

Lesson Overview

Overview: This lesson introduces the legal system and how a case progresses through the state courts.

Objectives: Students will be able to...

- Define key terms related to a trial.
- Outline the steps in a trial.
- Distinguish between different levels of law.
- Describe similarities and differences between federal and state courts, trial and appellate courts, and civil and criminal courts.
- Participate in a mock trial simulation.

Time Required:

- One to two 50-minute class periods for activities prior to trial simulation.
- Time will depend on the trial simulation selected for your class.

Materials Needed:

- Handout A: Vocabulary Match Up (cut out and put in two stacks as noted in procedures)
- Handout B: Walking through a Trial “Steps” in a Trial (cut out several sets and put in separate envelopes) Activity adapted with permission from the State Bar of Texas Law-Focused Education.

Next Generation Sunshine State Standards Correlation:

SS.7.C.2.6 Simulate the trial process and the role of juries in the administration of justice.

Walking Through a Trial



Procedures

1. Let students know that in learning about the legal system, there are lots of new terms that they will need to know. Make copies of the vocabulary terms and definitions from Handout A. Divide the cards into two stacks. The first stack will be vocabulary words and the second stack will be the definition cards. The class should be divided into small groups. Each group should have three to five students. Provide each group with both stacks of cards and have students match the terms to the definitions.
2. As an alternative, you can implement as a full class activity. In this strategy, give half of the class one vocabulary word per student and the other half of the class should receive a definition card per student. Once every student has a card, have them think silently about what term or definition would match their card. Students should be told to walk around the room and look for the matching definition or vocabulary term that matches their card. After students have found their corresponding match (corresponding term and definition), they should stand in matching pairs. The teacher and resource person will debrief by going around the room and having each pair share the vocabulary word and definition. Debrief all terms with the full class so that all students know the definitions.
3. After students have reviewed the vocabulary terms and definitions, a resource person should assist in answering any questions or expanding upon any of the concepts.
4. Next, assemble students in groups of three to five students and give each group a set of the Walking through a Trial packet (Handout B). Ask students to put the steps of a trial in order based on what they know about the trial process through television or other means.
5. Once all groups have completed the tasks, review the basic steps with the full class to ensure they have the steps in the correct order. Teacher answer key provided. Have your Justice Teaching volunteer/resource person (attorney or judge) help debrief and answer questions. Ask students if this exercise demonstrated a civil or criminal trial? How could they tell? (Answer: Use of term plaintiff denotes a civil trial.)
6. Review with students the differences between state and federal courts, trial and appellate courts, and civil and criminal cases.

7. In preparing for the middle school mock trial simulation and competition, teachers should review the rules of competition and simplified rules of evidence. Ask your attorney or judge volunteer to assist with preparing and coaching students. Check the Justice Teaching Center for Civic Learning website to determine the due dates and identify the current year's case. Review the video clips on the middle school mock trial competition web page to see sample simulations from previous years.
8. Utilizing the rules and guidelines provided, register your class for the middle school mock trial virtual competition and submit the link to your simulation. Remember you can tape your mock trial in your classroom or in a courtroom.

Additional Resources

- Review the Sorting Out the Courts lesson and present prior to the trial simulation.
- If students need to start with a scripted trial, there are many options available. The iCivics James Bond in a Honda mock trial and jury simulation provides a federal courts case simulation.
- For additional resources, contact justiceteaching@flsouthern.edu.



Handout A

Walking Through a Trial Vocabulary Match Up!

Instructions: If doing activity as a small group, provide each group with all the vocabulary words and definition cards in separate stacks and have students match the terms to the definitions. If doing as a full class, distribute vocabulary words to half of the class and definitions to the other half of the class. Have students circulate around the room and find the matching definition to the vocabulary term. After students have found their corresponding matches, they should stand together (corresponding term and definition) in pairs and share the vocabulary word and definition. Debrief all terms with the full class so that all students know the definitions.



Judge

I interpret and apply the law. I oversee the trial and make decisions based on the facts and the law. I make sure the law and courtroom rules and procedures are followed and the trial is fair.



Jury

A body of people that are chosen to listen to the evidence in a trial, determine the facts of the case, and then decide the verdict.



**Defense Attorney/
Public Defender**

I am a lawyer that represents a person accused of a crime. Sometimes I am appointed to represent persons who cannot afford to pay for a lawyer.



Objection

This term is used by a lawyer when they oppose a question in court asked by an attorney, or an answer given by a witness.



Witness

I answer questions and provide testimony in a case if called by the lawyers during the trial.



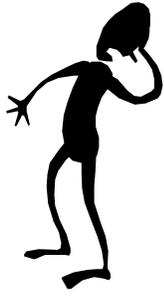
Charge

This is a formal accusation that a person has committed a crime.



