



# Walking Through A Trial



## Next Generation Sunshine State Standards Correlation

SS.7.CG.2.5:

Describe the trial process and the role of juries in the administration of justice at the state and federal levels.

- Students will examine the significance of juries in the American legal system.
- Students will explain types of jury trials, how juries are selected and why jury trials are important.

## Lesson Overview

This lesson introduces the legal process and how a case progresses through the state or federal courts.

## Objectives

Students will be able to...

- Define key terms related to a trial.
- Outline the trial process.
- Distinguish between different levels of courts.
- Optional: Participate in a mock trial or voir dire simulation

## Time Required

- One to two 45-minute class periods.

## 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 criminal trial (cut out several sets and put in separate envelopes)
- **Handout C:** Walking Through A Trial “Steps” in a civil trial (cut out several sets and put in separate envelopes)

## 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 definitions 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 definition.
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 cards (Handout B or C). 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. You can also follow up with a case study to demonstrate the steps in a trial and the appellate processes. Finally, if time permits, use the Just Served presentation on jury service to reinforce concepts, institutions, and processes.

6. Review with students the differences between state and federal courts, trial and appellate courts, and civil and criminal trials. Let students know that not all trials have juries. The Just Serve activity will provide further illustrations of the jury system and processes.
7. If preparing for the middle school mock trial simulation and competition, teachers should review the rules of competition and simplified rules of evidence in the case materials. 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. You may also wish to use the complete 2019 High School video to allow students to evaluate presentations in preparation for their exercise.

### **Additional Resources**

- Another potential option for a federal jury trial simulation is the James Bond in a Honda case, a federal civil case, created by iCivics.
  - Link to video: <https://www.youtube.com/watch?v=gqa-b3assCA>
  - Link to lesson plan: <https://www.icivics.org/teachers/lesson-plans/james-bond-honda-trial-simulation-lesson>
- For additional resources and materials on the trial process or case studies, contact [apitts@flsouthern.edu](mailto:apitts@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. Then distribute 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. Debrief all terms with the full class so that all students know the definitions and can determine if they found their correct match..

<p>Judge</p>	<p>I interpret and apply the law. I preside over the trial and make decisions based on the law. I should be fair and impartial.</p>
<p>Jury</p>	<p>We are a group of people who represent a cross-section of the community, empowered to make decisions on the facts in a case presented during a trial.</p>

<p>Defense Attorney or Public Defender</p>	<p>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.</p>
<p>Objection</p>	<p>A formal challenge used by a lawyer to oppose a question or answer given in the courtroom.</p>
<p>Witness</p>	<p>I answer questions and provide factual testimony in a legal case if called by the lawyers during the trial.</p>

<p><b>Charge</b></p>	<p>This is a formal accusation that a person has committed a crime.</p>
<p><b>Overruled</b></p>	<p>A judicial ruling which denies an objection made by a lawyer during a trial.</p>
<p><b>Defendant</b></p>	<p>I am the person accused of and charged with committing a crime in a criminal case.</p>

## Prosecutor

I am a lawyer for the government who tries to prove the defendant is guilty of a crime.

## Evidence

Documents, objects, or testimonies presented during a trial.

## Opening Statement

Introductory preview of the case presented by the lawyers during a trial.

**Closing Argument**

A concluding summary presented by the lawyers during a trial.

**Sustain**

A judicial ruling which supports an objection made by a lawyer during a trial.

**Verdict**

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



## Testimony

Statements made under oath by witnesses.

## Civil Trial

A process to resolve non-criminal legal disputes between people or entities.

## Criminal Trial

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

## Bailiff

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

## Defendant

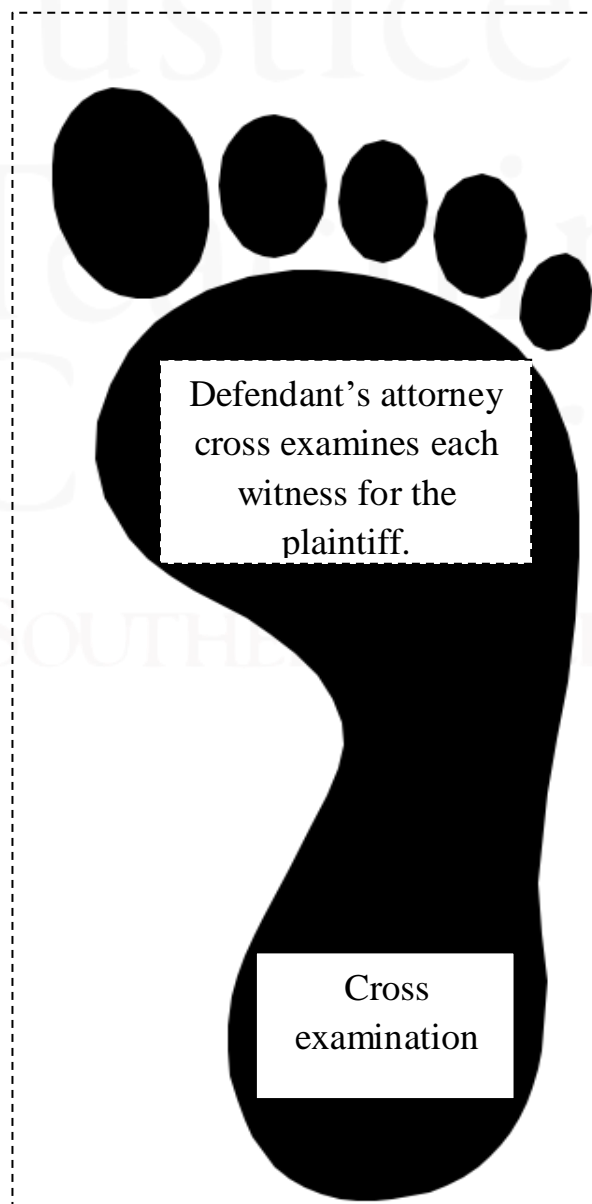
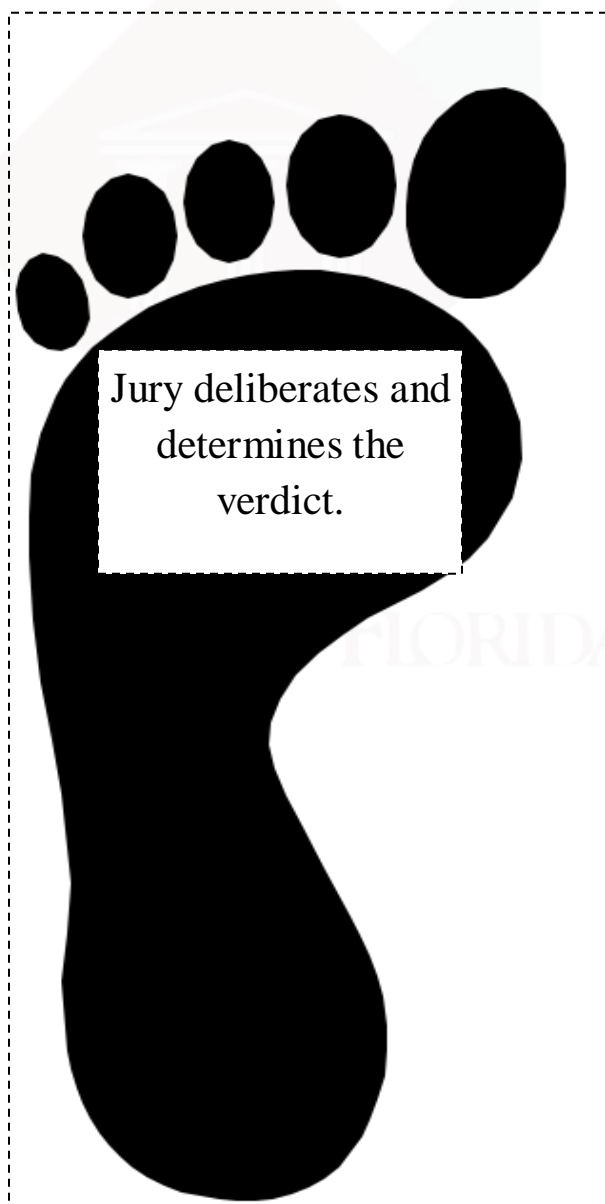
I am the person sued by the plaintiff in a civil trial.

