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| **TEXAS CTE LESSON PLAN**  [www.txcte.org](http://www.txcte.org) | |
| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Law, Public Safety, Corrections, and Security |
| **Course Name** | Court Systems and Practices |
| **Lesson/Unit Title** | Mock Trials |
| **TEKS Student Expectations** | 130.340. (c) Knowledge and Skills  (5) The student examines the steps by which a criminal charge is processed through pretrial, trial, adjudication, and the appellate stages.  (G) The student is expected to conduct a mock trial demonstrating understanding of the criminal trial procedure |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | The student will be able to:   1. Identify the types of mock trials 2. Explore the roles of the players in a mock trial 3. Examine the steps in preparing a mock trial 4. Describe the order of events in a mock trial |
| **Rationale** | Students need to understand the trial process and the role of each participant in a trial. Students will demonstrate understanding of the trial process by stepping into one of the roles in a mock trial. |
| **Duration of Lesson** | 8 hours |
| **Word Wall/Key Vocabulary**  *(ELPS c1a, c, f; c2b; c3a, b, d; c4c; c5b) PDAS II (5)* |  |
| **Materials/Specialized Equipment Needed** | * Mock Trials computer-based presentation (coming soon) * Copies of mock trial case chosen/prepared (coming soon) * Goldilocks and the Three Bears book (optional) * Computer * Projector |
| **Anticipatory Set**  (May include pre-assessment for prior knowledge) | Do an Internet search for Overbrook High School wins mock trial. Watch excerpts from the high school mock trial. Discuss how the mock trial is similar to and different from a real trial. Use the following questions for discussion and the Discussion Rubric for assessment:   * What types of information was given to the jury? * What level of professionalism was used in this mock trial? * What techniques did the attorneys use? |
| **Direct Instruction \*** | 1. Mock Trial    1. A conflict or dispute in another matter that remains unresolved    2. Trial includes       1. General rules of evidence and procedures       2. Explanation of the basic facts       3. Brief statement for each witness    3. Cases should be drawn upon       1. Historical events       2. Trials of contemporary interest       3. School and/or classroom situations       4. Hypothetical fact patterns 2. Roles in a Mock Trial    1. Judge       1. Serves as a referee between the prosecution and the defense       2. Rules on motions, procedures, and the admissibility of evidence       3. Instructs the jury before deliberations    2. Prosecutor       1. Usually a member of the District Attorney’s office, City Attorney’s office, or a state or federal attorney’s office       2. Must prove the defendant is guilty beyond a reasonable doubt    3. Defense attorney       1. A member of a public defender’s office or a private attorney       2. Must prove the prosecution does not have enough evidence to prove guilt beyond a reasonable doubt    4. Witness       1. Testifies on behalf of the prosecution or the defense       2. May be an expert in a field of study       3. Presents the facts of a case as personally experienced or known    5. Bailiff       1. The position held by a sheriff, marshal, or other law enforcement officer       2. Maintains order in the courtroom       3. Protects the jury from outside influence       4. Performs ceremonial duties such as calling the court to order    6. Jury       1. A panel of 6 or 12 members of the community       2. Their job is to determine if enough evidence exists to convict the defendant of the crime charged 3. Steps in Preparing for a Mock Trial    1. Distribute case materials to the students       1. All persons involved should read the case in its entirety          1. May use a scripted or non-scripted case          2. May use a prepared mock trial or create one          3. Match the trial to student skill level (i.e., start off with one or more scripted trials until the students understand the process)    2. Select students to play each role (hold auditions, ask for volunteers, or assign roles)    3. Preparation of case materials       1. Divide students into the prosecution and the defense teams to assist the attorneys with preparing the case       2. Develop direct examination questions for each witness       3. Become familiar with all the witness statements       4. Determine the best method for cross-examination of the witness(es) on the opposing side       5. Rearrange the classroom into a court setting if you do not have an actual, designated courtroom   IV. Order of Events in a Mock Trial   1. Jury Selection    1. Select 6 to 12 jurors, depending on the size of your class    2. Remind these students that their job is to listen to the facts of the case and determine whether the prosecution has proven its case beyond a reasonable doubt 2. Opening Statements    1. Purpose is to educate the jury    2. The prosecution goes first, then the defense    3. Present the facts of the case and the witnesses to testify    4. Outline the charges brought against the defendant and what the law demands in response 3. Presentation of Evidence (Witness Testimony)    1. The prosecution will conduct direct examination of each of its witnesses    2. The defense will cross-examine each of the prosecution’s witnesses    3. After direct examination and cross-examination, a rebuttal is allowed by both