Overruled

This is how a judge rules when he/she disagrees with an objection made by a lawyer during a trial.



Defendant

I am the person accused of and charged with committing a crime in a criminal case.



State attorney/Prosecuting Attorney

I am the lawyer in a court of law who tries to prove the defendant is guilty of a crime.



Evidence

Documents, objects, or witness testimony presented to prove or disprove something in court.



Opening Statement

Presentations made by the lawyers at the beginning of the trial.



Closing Statement

Presentations made by the lawyers at the conclusion of the trial.



Sustain

A ruling when the judge agrees with an objection that a lawyer makes during a trial.



Verdict

The decision made by the jury or judge at the end of the trial.



Testimony

Statements made under oath usually in a courtroom by witnesses.



Civil Trial

A process to resolve legal disputes between people or entities such as businesses; non-criminal dispute. Plaintiff seeks damages or remedy from defendant; a lawsuit.



Criminal Trial

A process for determining if a defendant is guilty of charges filed against him/her by the government.

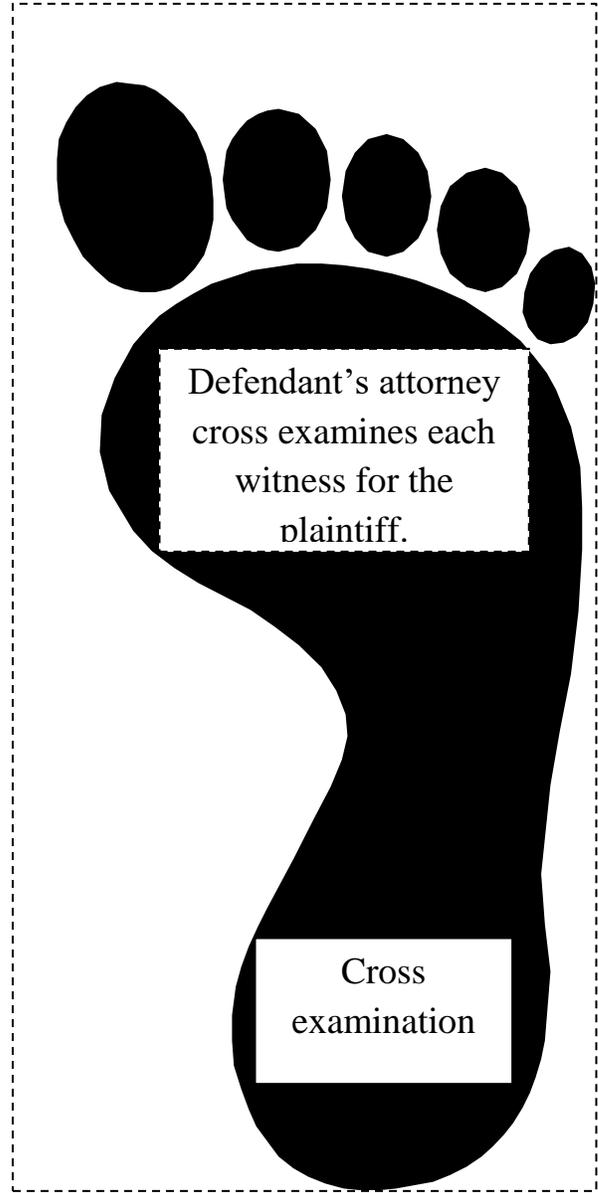
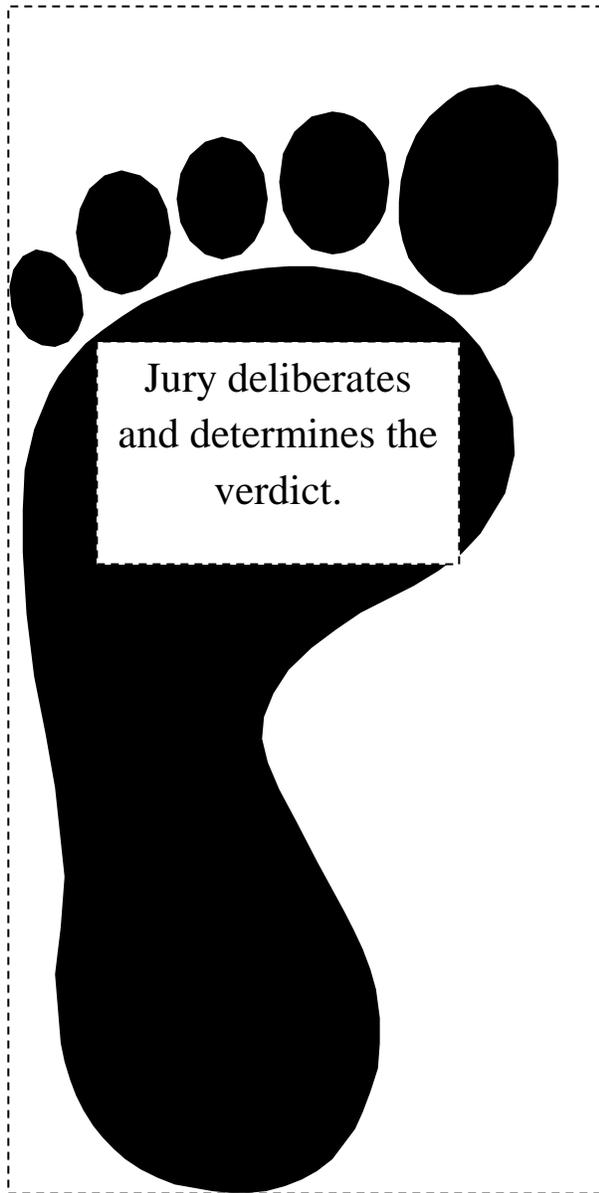