## Plaintiff

A person or entity who initiates a legal action against the defendant in a civil trial.

## Handout B Walking Through A Civil Trial

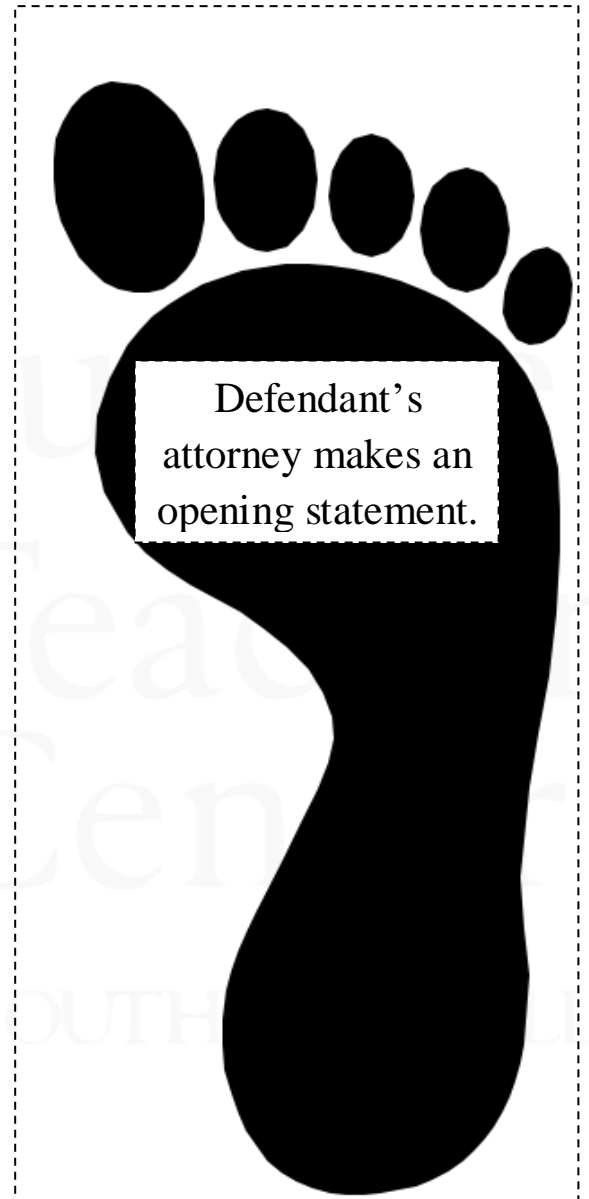
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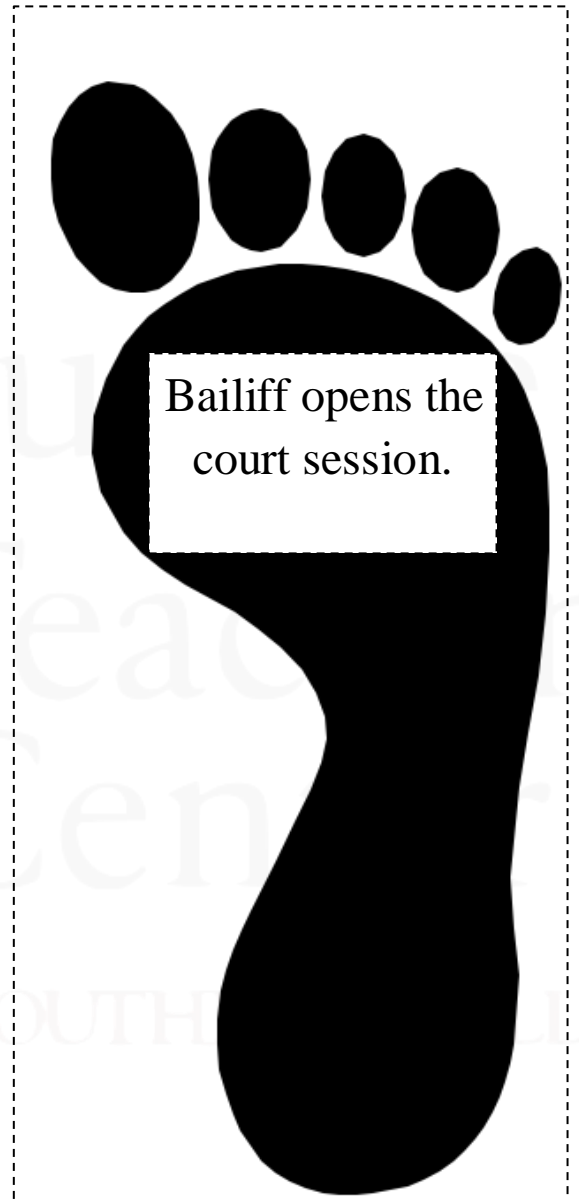
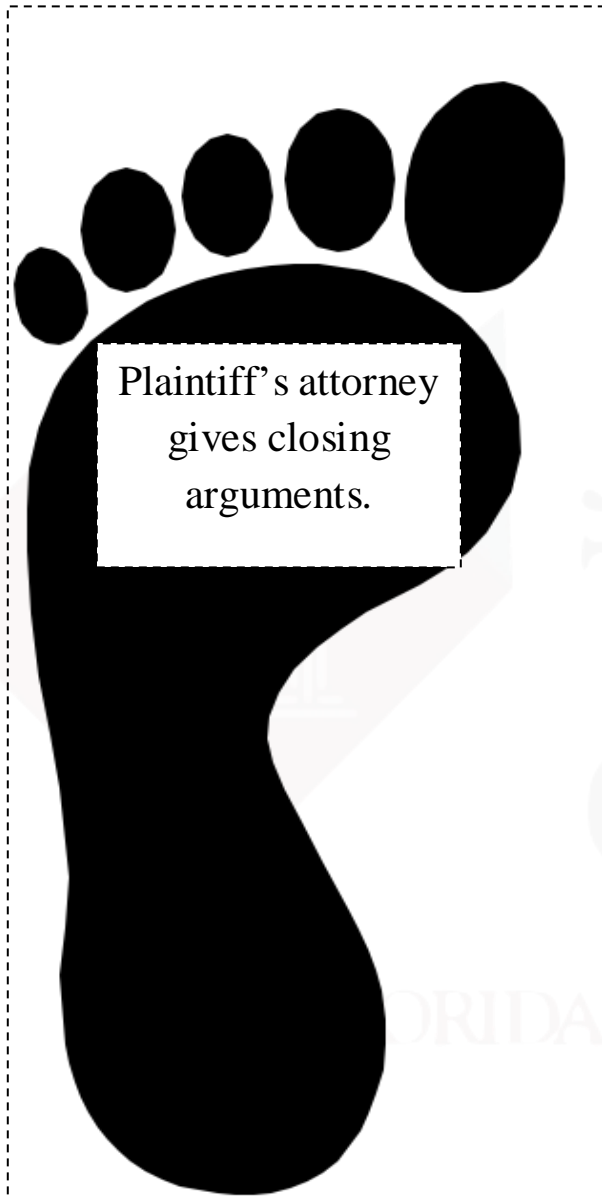
