



**HMDC MODEL CONGRESS
(FALL 2024, Week 6)**

What We Will Discuss (Today)

Here is the agenda for today's lesson...

Review of the Homework (ex. Quiz Questions)

Brief Review of Court Proceedings

Activity: Court Proceedings (Simulation of the Judicial Process)

Brief Review of Running a Meeting (ex. Robert's Rules of Order)

Activity: City Council Meeting (Simulation of Local Government)

Reviewing the Homework (Quiz 5)

This slide presents key concepts from last week's lesson in the form of fill-in and short answer questions. We'll use these to review important aspects of court proceedings and legal roles, preparing students for the upcoming courtroom simulation activity.

- During direct examination, attorneys typically ask _____-ended questions, while in cross-examination, they often use _____-ended questions.
- The process of questioning a witness by the opposing attorney is called _____-examination, and its main goal is to _____ the witness's credibility.
- Opening statements provide a _____ for the trial, helping the jury to better understand each side's _____.
- [Short Answer] Explain why it's important for attorneys to prepare witnesses before they testify, and describe two key aspects of this preparation.
- [Short Answer] Describe the main difference between direct examination and cross-examination in terms of questioning style and purpose.

Reviewing the Homework (Answers)

Here are the answers for the *fill-in* questions...

During direct examination, attorneys typically ask *open*-ended questions, while in cross-examination, they often use *closed*-ended (or *leading*) questions.

The process of questioning a witness by the opposing attorney is called *cross*-examination, and its main goal is to *challenge* the witness's credibility.

Opening statements provide a *roadmap* for the trial, helping the jury to better understand each side's *position*.

Reviewing the Homework (Answers)

Here are the answers for the *short answer* questions...

Explain why it's important for attorneys to prepare witnesses before they testify, and describe two key aspects of this preparation: It's important for attorneys to prepare witnesses before they testify because this ensures they can provide clear, accurate, and effective testimony. Two key aspects of this preparation are:

- a) Reviewing the facts and key details of their testimony to ensure accuracy and consistency.
- b) Practice helps witnesses to remain calm under pressure and respond clearly and concisely.

Describe the main difference between direct examination and cross-examination in terms of questioning style and purpose: The main difference between direct examination and cross-examination in terms of questioning style and purpose is: Direct examination typically uses open-ended questions to allow witnesses to explain their testimony freely, with the purpose of presenting evidence supporting the case. Cross-examination often uses leading questions, its purpose is to challenge the witness's credibility and to expose inconsistencies in their testimony.

Court Proceedings (Pre-Trial Begins)

- Court called to order: Bailiff announces judge's entry, judge calls court to order, and the charges are read aloud.
- Opening statements: Prosecution and defense present their cases' overview.
- Presentation of evidence: Each side presents witnesses who are sworn in, and undergo direct examination as well as cross-examination.
- Closing arguments: Both sides summarize their cases.
- Jury instructions and deliberation: Judge instructs jury, jury deliberates.
- Verdict and sentencing: Jury delivers verdict, judge determines sentence if applicable.

Duties of the Attorneys (Pre-Trial Planning)

- Opening Statements: Prosecution declares, "The State will prove beyond a reasonable doubt that the defendants recklessly endangered our community," while defense counters, "We will show these were good kids who made a mistake, not criminals."
- Witness Testimony: Detective Brown states, "We found empty containers of food coloring near the facility, matching substances in the water supply," while Dr. Patel argues, "The contaminants were well below harmful levels."
- Closing Arguments: Attorneys summarize evidence, with prosecution emphasizing, "Their actions caused widespread panic and strained our resources," and defense reiterating, "This was a misguided prank, not a malicious act."

Prosecution Witness Prep (Pre-Trial)

Effective witness preparation is crucial for presenting a compelling case against the defendants charged with Terroristic Threat, Reckless Endangerment, and Criminal Mischief. Prosecutors work closely with witnesses to review their statements, anticipate cross-examination, and ensure clear, consistent testimony that supports the charges. This process strengthens the prosecution's case by ensuring witnesses can effectively communicate the severity and impact of the defendants' actions.

- **Establish Key Facts and Timeline:** Coach Detective Brown to detail the investigation chronology, emphasizing the discovery of "empty containers of food coloring and other chemicals near the facility, which matched the substances found in the water supply." Prepare John Smith to recount his July 14th encounter, noting the teenagers had "buckets and were mixing some compounds that had a strong odor." Guide Mark Rodriguez to explain the contamination's extent, stressing that "60% of the city's pipes" were affected.
- **Emphasize Impact and Public Safety Concerns:** Brief Dr. Chen to articulate the hospital's challenges, including "a significant increase in emergency room visits" and staff "working overtime to manage the influx of worried residents." Prepare Mark Rodriguez to detail the "extensive work required to flush the system," the "\$500,000 cost to clean everything up," and the need for "\$2 million more to make the water system safer." Coach witnesses to highlight the potential for more severe consequences if different substances had been used.
- **Build Credibility and Reinforce Severity:** Guide Detective Brown to explain the investigation process, including how they quickly focused on "a group of local teenagers who had been seen near the water treatment facility." Prepare Mark Rodriguez to emphasize his expertise and the seriousness of the situation, noting that "if the teenagers had used something more dangerous, it could have been much worse." Coach John Smith to express his regret at not taking more decisive action, reinforcing the gravity of the situation.