Bailiff

I am an officer of the court and provide security and protection to the judge and persons in the courtroom.

WALKING THROUGH A TRIAL

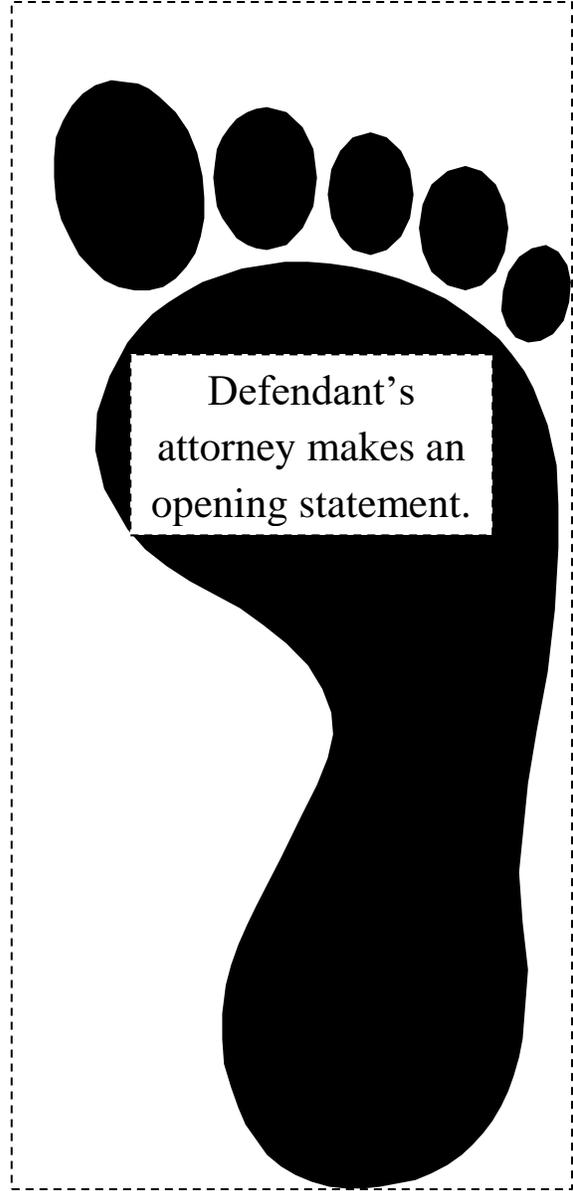
Instructions: Cut out the images below individually and mix up the order. Place multiple sets in envelopes based on the number of small groups you will have. Divide the class into small groups of three to five students. Instruct students to place the feet in the correct order to demonstrate the sequence of events in a trial.