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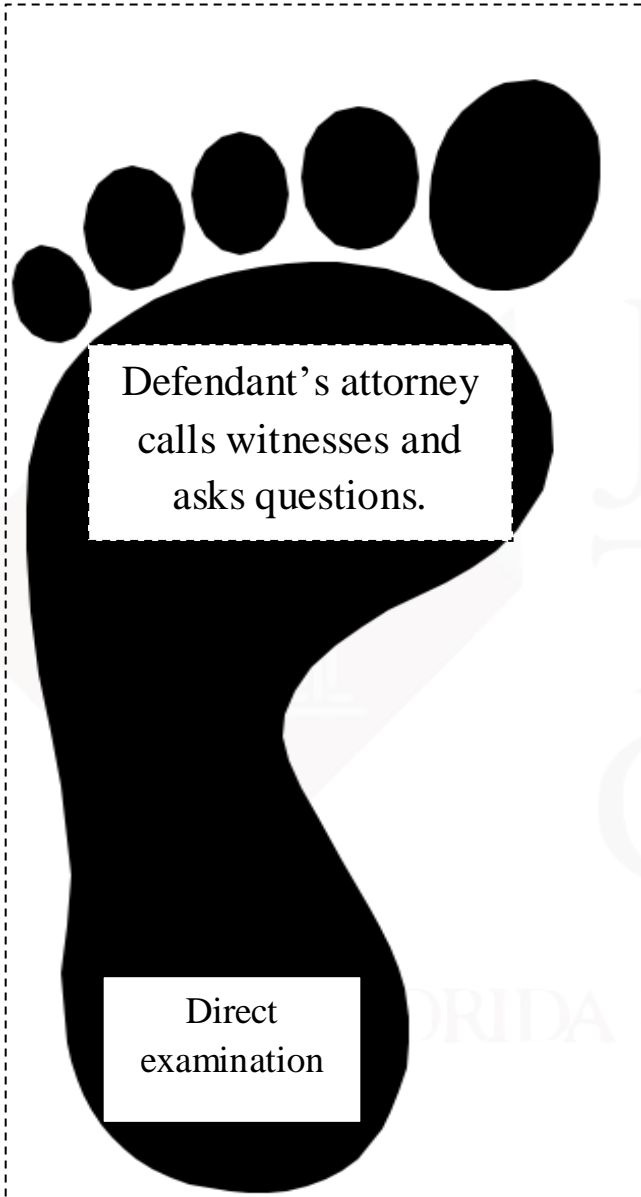
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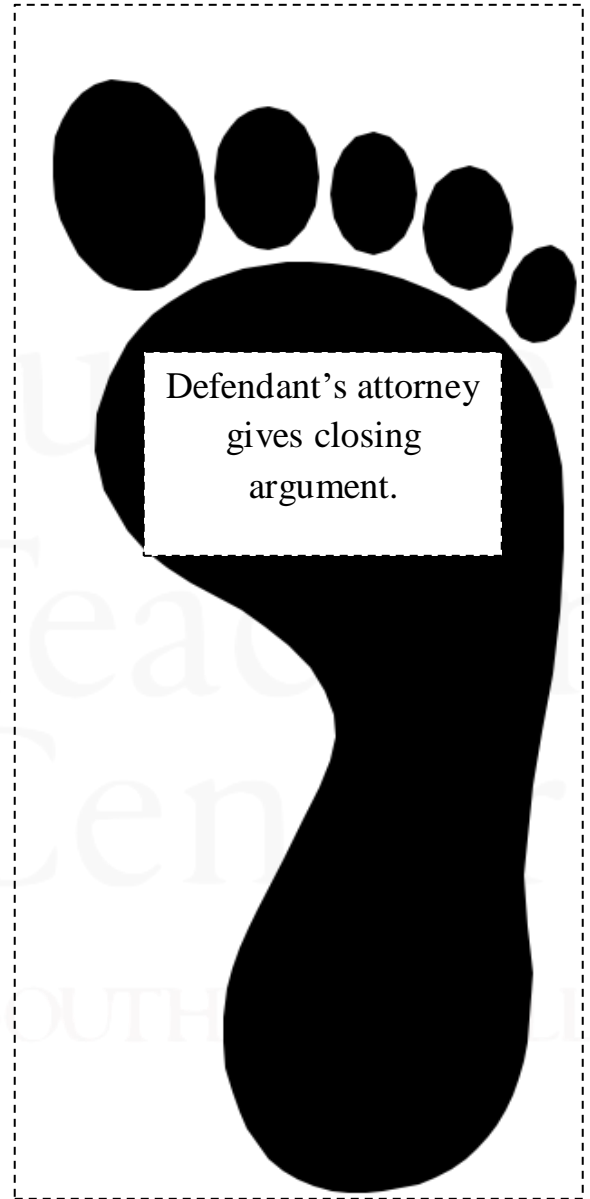
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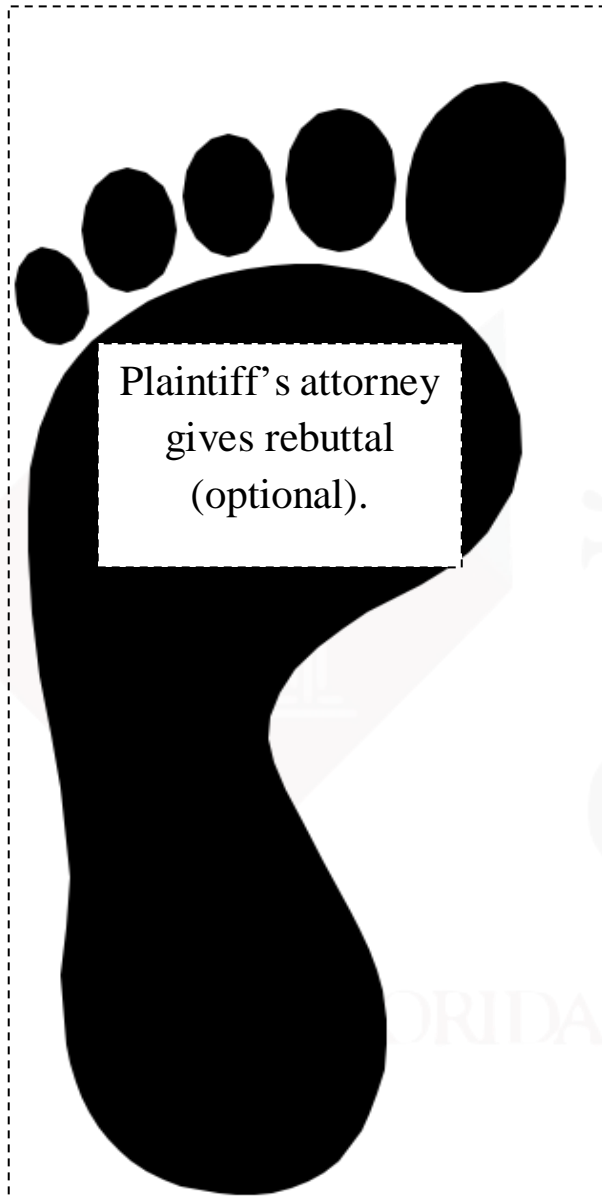
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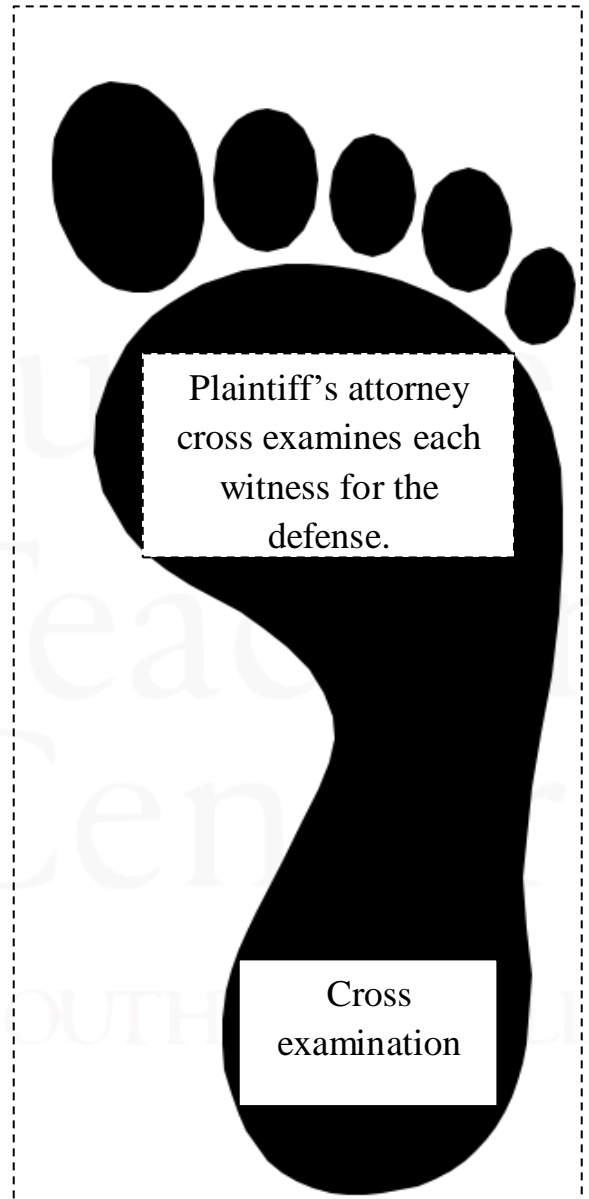


