you will argue in the trial (you don’t need to use actual quotations, just the most important broad points). Think of this as an introduction to your case. You will give this opening statement at the start of the trial.

Closing: Write a 1-page statement outlining the case your side made, highlighting the major points you argued in the trial (you don’t need to use actual quotations, just the most important broad points). You will give this closing statement at the end of the trial.

Here are some key things to think about:

1) What are the key values or issues that are at stake? What values of justice support your case? How would a victory for your side lead to justice?

2) Make sure to write in a clear, accessible tone. Write to the judges and explain what you will show and they will see. You should have phrases like this:

| Opening | Closing |
|--|--|
| <ul style="list-style-type: none">• My team of lawyers will show...• Honorable judges, you will see that...• We will demonstrate that...• It will become clear during this trial that...• Once you see the evidence, you will recognize that...• Some of our witnesses will explain that... | <ul style="list-style-type: none">• My team of lawyers showed that...• Honorable judges, you saw that...• We demonstrated that...• It became clear during this trial that...• With the evidence we saw, you should recognize that...• Our witness_____ showed that... |

Name: _____

Jury/Judge Notetaking Sheet

Instructions: You are a member of the jury. You are here to judge the defendant's guilt or innocence. Remember you need to determine if there is enough evidence to convict the defendant *beyond a reasonable doubt*.

The Charge:

Name of Defendant: _____

| | Evidence that shows defendant is guilty | Evidence that shows defendant as not- guilty |
|---------------------|--|---|
| Witness 1: Name: | | |
| Witness 2: Name: | | |
| Witness 3: Name: | | |
| Witness 4: Name: | | |
| Witness 5: Name: | | |

| | | |
|----------------------|--|--|
| Witness 6: Name: | | |
| Witness 7: Name: | | |
| Witness 8: Name: | | |
| Witness 9: Name: | | |
| Witness 10: Name: | | |

Additional Notes:

| | | |
|--|--|--|
| Who was the key witness for you or what was a key piece of evidence? | Do you believe the defendant was guilty or not guilty? | If guilty, what do you think the punishment should be? |
| | | |