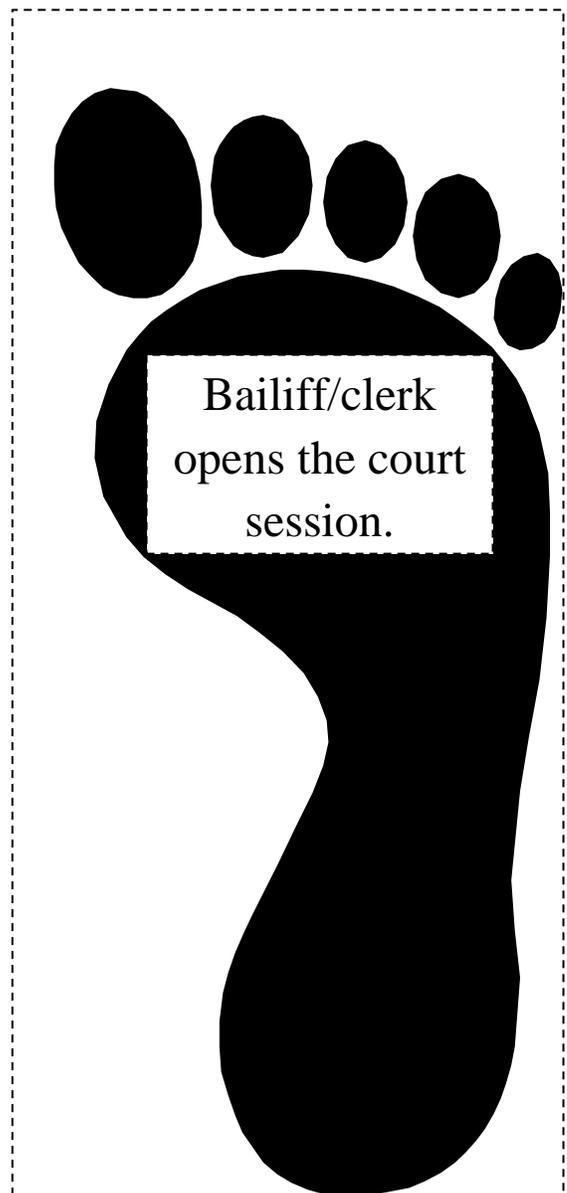
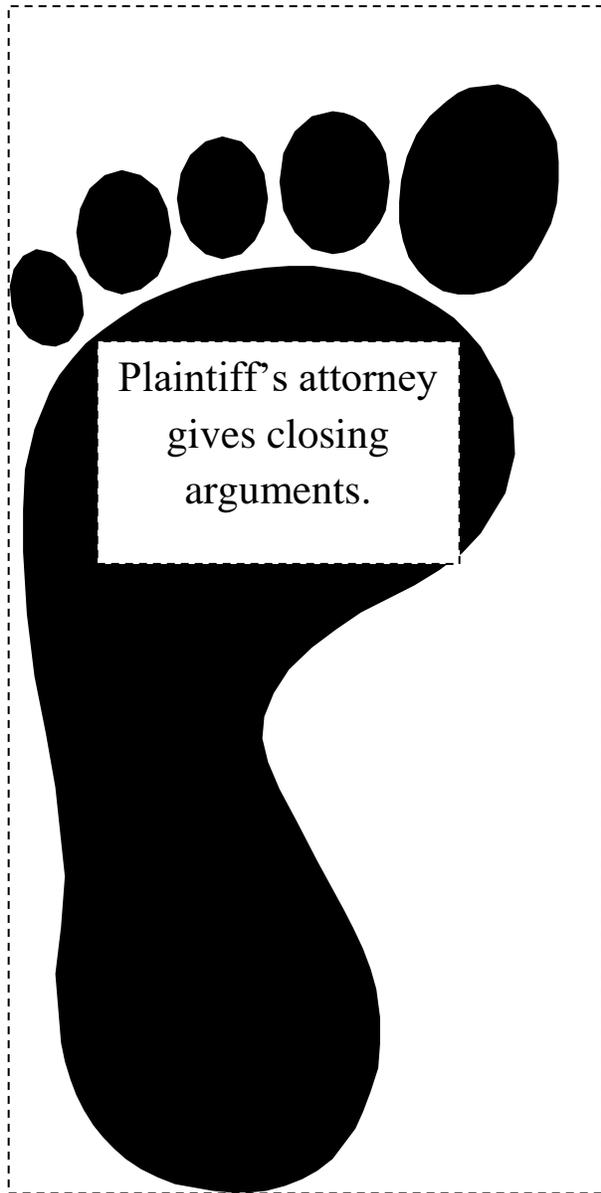
Defendant's attorney
cross examines each
witness for the
plaintiff.