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Plaintiff's attorney  
gives rebuttal  
(optional).



Plaintiff's attorney  
cross examines each  
witness for the  
defense.

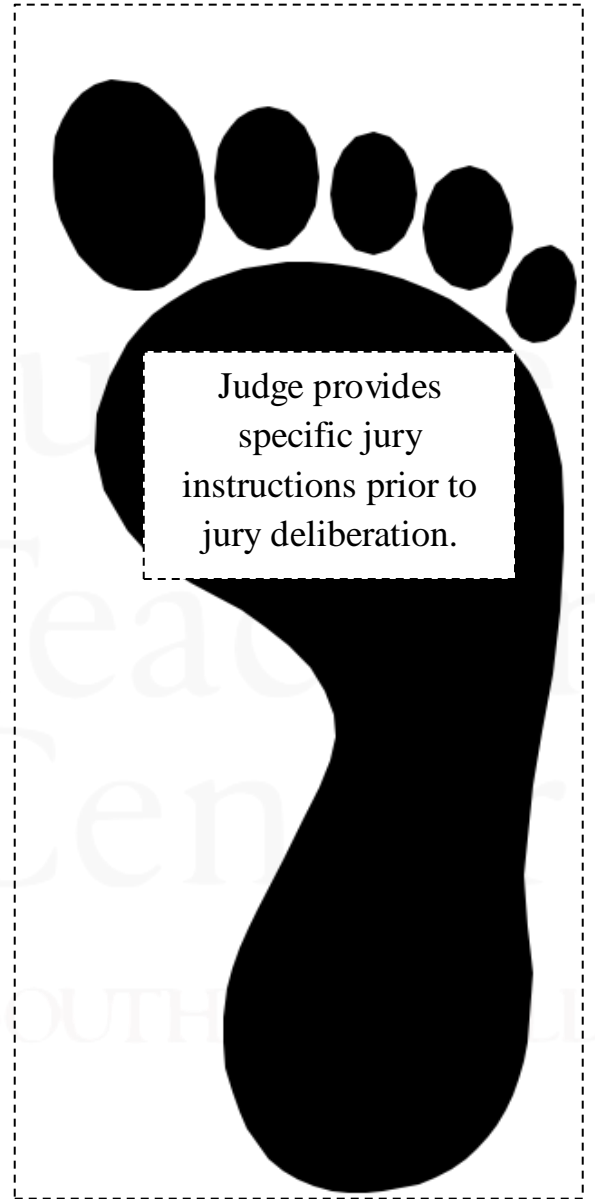
Cross  
examination





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## Teacher Handout — Answer Key for Handout B

