



YOUR DAY IN COURT:

MOCK TRIAL LESSON FOR GRADES 3 - 8

The exercise below, which was adapted from lesson plans developed by past winners John Shanagher, Lauren Barton and their colleagues at Bloomfield Middle School, and from pp.12 - 13 of the ABA's "Putting on Mock Trials" booklet originally sourced from the New York State Bar Association, may be helpful to teachers and their students for civics education. Teachers should feel free to tailor the exercise to meet the educational level of their students and grade level standards/goals.

1. Read and analyze a winning mock trial case from the State Bar Foundation's Law Fair and Law Adventure Competitions. You can view or download a wide variety of past winning cases from our website, njsbf.org.
2. Study the different parts of the case you select: Facts, Issue, Witness Statements, Instructions, Sub-Issues, Concepts and Law.

3. After you have read the case, write a one-paragraph opening statement for the prosecutor's/plaintiff's lawyer. Describe the facts of the case. Summarize the important facts each witness will testify to and request relief.

4. Prepare a one-paragraph opening statement for the defense attorney. Zero in on the weak points in the prosecutor's/plaintiff's case. List the facts to which witnesses will testify.

5. Develop questions for each witness in the case. Prosecutor/plaintiff/defense attorneys are allowed to ask direct questions of their own witnesses. Direct questions usually begin with who, what, when, where, why or how. When cross-examining your adversary's witnesses, ask narrow questions that require a yes or no answer.

6. Write one-paragraph closing arguments for both sides. Summarize testimony that supports your case and weakens your adversary's case. Cite the law. Ask the judge or jury to find in your client's favor.

7. Now change roles. You are a juror in this case. You have deliberated and reached a verdict. What say you? How did you reach your decision?

The “Educational Guide for Trial Jurors” and “Mini-Court Teacher’s Guide for Grades K – 2” can be downloaded from NJSBF’s website. The latter booklet contains information that is also useful for grades 3 – 8. Check out the brief instructional mock trial videos on the Law Fair and Law Adventure pages of our website, njsbf.org.