Defense Witness Prep (Pre-Trial)

Thorough witness preparation is essential for building a strong defense against the serious charges faced by the teenage defendants. Defense attorneys work with witnesses to highlight facts that create reasonable doubt, explain the context of the defendants' actions, and demonstrate their character. This preparation aims to present a more nuanced view of the incident and the accused, challenging the prosecution's narrative and emphasizing factors that mitigate the defendants' culpability.

- **Establish Context and Mitigating Factors:** Brief Dr. Patel to emphasize that "the concentrations of contaminants were well below harmful levels" and that "the incident was more of a nuisance than a genuine public health emergency." Coach Lisa Martinez to detail ongoing security issues at the water treatment plant, including "the broken gate" and how "local teens often used the grounds around the facility for sports and hangouts due to the lax security."
- **Highlight Developmental and Psychological Factors:** Prepare Dr. Johnson to explain how "teenagers' brains are still developing, particularly in areas responsible for impulse control and understanding long-term consequences." Guide her to elaborate on how this developmental stage "can lead to poor judgment and risky behavior, even in otherwise well-behaved teens." Coach Dr. Johnson to emphasize that this information provides context for the incident without excusing the actions.
- **Build Character and Community Standing:** Coach Thompson to describe the defendants as "responsible, respectful, and well-liked by their peers," providing specific examples of their leadership and community involvement. Prepare him to recount instances where the accused "organized a fundraiser to help a teammate" or "often stays after practice to help younger kids." Guide Lisa Martinez to reinforce the teens' familiarity with the area, explaining how they often used the facility grounds for recreational activities, suggesting their presence wasn't inherently suspicious.

Witness Self-Preparation Guide (Pre-Trial)

Witnesses provide essential information to help the jury understand the case facts. Whether for prosecution or defense, witnesses must present their knowledge clearly, honestly, and confidently. This guidance helps witnesses prepare for testimony, understand their responsibilities, and navigate the courtroom experience.

- **Stick to Facts and Expertise:** Testify only about what you personally know or experienced. Detective Brown should focus on evidence like "empty containers near the facility," while Dr. Patel should emphasize "water contamination was below harmful levels." If asked about something outside your knowledge, say "I don't know" or "That's outside of my expertise."
- **Maintain Composure:** Speak clearly and calmly, even during cross-examination. Take time to think before answering, and ask for clarification if needed. Deliver all testimony with equal confidence, whether it's Dr. Chen's statement about "staff working overtime" or Coach Thompson's character assessment of the defendants.
- **Prepare for Cross-Examination:** Anticipate challenging questions. Lisa Martinez should be ready to explain unaddressed security concerns, while Mark Rodriguez might clarify absent safety measures. Practice with your attorneys, but we shouldn't memorize responses. Listen carefully and respond truthfully to each question.

Activity Time (~15 min)

Students will participate as follows...

1. **Attorneys** = work together to decide what are the most important and how to prepare the witnesses without “crossing the line” (telling them exactly what to say).
2. **Witnesses** = Read the witness statements (one in the activity and the longer version from the witness statements). What are the three most important things that could help your side win the trial. How confidently can you share these facts?
3. **Everyone Else** = Read the “Guidelines for Judge/Jury” document (PDF). Discuss with the teacher how to be an effective jurist and make a fair-minded decision.

Duties of the Bailiff (Trial Begins)

The bailiff plays a crucial role in maintaining order and formality in the courtroom. This officer of the court is responsible for several key actions that set the tone for the proceedings and ensure all participants follow proper protocol from the moment the judge enters until the court is adjourned.

- **Announces Judge's Entry:** Bailiff calls out, "All rise. Court is now in session, the Honorable Judge [name] presiding. Please be seated and come to order."
- **Maintains Order/Discipline:** Throughout the trial, the bailiff ensures decorum is maintained, managing any disruptions and assisting with the flow of proceedings.
- **Swears in the Witnesses:** When witnesses are called, the bailiff administers the oath: "Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth?"

Duties of the Judge (Trial Begins)

The judge ensures fairness and order in the courtroom, making important decisions throughout the trial. They guide the proceedings, rule on objections, and instruct the jury. Understanding the judge's role helps everyone see how justice works in a courtroom.