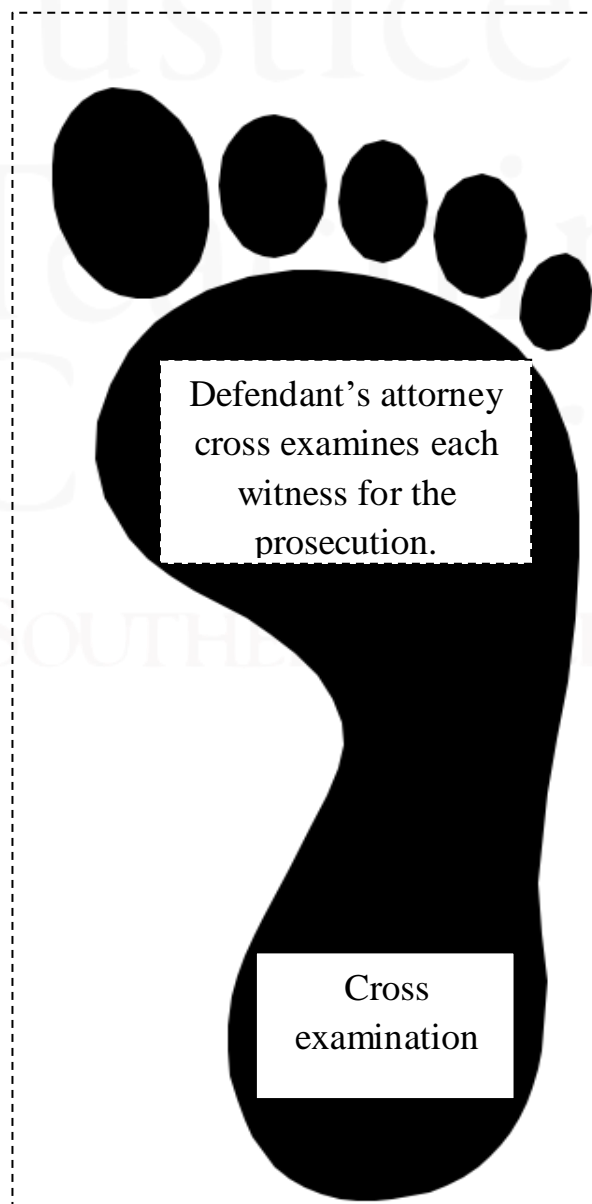
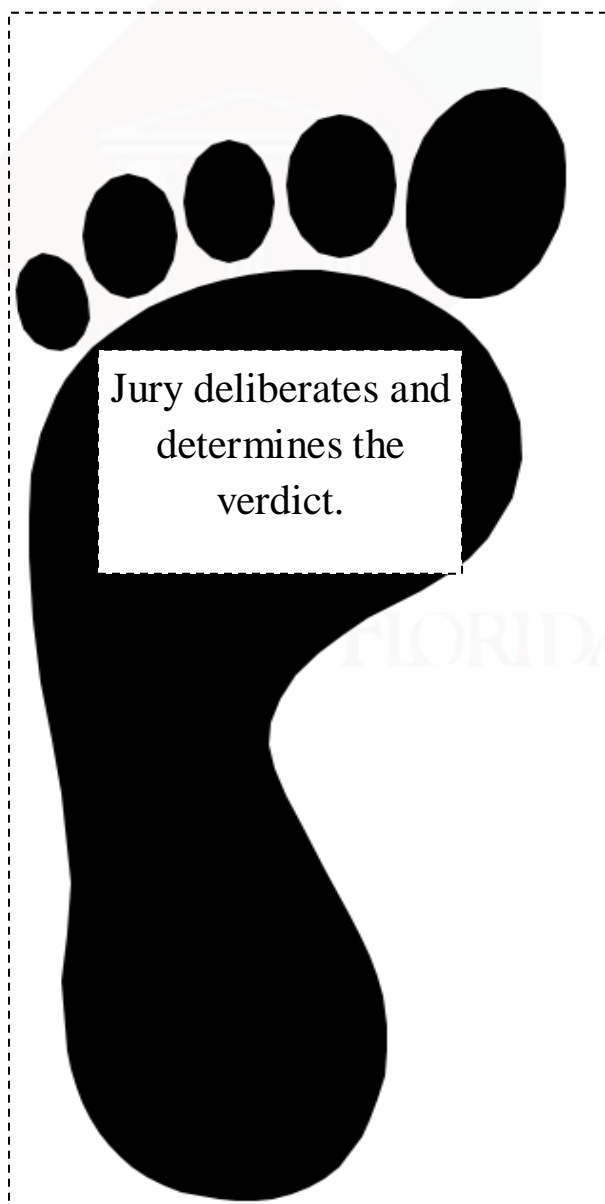
### Walking Through A Civil Trial

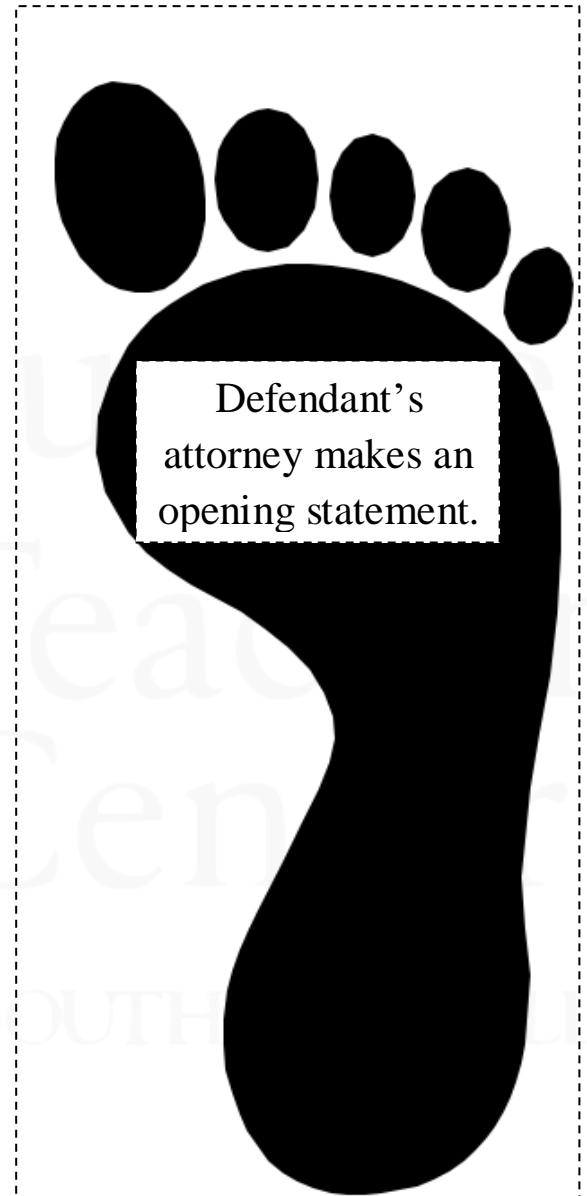
1. Prospective jurors are summoned.
2. Voir dire process.
3. Bailiff opens the court session for the trial.
4. Judge enters court and provides introductory remarks to the jury.
5. Plaintiff's attorney makes an opening statement.
6. Defendant's attorney makes an opening statement.
7. Plaintiff's attorney calls first witness and asks questions (direct examination)
8. 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.
9. Defendant's attorney calls first witness and asks questions (direct examination).
10. 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.
11. Plaintiff's attorney gives closing argument.
12. Defendant's attorney gives closing argument.
13. Plaintiff's attorney may present rebuttal .
14. Judge provides specific jury instructions prior to jury deliberation.
  - Note: This can be done at various times throughout the trial (before or after closing arguments, and before the jury is discharged to consider its verdict).
15. Jury deliberates and determines the verdict.
16. Verdict or decision is announced.