Cross
examination

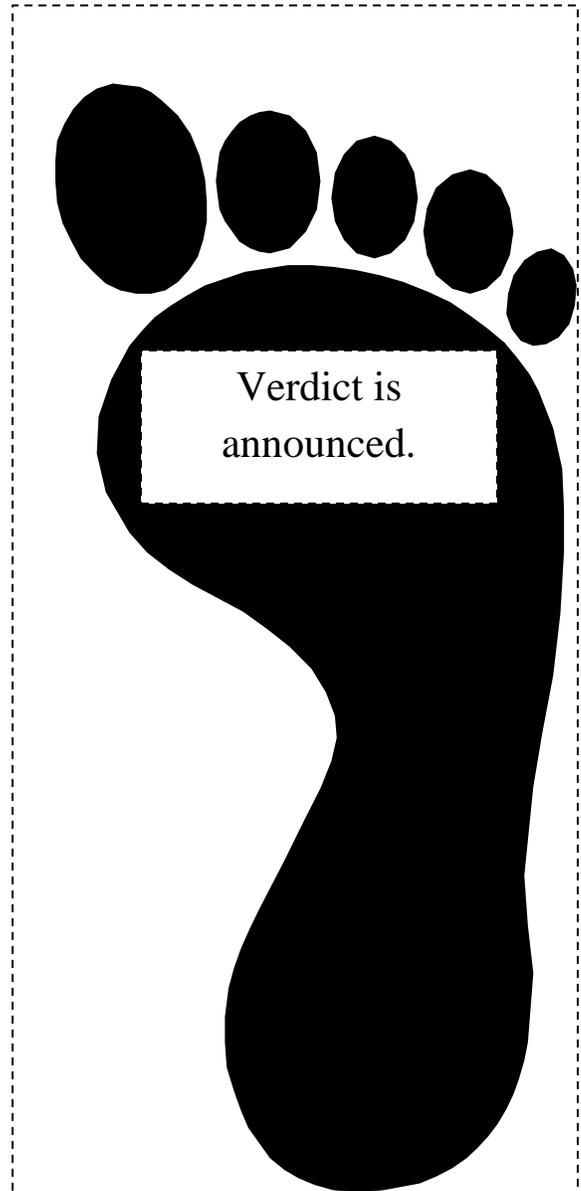
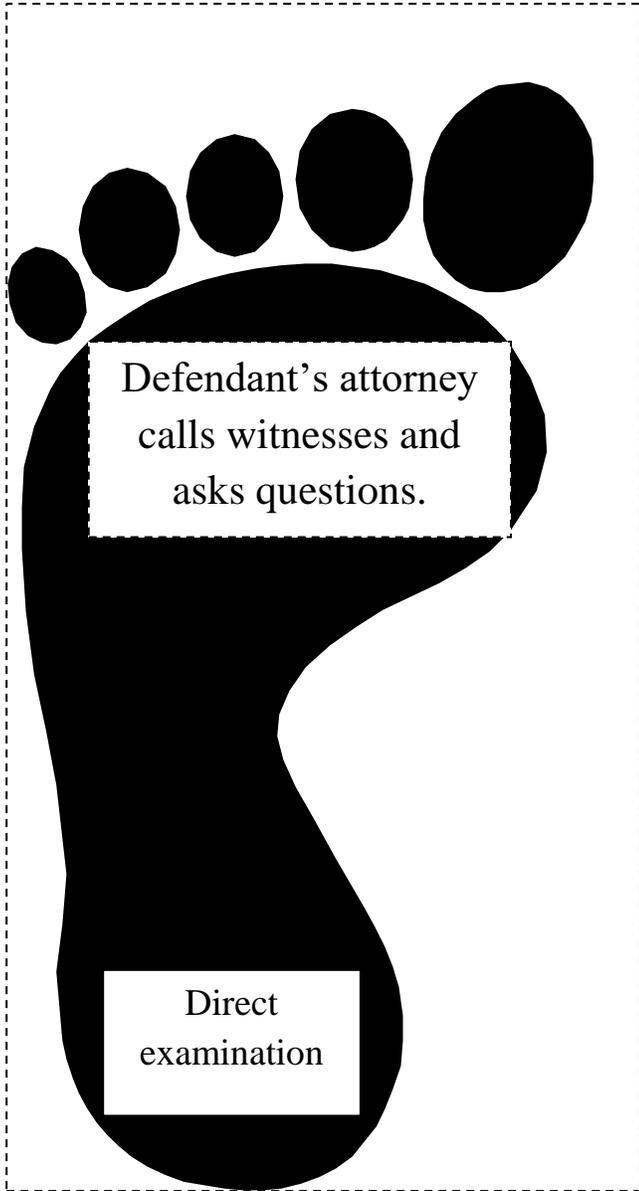
WALKING THROUGH A TRIAL