- **Maintain Order:** Begin the trial by announcing, "This court is now in session. We are here for the case of [State/Prosecution] vs. [Defendant Name]. Are both sides ready to proceed?" This means the judge is starting the trial and checking if everyone is prepared.
- **Rule on Objections:** When a lawyer says "Objection!", the judge decides if it's valid. They say "Sustained" if they agree with the objection (meaning the question or evidence isn't allowed), or "Overruled" if they disagree (meaning it is allowed). For example, "Objection sustained. The witness should not answer that question."
- **Instruct the Jury:** Before the jury leaves to make their decision, the judge gives them encouragement: "Members of the jury, you have heard all the evidence. Now it's time for you to discuss the case among yourselves and reach a decision together. Remember, your decision must be unanimous – that means everyone agrees. Take your time, listen to each other, and do your best to reach a fair decision."

Duties of the Attorneys (Trial Begins)

Attorneys play a crucial role in the trial process, representing their clients and presenting arguments to the court. Whether working for the prosecution or defense, attorneys have similar responsibilities in preparing and presenting their case. Their duties ensure all relevant evidence and perspectives are presented to the jury, allowing for a fair trial.

- **Present Opening and Closing Statements:** Begin the trial by outlining your case to the jury. For example, a prosecutor might say, "The State will prove beyond a reasonable doubt that the defendants recklessly endangered our community," while a defense attorney could counter, "We will show these were good kids who made a mistake, not criminals." At the trial's end, summarize your arguments, such as, "The evidence clearly shows the defendants' actions caused widespread panic and strained our resources."
- **Question Witnesses:** During direct examination, ask open-ended questions to allow your witnesses to explain their testimony. For instance, ask Detective Brown, "What did you find near the water facility?" On cross-examination, challenge the opposing side's witnesses with specific questions. You might ask Dr. Patel, "Isn't it true that the contaminants were below harmful levels?"
- **Raise Objections:** Listen carefully to the opposing side's questions and statements. If you think a question or piece of evidence isn't allowed, stand and say "Objection!" clearly. Be ready to explain why, such as, "Objection, that question assumes facts not in evidence." Remember, the judge will decide whether to allow the question or evidence.

Duties of the Witnesses (Trial Begins)

Witnesses play a vital role in the trial by providing information to help the jury understand what happened. Whether testifying for the prosecution or defense, all witnesses have the same basic duties. Their honest and clear testimony is crucial for a fair trial.

- **Tell the Truth:** When the bailiff asks you to swear in, respond clearly with "I do" to the oath: "Do you swear that the testimony you shall give in the case now pending before this court shall be the truth, the whole truth, and nothing but the truth, so help you God?" Always tell the truth, even if you think it might not help your side.
- **Answer Questions Clearly:** Listen carefully to each question and answer it as clearly as you can. For example, if Detective Brown is asked about evidence found, he should say specifically, "We found empty containers of food coloring near the facility, which matched the substances found in the water supply." If you don't understand a question, it's okay to ask for it to be repeated or clarified.
- **Stick to What You Know:** Only talk about things you personally saw, heard, or experienced. If Dr. Chen is asked about water contamination levels, she should say, "That's outside my area of expertise. I can only speak about the patients I treated at the hospital." It's perfectly fine to say "I don't know" if you're asked about something you're not sure about.

Duties of the Jury (Trial Begins)

Jurors have a crucial role in the trial process, serving as impartial decision-makers. Their duty is to listen carefully to all evidence presented, evaluate its credibility, and reach a fair verdict based on the facts of the case. The jury's role ensures that justice is served through a collective decision-making process.

- **Pay Close Attention:** Listen carefully to everything said in court, including opening statements, witness testimony, and closing arguments. For example, when Detective Brown describes finding "empty containers of food coloring near the facility," or when Dr. Patel explains that "the contaminants were well below harmful levels," take mental notes of these important details.
- **Avoid Outside Influence:** Don't discuss the case with anyone, including other jurors, until deliberations begin. If someone tries to talk to you about the case outside the courtroom, report it to the judge immediately. For instance, if a classmate who isn't on the jury asks what you think about the defendants, politely say you can't discuss the case.
- **Deliberate and Decide:** Once the judge sends you to deliberate, discuss the case with your fellow jurors. Consider all the evidence, such as the impact on the hospital described by Dr. Chen and the character testimony from Coach Thompson. Work together to reach a unanimous decision on whether the defendants are guilty or not guilty of each charge.

Break Time (~5 min)

During/After the break...

1. Lawyers = Prepare opening statements.
2. Non-Lawyers = review the guidelines for your role.
3. After the break: The Trial Begins!