## Handout C

# Walking Through A Criminal 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.

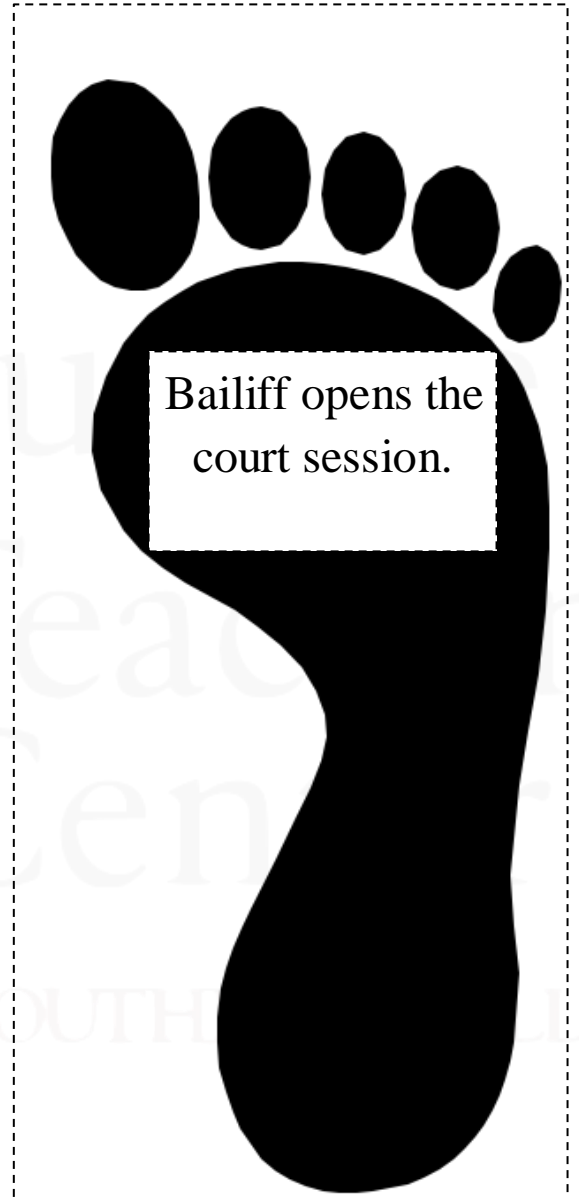






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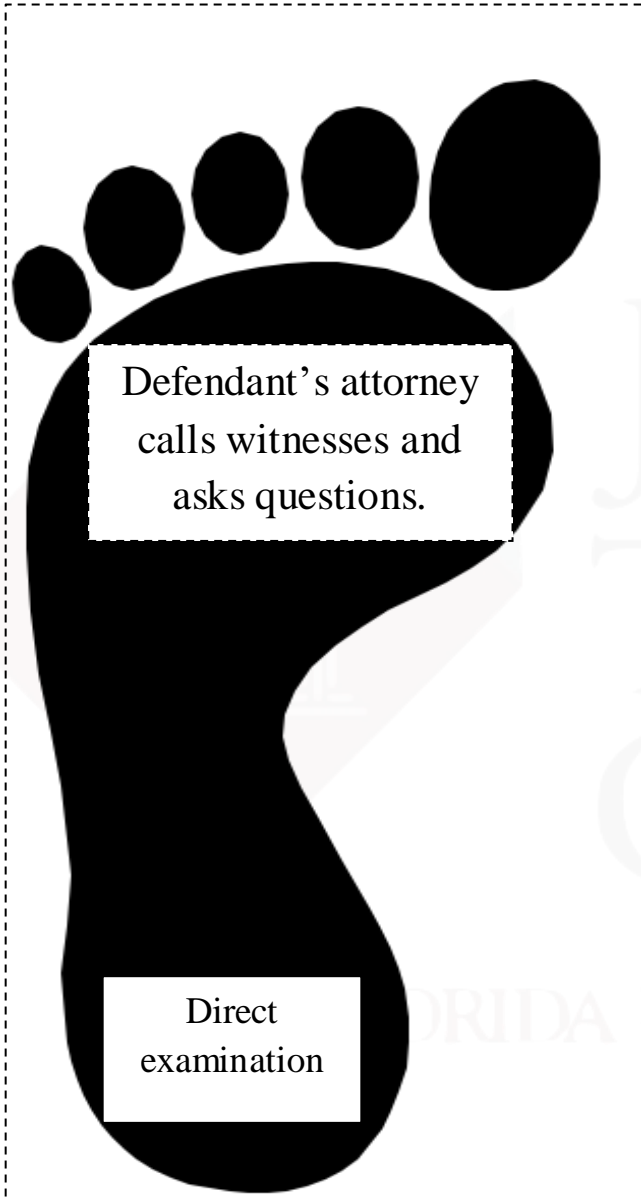