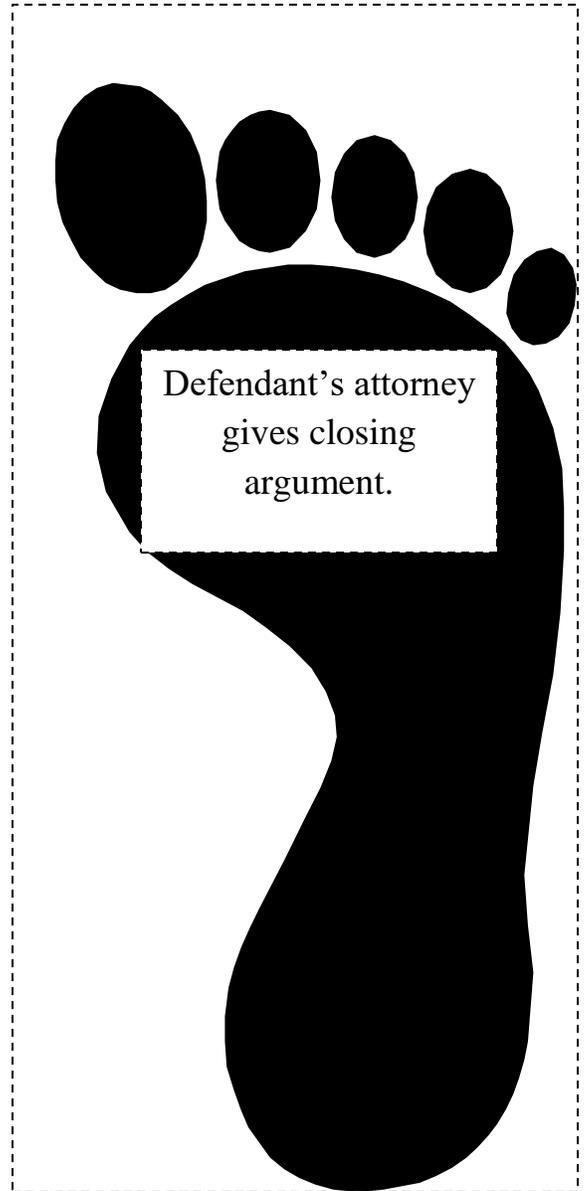
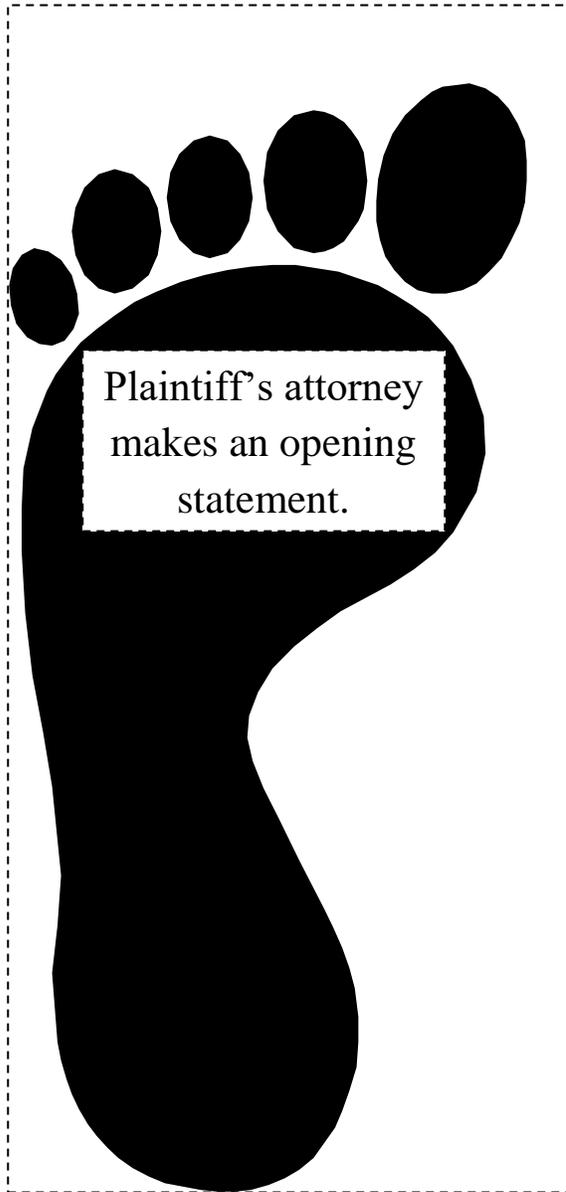
WALKING THROUGH A TRIAL



