

How to Do a Mock Trial with a Crime Reenactment

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Objectives of Mock Trials

- exposure to a wide variety of law-related careers
- deep understanding of law-related concepts
- critical thinking skills
- strategic thinking skills
- listening and speaking skills
- preparation and organization skills

- **Types of Mock Trials**
 - **Scripted**
 - Reads like a play with students assigned to read specific parts
 - The only part not scripted is the jury deliberation
 - **Role-Play**
 - Not scripted apart from the statement of facts, statement of law, witness statements, and exhibits
 - Informal to formal (e.g. competitions)

Crime Reenactment

- **Student Roles**
 - Victim
 - Witnesses --- to be interviewed, to testify
 - Suspects
 - Police Officers --- conduct interviews, photograph scene, arrest suspect, complete police reports
 - Psychologist
 - Coroner

Mock Trial Student Roles

- Attorneys
- Witnesses
- Jurors
- Bailiff
- Clerk
- Reporter
- Judge

Prosecutors and Defense

Attorneys

- They control the presentation of evidence at trial and argue the merits of their side of the case.
- They simply introduce the evidence and question witnesses to bring out the full story.
- Conduct direct examination.
- Conduct cross-examination.
- Do the necessary research.

Attorney's Preparation

- work with all attorneys and witnesses for their side
- study evidence
- outline opening statement
- develop witnesses' questions
- rehearse direct examination of witness
- practice cross-examination

Witnesses

- Supply the facts in the case.

Court Clerk, Court Reporter, and Bailiff

- They aid the judge in conducting the trial.
- Keeps track of court records.
- Calls the court to order or session.
- Swears-in the witness who will testify.

Jurors

- Explore the role of the jury
- Review the case presented
- Deliberate

Tasks for the Prosecution Team

- opening statement
- direct examination (prosecution witness)
- cross-examination (defense witness)
- closing argument

Tasks for the Defense Team

- opening statement
- cross-examination (prosecution witness)
- direct examination (defense witness)
- closing argument

Objection

sustained or
overruled?

- Irrelevant Evidence
- Leading Questions
- Hearsay
- Lack of Personal Knowledge
- Opinion
- Argumentative Question
- Speculation

Debriefing Process

- Review the issues
- Discuss strengths and weaknesses
- Does the system assure a fair trial?
- Are some parts of the trial more important than others?
- How important was the role that each played in the trial process?

*Match the trial to the
skills and
sophistication of your
students!*

Sample Mock Trial and Crime Reenactment

by George Sikes
Teacher

Criminal and Civil Law courses

- Crime Reenactment
 - DUI
 - Vehicular Manslaughter
- Mock Trial script

Mock Trials in English Language Arts

www.abanet.org/publiced/mocktrialguide.pdf

- Scripted Mock Trial
 - “Big Bad Wolf v. Curly Pig: A Civil Case” (K-6)
- Role-Play Mock Trials
 - Harry Potter and the Sorcerer’s Stone (5-9)
 - Middle School Mock Trial (6-8)
 - Mediation and the Adversary Process (5-8; 9-12)
 - Small Claims Mock Hearing (Secondary)
 - The Case of Galileo Galilei (Secondary)
 - US Department of Justice Executive Office for Immigration Review in the Matter of Toni Radcliffe (Secondary)

Other Sources for Role-Play Mock Trials

- Law in Literature: Legal Themes in Short Stories (Elizabeth Villiers Gemmette, ed.)
- In the Interest of Justice: Great Opening and Closing Arguments of the Last 100 Years (Joel J. Seidemann)
- Textbook selections
- Op-Ed pieces/Rhetoric courses
- Magazine articles and newspaper editorials

Thank you.

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