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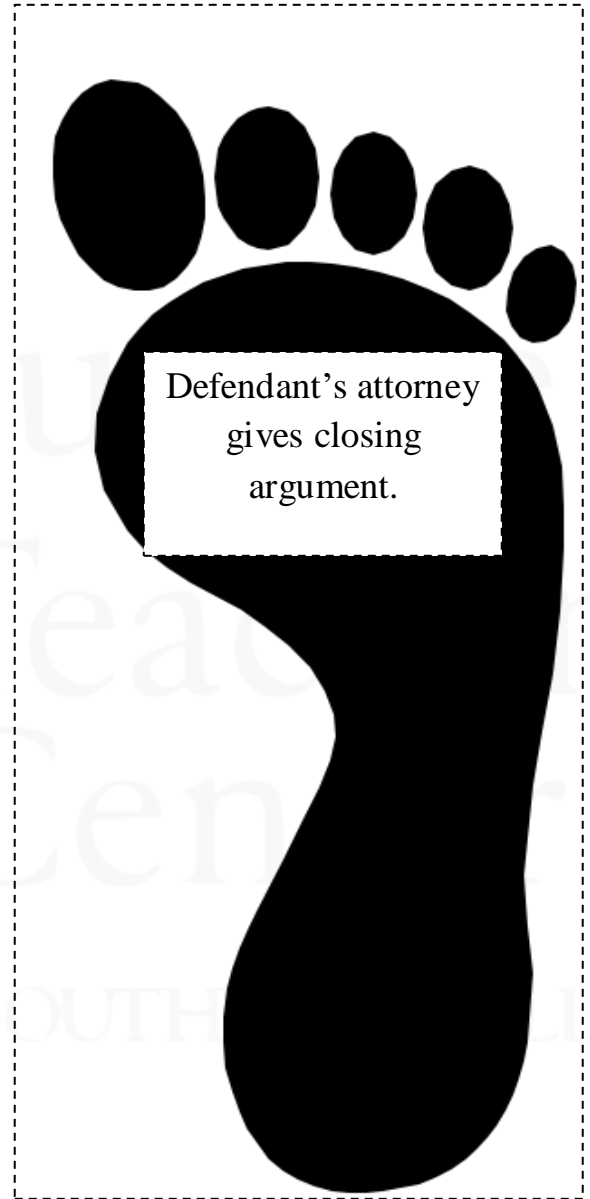
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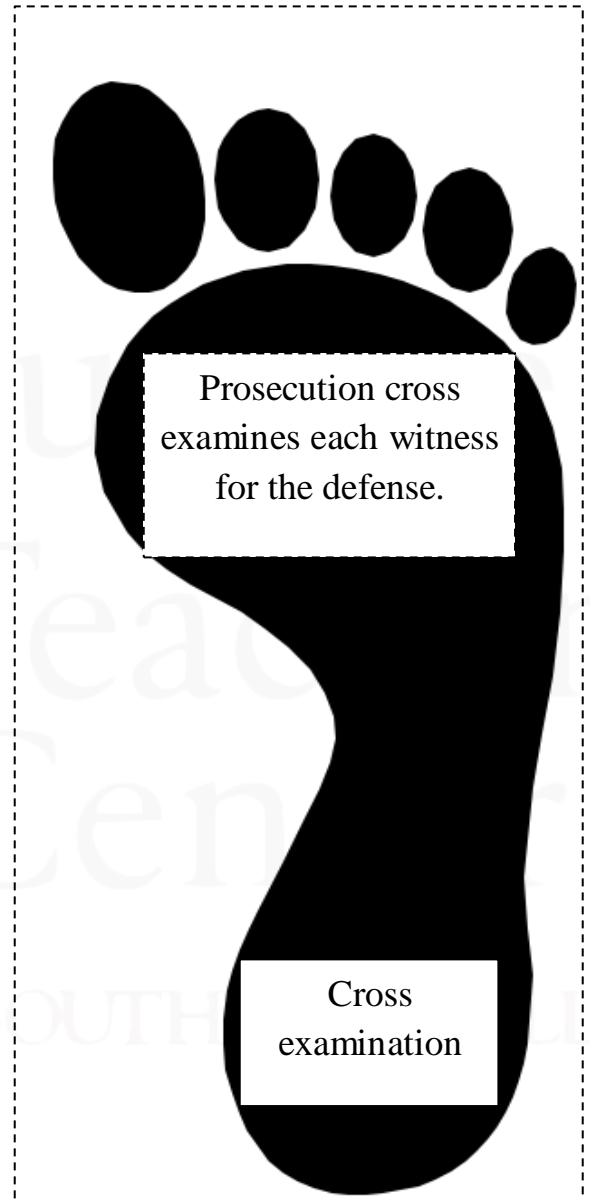
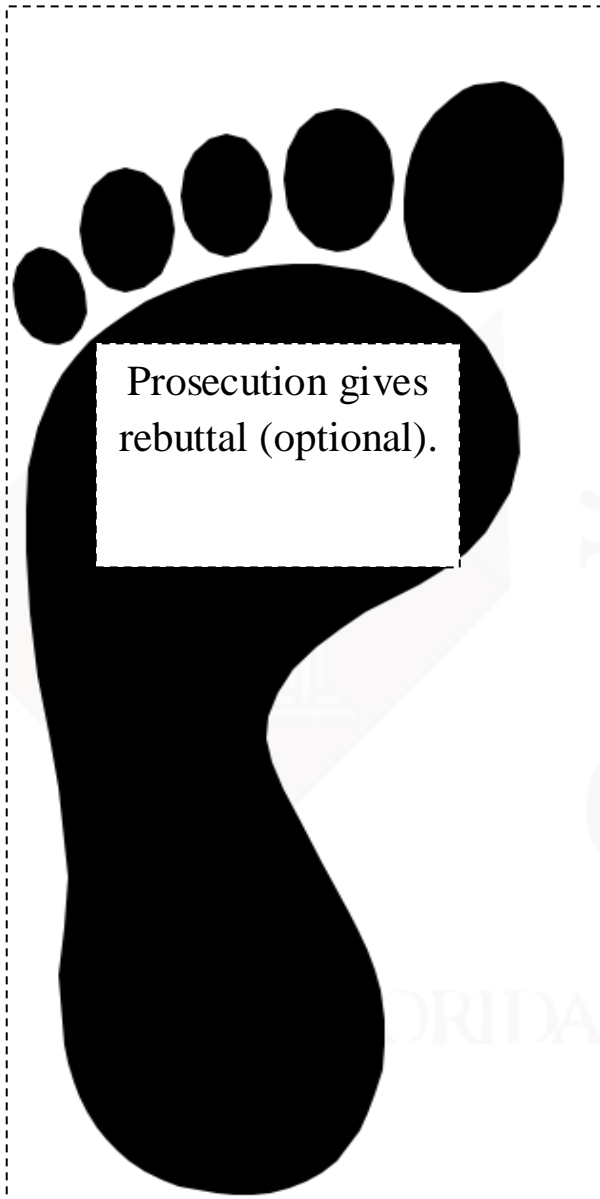






