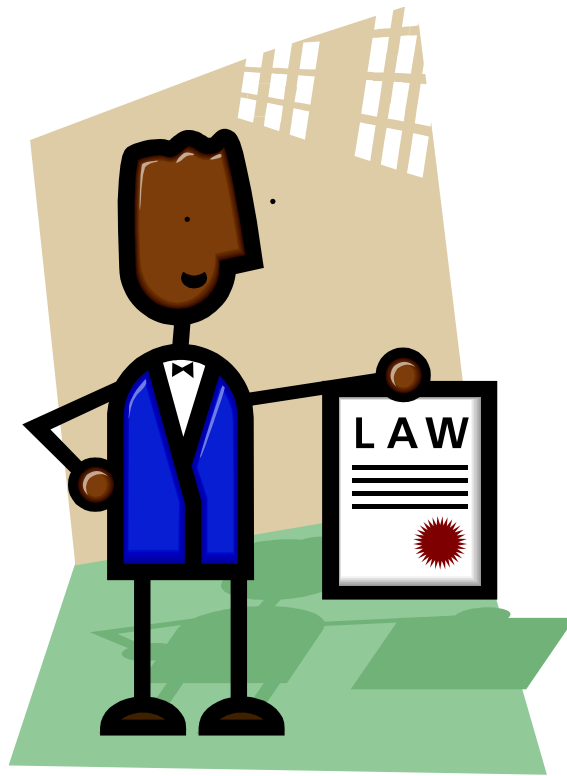


Teen Court Attorney Training Manual Summary



TEEN COURT ATTORNEY TRAINING MANUAL SUMMARY

The purpose of this summary is to act as a “cliff note” to the **Teen Court Attorney Training Manual**. This by no means replaces the **Teen Court Attorney Training Manual**, you still need to read it. Hopefully this will act as a review and also a quick reference.

Attorney Rules:

(Page 7)

- It is important that you read and follow all rules. A few will be mentioned in this summary, however, you are **responsible** to know and follow **all** the Attorney Rules.
 - Respect your surroundings, your fellow attorneys, clients, and their families.
 - Do not discuss the case in the hall or in public areas.
 - **Always stand when addressing the judge.**
 - **Do not discuss the verdict in the hall or in public areas.**
 - **Do not speak to the jury about the case.**

Remember, the purpose of Teen Court is to teach responsibility and accountability for their crime to the juvenile offenders. Punishment is not the goal of Teen Court. Teen Court hearings are not a competition and should not be treated as a “win/lose” situation. In Teen

Court, the Defendant, Victim, and Community should all win. Student attorneys must work towards getting constructive sanctions for the defendant so the defendant can improve their decision-making skills. Helping the defendant to become a better person is Teen Court's goal.

Rules of Ethics:

(Page 10)

- It is important that you read and follow all rules.

Teen Court Basic:

(Page 12)

- **You need to review this so you understand the purpose of Teen Court and diversion programs.**

Additional Things You Need To Know:

(Page 15)

- You need to make sure you are familiar with this.
- Parents of the defendant **MUST** be present during the **entire Teen Court Trial.**
- Defendant has admitted guilt so he cannot use not guilty as a defense.
- Confidentiality must be enforced- refer to defendant on first name only.
- The \$200.00 investigative fee in Petit Theft cases **CAN NOT** be brought up during trial.
- Prosecutor may not interview Defendant or Defendant's witnesses.

Obtaining and Rating Cases:

(Page 16)

- As of the 2010-2011 school year we have changed our ratings as:

Level	Community Service	Jury Duty	Additional Sanctions
A	8 or 17	1	1 minimum
B	15 or 26	1 or 2	1 minimum
C	24 or 37	2 or 3	2 minimum
D	35 or 50	3	2 minimum
E	55 or 70	3	3 minimum

- It is important for **ALL** attorneys to rate the cases.
- It is beneficial to all if the cases are rated prior to coming in to Teen Court.

You get this “blurb” every email..... please make sure you follow it:

“Please review all cases and then choose the one or ones you would like to work on. At this time please rate ALL of the cases (not just the ones you want to do) and email me back your choice of cases, if you want to prosecute or defend, and the ratings.”

Trial Preparation:

(Page 20)

For Defense Attorney:

- Review Police Report
 - Prepare list of questions to ask defendant (Page 26)
 - Defense Attorneys should spend as much time with their client, asking questions and taking notes on information not in the summary.
 - Interviewing Defendant (Page 23)
 - Witness Preparation (Page 23)
- Advise defendant and witnesses:
- To tell the truth.
 - Not to guess.
 - To make sure they understand question.

