

Going to Law School

(Excerpt from People v. A. Wolf Voir Dire and Mock Trial Simulation)

This short focus activity provides the students with some background on the Constitution, the Bill of Rights, and the jury system. If possible, make arrangements with a local attorney or judge to visit your classroom as an outside resource person to help your students better understand our legal system. This activity complements an upcoming mock trial lesson or a field trip to a local courthouse.

1. Explain to students that they have been selected to attend “law school” where they will learn about the American legal system.

Divide the class into pairs and distribute one question card or one answer card from **Handout: Going to Law School** to each pair. Tell students their tasks are to:

- Read their cards.
 - Find the pair who has the matching question or answer.
 - When they have located their match, sit down together (so you will know they are finished).
2. When the students are seated in their matched groups, ask the pair who has question set number one to read its questions. Ask the rest of the class if anyone knows the answers to any of the questions. Then ask the students with the matching answer card to reveal the answers. Continue with each set.
 3. After all of the cards have been read, conduct a brief discussion asking the students what they learned from “law school.” Congratulate the class for graduating from mini-law school.

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1 All of our country's laws are based on the United States Constitution. After the Constitution was written, Congress added a list of rights. This list is called the Bill of Rights. It has 10 amendments that protect our individual rights. *Amendment* means a change.



2 In a criminal trial, the district attorney represents the people and tries to convince the jury that the accused is guilty. The accused is represented by a defense attorney. The term "D.A." means district attorney.



3 The person standing trial is called the defendant. The District Attorney's job is to prosecute the defendant. The two sides are sometimes called "defense" and "prosecution."



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- 4** The Sixth Amendment in the Bill of Rights provides the right to have a criminal trial by an impartial (fair) jury. People from your own community are selected to sit on your jury to decide if you are guilty or innocent. Lawyers from both sides select the people for the jury.



- 5** The Sixth Amendment in the Bill of Rights gives you the right to an attorney even if you cannot afford one. The courts must provide a lawyer to people who have been charged with a crime and cannot afford an attorney. Your attorney must do the best job he or she can to defend you, no matter what.



- 6** The Sixth Amendment in the Bill of Rights gives you the right to question witnesses who testify against you. The Sixth Amendment also gives you the right to have your own witnesses.



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The Fifth Amendment in the Bill of Rights protects you from having to testify against yourself. When people say, “I take the Fifth,” they are saying that they shouldn’t have to testify in court. Under the Fifth Amendment, you do not have to answer questions that might be used to make you look like you are guilty of a crime.



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The process of selecting a jury is called a *voir dire*. It is pronounced “vwa deer.” In French, it means “to speak the truth.” Lawyers for the defense want to select jurors who will be fair to the defendant and might reach a verdict of not guilty. District attorneys want to select jurors who will be fair to their side and are most likely to find the defendant guilty.



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In our justice system, the defendant is innocent until proven guilty. Another way of saying this is that the prosecution has the “burden of proof.” The prosecution must show that the defendant is guilty “beyond a reasonable doubt.” For example, you see a boy in a red shirt climbing down a beanstalk with a goose in his arms. You then hear on the news that a goose was stolen from a giant that lives in the clouds by a boy wearing a red shirt. Even though it is possible that someone else wearing a red shirt did it, the evidence would lead you to believe beyond a reasonable doubt that the boy you saw did it.



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What two historical documents protect our rights?

Why are these two documents so important to lawyers and judges?

How many amendments does the Bill of Rights have?



Who is the D.A.?

What is the D.A.'s job?

Who represents the accused?



What is a person accused of a crime often called in court?

What is the side representing the defendant called?

What is the District Attorney's side called?



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What part of the Bill of Rights gives the right to a criminal trial by jury?

Where do jurors come from?

Who chooses the jurors?



What part of the Bill of Rights gives the right to an attorney?

What happens to people who are accused of a crime who cannot afford an attorney?

What if your attorney doesn't like you? Can he or she make sure you go to jail?



Can someone testify against you without you knowing about it?

Can a person accused of a terrible crime bring witnesses to court to say he or she did not commit the crime?

What part of the Bill of Rights provides these rights?



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What part of the Bill of Rights protects us from being forced to testify against ourselves?

What does it mean when someone being questioned says, “I take the Fifth”?

When might a person use their Fifth Amendment rights?



What is the legal term for selecting a jury?

What does the term mean in French?

What do lawyers look for in selecting a juror?



What does “innocent until proven guilty” mean?

Who has the “burden of proof” in a criminal trial?

What does “beyond a reasonable doubt” mean?



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2. When you locate your match, sit down and wait for the teacher to tell you what will happen next.

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