sides    4. Once all the witnesses on a side have been presented, the side will   “rest” and the other side will present their evidence and testimony   1. Closing Arguments    1. Arguments made to the court and jury that review all the evidence presented during the evidentiary phase    2. The attorneys will review witness testimony and evidence presented that establish their cases    3. Attorneys will also try to persuade the jury to vote in their favor    4. Each attorney will point out “holes” in the other side’s case    5. The theme presented during opening statements should be used to tie the whole case together 2. Jury Deliberation – jurors can be removed from the court to an alternate location, or deliberations can be held in front of the class as a discussion (wither way, the instructor should be part of the deliberations to ensure that the jury is on track and deliberating properly)    1. Select a jury foreperson    2. The jury foreperson will take an initial vote to see what deliberation needs to occur    3. Allow the jury members to express why they voted the way they did. Each person should be allowed to state their opinion without being interrupted or put down    4. Jurors should discuss opinions of those that are opposing the majority    5. You may have to remind them that even though they have knowledge of the case, they cannot consider any information that was not presented during the trial    6. Review with the jury what it means to prove something “beyond a reasonable doubt”    7. Once the jury has reached a unanimous decision, allow them to present it to the court    8. Follow up with a class discussion. Allow students to give thoughts/suggestions and give the jury an opportunity to point out what would have changed their decision.   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Guided Practice \*** | 1. Mock Trial. Have students participate in a mock trial. You may create a script or use one that is already written. The following instructions are based on the Mock Trial Script Mom A. Bear, Pop A. Bear and Babe E. Bear v. Golden Locks a/k/a Gold E. Locks   Once students have read/heard the story of Goldilocks and the Three Bears, brainstorm on the board the offenses that have been committed. Students need to be able to identify the elements of each of the offenses selected. Once the offense(s) have been identified, assign students with the court roles:   * Select a prosecutor(s) and a defense * Assign the roles of Papa Bear, Mama Bear, Baby Bear and Goldilocks (each of these characters will need to write a witness statement) * Form the Defense and Prosecution teams. Provide copies of the witness statements to both sides. The teams will work together to develop direct and cross examination questions for each witness * After all the questions have been written and witnesses have been prepped, a jury should be selected * The instructor will serve as the judge for this trial * The trial will be presented and after its completion, the jury will deliberate * The jury will present their decision to the court * Discuss as a class the good points of the trial and what could have been better * Allow students to give feedback on the trial, prior to your evaluation   Use the Mock Trials Rubrics and the Group Evaluation Rubric for assessment as needed.  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*   * Use several scripted mock trials with your class. These contain all the elements that should be included in a mock trial. The scripts help the students to focus on content more than presentation allowing them to learn the method of a trial and the kind of information that should be presented by witnesses. Use the Mock Trial Rubrics for assessment. |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \*** | Mock Trials Exam and Key  Mock Trials: Attorney Rubric  Mock Trials: Jury Rubric  Mock Trials: Witness Rubric  Group Evaluation Rubric  Discussion Rubric  Individual Work Rubric  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **References/Resources/**  **Teacher Preparation** | * Nineteenth Judicial Circuit Court of Lake County, Illinois * Mock Trial Script Mom A. Bear, Pop A. Bear and Babe E. Bear v. Golden Locks a/k/a * *People v. Carter* adapted from *Criminal Justice in America,* Constitutional RightsFoundation 2000 * Do an Internet search for the following:   + Overbrook High School wins mock trial   + Class brain mock trial scripts for teens   + Class brain mock trial resources |
| **Additional Required Components** | |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | English/Language Arts Standards   1. Speaking   A. Understand the elements of communication both in informal group discussions and formal presentations  1. Understand how style and content of spoken language varies in different contexts and influences the listener’s understanding.  2.Adjust presentation to audiences and purposes. |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy**  **Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies**  **Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity**  (e.g., homework assignment) | For enrichment, allow students to work in groups to write their own mock trial. They will then swap cases and conduct a mock trial. Mock trials should have a charging document, witness statements, any other needed documents for court, and evidence. All elements of the crime must be contained within the witness statements. Use the Individual Work Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)