- Give loud audible answers.
- Don't look for assistance on the stand.
- Be aware of questions involving distance and time.
- Be courteous.
- Answer questions freely about whom you have talked to.
- Avoid joking and wisecracks.
- Locate documents to be introduced during trial.
- Prepare Opening and Closing Statements.
- Consider what sentence to request to the jury.

For Prosecuting Attorney:

- Review Police Report.
- Prepare examination of witnesses.
- Locate any documents to be introduced at trial.
- Prepare Opening and Closing Statements.
- Consider what sentence to request to Jury.

Opening Statements:

(Page 30)

- Introduction to your case.
- Informs jury what they expect the evidence to show.
 - Purpose
 - Object
 - Preparation
 - Introduction
 - Content
 - Structure
 - Conclusion
 - Presentation
- Opening Do's and Don'ts (Page 35)
- Prosecution Opening (Page 37)
- Defense Opening (Page 41)

Direct Examination: (Page 44)

- Questions asked to your witness.
- Purpose is to let the defendant speak about what crime they have committed, what extenuating circumstances may exist, and how they have taken responsibility for their actions. Areas of Direct Examination:
 - The crime itself.
 - Defendant's history.
 - Value of property lost.
 - Resulting injuries.
 - Punishment already received.
- **Refer to Courtroom Demeanor-do's and don'ts** (Page 45)
- **Leading questions are not allowed.**
- Ask simple who, what, when, where, and how questions.
- Refer to sample questions (Page 54).

Cross Examination: (Page 58)

- Questions asked by prosecuting attorney to defendant or witness.
- **Limited only to the facts brought out in the direct examination.**
- **Refer to Courtroom Demeanor-do's and don'ts** (Page 58)
- Areas of Cross-Examination:
 - Accuracy of Testimony
 - Punishment received by defendant.
 - Witness or defendant's background.
- Purpose
 - Undue damage of direct examination.
 - Objectionable question or answers
 - Damaging evidence
- Methods (Page 60)
 - Structure
 - Decision to Cross-Examine
 - Common Errors
- Refer to sample questions (Page 61)

Re-Direct Examination: (Page 65)

- After cross-examination defense attorney has the option to redirect the defendant.
- **This is the opportunity to ask questions about testimony in cross-examination.**
- **Leading questions are not allowed.**

*Prosecution may have the option to re-cross- The judge will decide if this is an option, if so, **the re-cross must relate to the re-direct.***

Rules of Evidence: (Page 66)

- Types:
 - Hearsay
 - Witness Opinions
 - Character Evidence
 - Relevance of Evidence
 - Introduction of Physical Evidence

Objections: (Page 70)

- An attorney's way of formally notifying judge that opposing counsel is not following The Rules of Evidence.
- **Objections should be made after the question has been asked but before the answer is given.**
- Reasons for Objecting:
 - To protect defendant from harassment or embarrassment.
 - To exclude improper evidence.
 - To expose opposing counsel's unfair tactics.
- When to Object:
 - Object as soon as you hear the question.
 - If question is answered before you can stand and object, object and then move to strike the answer for the appropriate reason.
 - You may object if **QUESTION** is:
 - Repetitious.
 - Leading and suggestive.
 - Argumentative.

- Misleading to the defendant or jury.
- Hypothetical.
- You may object if **ANSWER** is :
 - Unresponsive
 - Argumentative
 - Goes beyond the scope of the question
- You may object if a **QUESTION CALLS FOR or an ANSWER GIVES INFORMATION** that is:
 - Hearsay- an answer that is not based on personal knowledge.
 - Irrelevant or immaterial
 - Repetitious
 - Assumed facts that are not in evidence.
 - An improper test, such as value.
- You may object if **CONDUCT OF AN ATTORNEY** is:
 - Prompting the witness.
 - Attempting to intimidate the witness.
 - Arguing with the witness.
 - Using abusive language.

Types of Objections (Page 74)

- Ambiguous and/or unintelligible
- Arguing outside of the evidence
- Argumentative
- Asked and Answered
- Badgering
- Beyond the scope of direct/re-direct/cross-examination
- Characterization
- Compound Question
- Facts not in evidence
- Golden Rule
- Hearsay
- Relevant
- Improper character testimony
- Improper impeachment
- Leading

- Misstatement of the facts
- Narration
- Non-Responsive
- Opinion
- Repetitious
- Speculation
- Vague and confusing

Closing Argument: (Page 78)

- Conclusion of your case.
- Last time to talk to jury.
- Summation of the hearing.