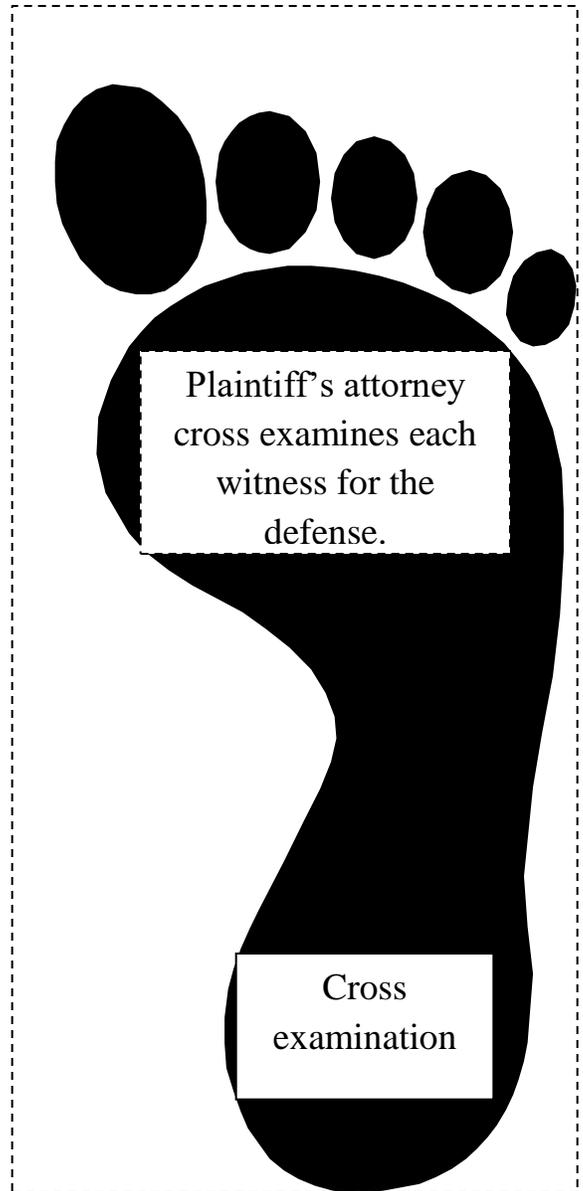
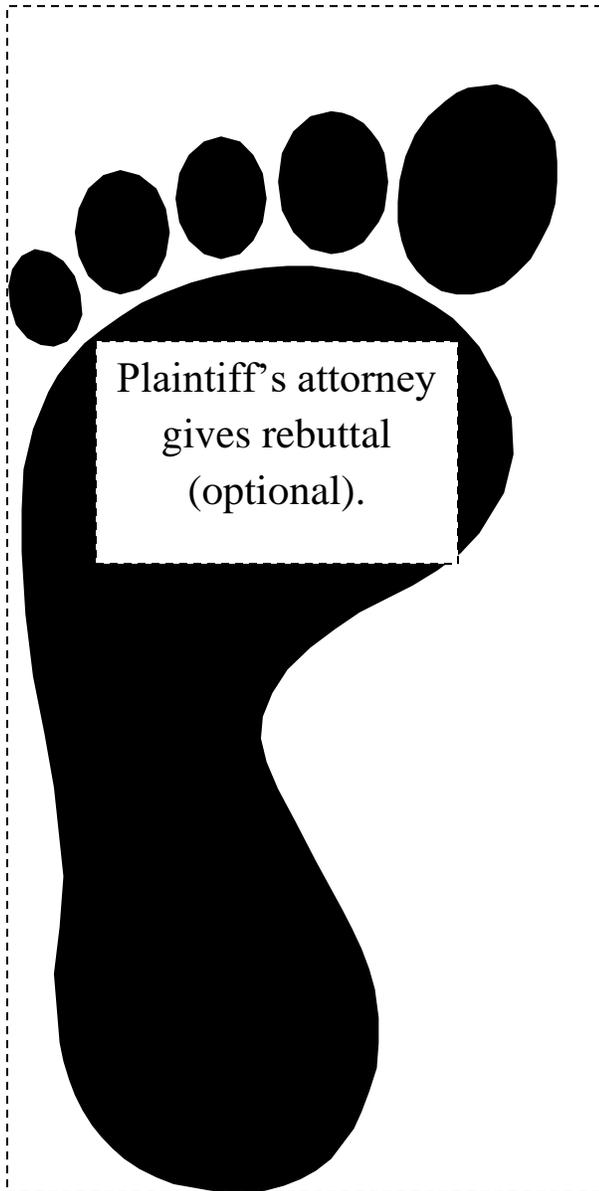
WALKING THROUGH A TRIAL