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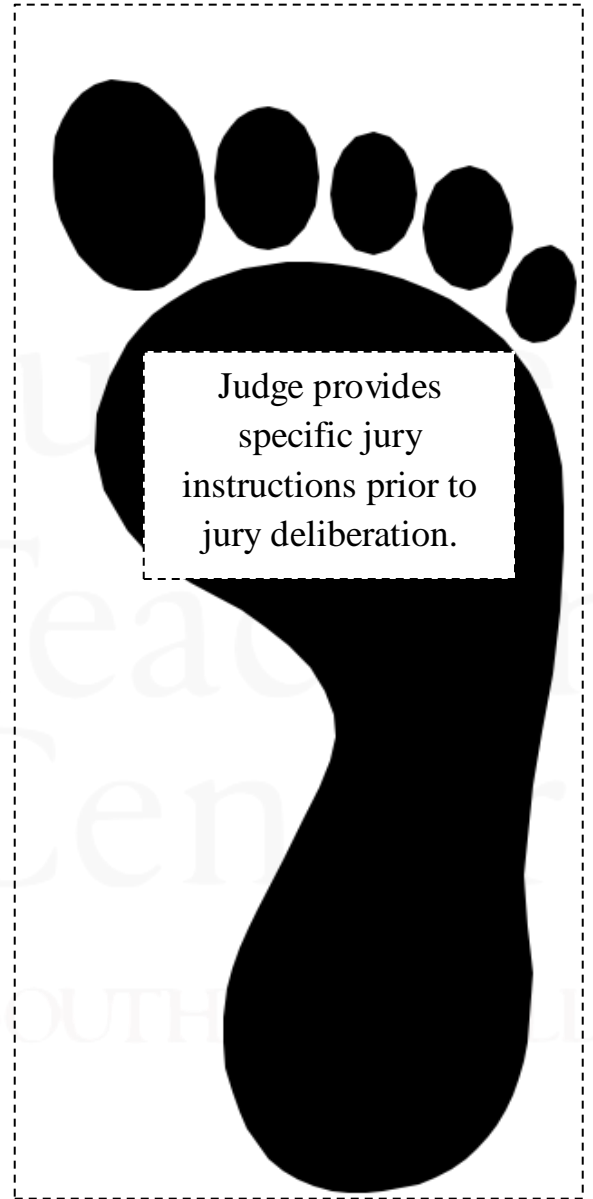
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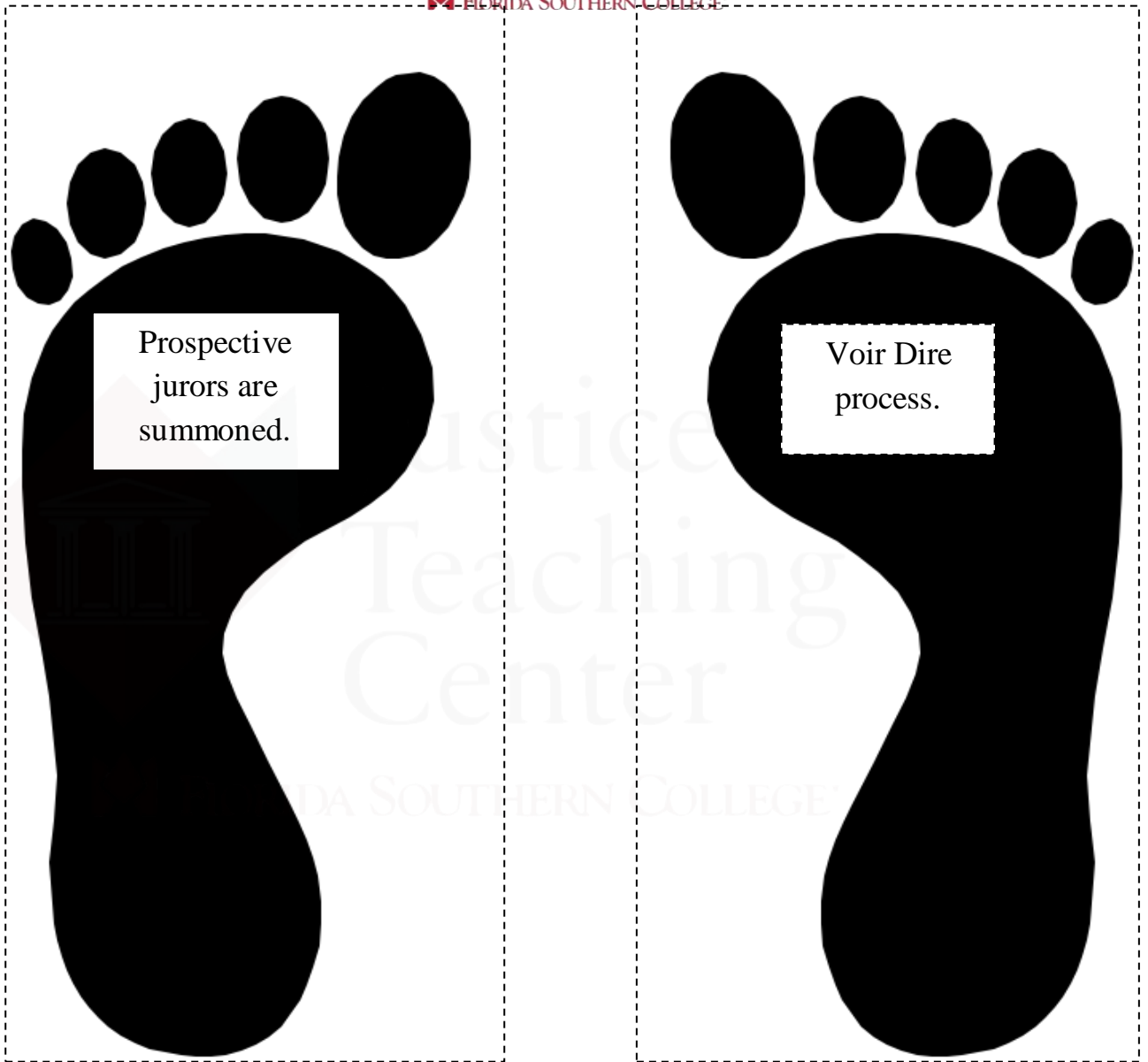
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## Teacher Handout — Answer Key for Handout C Walking Through A Criminal Trial

1. Prospective jurors are summoned.
2. Voir dire process.
3. Bailiff opens the court session for the trial to begin.
4. Judge enters court and provides introductory remarks to the jury.
5. Prosecution makes an opening statement.
6. Defendant's attorney makes an opening statement.
7. Prosecution calls first witness and asks questions (direct examination)
8. Defendant's attorney cross examines witness for the prosecution
  - Note: Prosecution may have multiple witnesses. For each witness the prosecution will question, the defendant's attorney will immediately follow with the cross examination.
9. Defendant's attorney calls first witness and asks questions (direct examination).
10. Prosecution 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 prosecution will immediately follow with cross examination.
11. Prosecution attorney gives closing argument.
12. Defendant's attorney gives closing argument.
13. Prosecution attorney may present rebuttal.
14. Judge provides specific jury instructions prior to jury deliberation.
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