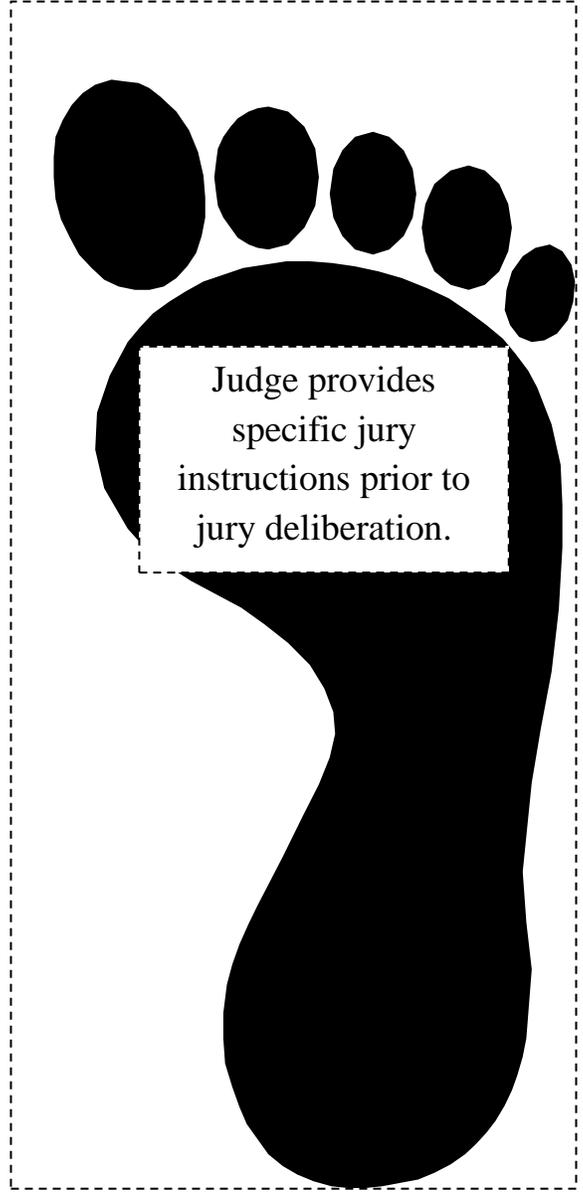
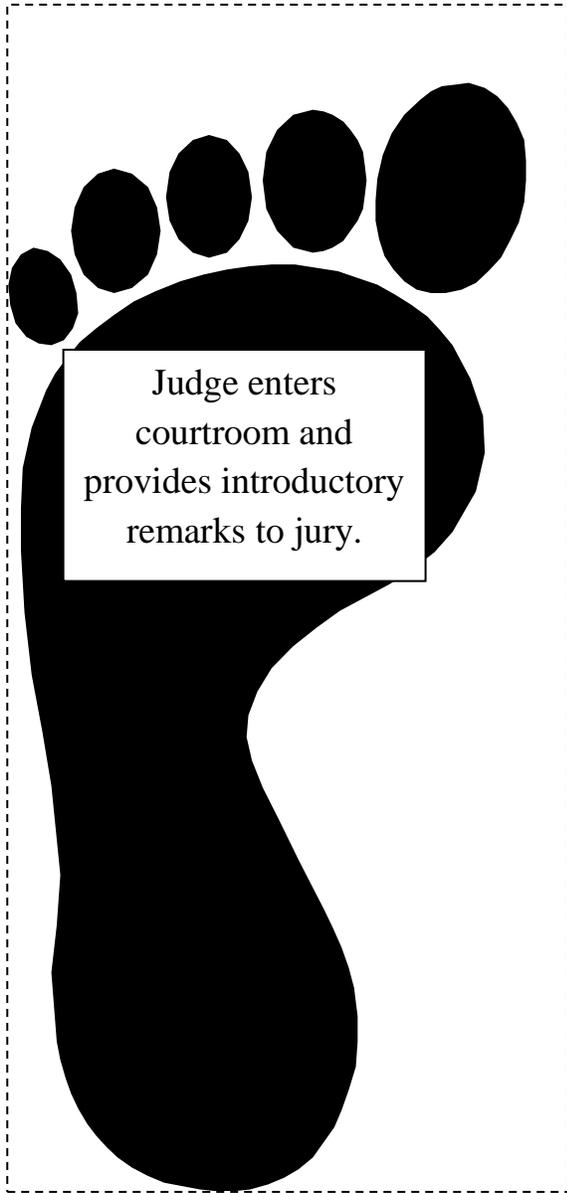
WALKING THROUGH A TRIAL



WALKING THROUGH A TRIAL



WALKING THROUGH A TRIAL



WALKING THROUGH A TRIAL

1. Bailiff/Clerk opens the court session.
2. Judge enters court and provides introductory remarks to jury.
3. Plaintiff's attorney makes an opening statement.
4. Defendant's attorney makes an opening statement.
5. Plaintiff's attorney calls first witness and asks questions (direct examination)
6. Defendant's attorney cross examines witness for the plaintiff.

*Note: Plaintiff may have multiple witnesses. For each witness the attorney for the plaintiff will question the witness and the defendant's attorney will immediately follow with the cross examination.

7. Defendant's attorney calls first witness and asks questions (direct examination).
8. Plaintiff's attorney cross examines witness for the defense.

*Note: Defendant may have multiple witnesses. For each witness the attorney for the defendant will question the witness and the plaintiff's attorney will immediately follow with the cross examination.

9. Plaintiff's attorney gives closing argument.
10. Defendant's attorney gives closing argument.
11. Plaintiff's attorney may present rebuttal .
12. Judge provides specific jury instructions prior to jury deliberation. This can be before number 9 and/or at number 12 as instructions may be given at various times throughout the trial – at the introduction of the case, before closing statements, and before the jury is discharged to consider its verdict, etc.
13. Jury deliberates and determines verdict.
14. Verdict or decision is announced.