
The Village of Greenville

v.

Goldie Locks

CHARACTERS

Note For Teachers: The cast of characters can be altered. If the class is small, Mr. Hunter and Officer Rob can be eliminated. All students who do not have a specific role in the script can comprise the jury.

It's important that students learn to use their "courtroom voices" in playing any of these roles. Everyone in the room needs to hear what is being said. This is particularly true if the students go to a real courtroom. Frequently there is some distance from the judge's bench to the table and students need to be able to project their voices.

Legal Professionals in the Script

Bailiff: The bailiff is a legal officer who maintains order in the courtroom and handles various tasks for the judge, such as swearing in the witnesses.

Judge: The judge is a government official who presides over court proceedings. The judge has the ultimate authority to make decisions about objections and provides instruction to the jury about the law.

Prosecuting Attorney: The prosecutor brings legal proceedings against an individual and represents the entire state, NOT the victim.

Key Concept- The prosecutor represents the entire state, NOT the victim: (Or in this case the Village). The job of a prosecutor is to obtain justice for all citizens, not merely to punish the defendant. Note that the name of the case is Village v. Goldie Locks, not Bears v. Goldie Locks. That's because a crime is considered to be an offense against everyone in society and the prosecutor's client is the entire state (or Village here).

Key Concept- Burden of proof: The burden of proof refers to the degree to which the jury must be persuaded of the defendant's guilt in order to convict. Because criminal cases are the most serious cases in our legal system, the burden of proof is high. In other words, the jury must be convinced by beyond a reasonable doubt that the defendant committed the crime in order to find the defendant guilty. It's not enough for the jury to conclude that the defendant probably committed the crime or most likely committed the crime - the jury must be strongly convinced that the defendant is guilty. In all criminal cases, the burden of proof is on the prosecution. Defendants are

presumed innocent until proven guilty by the prosecution beyond a reasonable doubt. Therefore, the burden is on the prosecution to persuade the jury of the defendant's guilt – the burden is NOT on the defendant to prove his innocence.

Key Concept- Role of the prosecutor: Once the prosecutor has determined that there is sufficient evidence to bring a case, the prosecutor must prove the defendant's guilt beyond a reasonable doubt. It's important to note that the defendant actually doesn't HAVE TO do anything because it's the prosecutor's job to prove the guilt of the defendant. Of course, the vast majority of defendants, through their attorneys, cross-examine witnesses and present evidence but the responsibility of proving the guilt of the defendant is **solely** that of the prosecutor.

Because the prosecutor has the burden to prove guilt, the prosecutor goes first in presenting opening statements and in presenting the case and goes last when presenting closing arguments. In a courtroom, the party with the burden of proof is always closest to the jury so in a criminal case the prosecutor will always sit at the table closer to the jurors.

Defense Attorney: The defense attorney represents only the defendant, or the person accused of the crime. (Goldie Locks here)

Key Concept- The defense attorney represents only the defendant (Goldie Locks here). The job of the defense attorney is to hold the prosecutor to the obligation to prove the case beyond a reasonable doubt. The defense attorney will try to poke holes in the prosecutor's case and will argue that the prosecutor has not proven that the defendant is guilty. Notice that it is NEVER the defense attorney's job to prove that the defendant is innocent. The burden is on the prosecutor.

Witnesses: Witnesses provide the evidence in the case that the jury uses to decide whether the defendant is guilty or not guilty.

Key Concept- The job of witnesses is to provide evidence: What a witness saw and did is a type of evidence and it is admitted in court through testimony. Witnesses cannot ordinarily give opinions in testifying. [Only expert witnesses can give opinion testimony.] Lay witnesses (or all witnesses who do not testify as an expert) must have personal knowledge of what they are testifying about – whatever they say cannot be something they heard another person say (that's hearsay).

Jury: The job of the jury is to weigh all of the evidence presented and decide whether the prosecution met its burden of proof, and therefore decide whether the defendant is guilty or not guilty.

Key Concept- The verdict in a criminal case is guilty or not guilty:

A jury does not declare that the defendant is innocent, but only that the prosecution has not met its burden of proof beyond a reasonable doubt and therefore the defendant is not guilty. To convict, the jury in a criminal case must be unanimously convinced that the defendant is guilty as accused.

Witness Roles in the Script

Papa Bear

Mama Bear

Little Red Riding Hood

Police Officer Rob

Baby Bear

Mr. Hunter

Miss Muffet (a teacher at Greenville Elementary School)

Goldie Locks (Defendant)

A note on jurors:

In an actual criminal case there are twelve jurors and sometimes alternates. In a classroom setting adjust the number of jurors to meet the number of students left over. Students who aren't playing a role may feel left out but it's important to explain that jurors are the most critical part of a trial. The jurors determine whether the defendant is guilty or not guilty by evaluating and discussing the evidence, or "deliberating". Once the case is presented, the students who played roles can watch the jurors deliberate. Note however, that in practice, jury deliberations are completely confidential – neither the parties nor the judge can observe the jury's discussions. One student can be designated as the **Jury Foreperson**. It will be that student's job to make sure that everyone participates and to call a vote on whether the defendant is guilty or not guilty. In a real criminal case the verdict must be unanimous, but in a class setting a majority rule can be used.

FACT PATTERN

It is the year _____. Goldie Locks and her family have just moved to Greenville - a little village right outside of a beautiful forest. Because Greenville is so close to the forest, Goldie goes to school with both children and animals. In fact, one of Goldie's best friends is Baby Bear. As their teacher Miss Muffet reports, they are both good students and have become good friends.

Since she is new to the village, Goldie Locks often wanders around the nearby towns and villages to get to know her neighborhood. She also takes walks in the woods nearby.

One day Goldie is exploring her new neighborhood with Little Red Riding Hood, another friend from school, when she finds herself at the home of Baby Bear. Goldie remembers that Baby Bear has frequently requested that she come over to play.

Goldie goes up to the Bear's front door and knocks many times. No one answers the door, but the door swings open. Goldie Locks tells Little Red that she thinks she better check inside to make sure everyone is okay. Little Red does not agree, but rather she thinks they should leave. Little Red runs off, but Goldie Locks stays and enters the Bear's house.

As Goldie Locks enters, she smells the wonderful aroma of fresh-cooked porridge. The smell makes her realize that it is close to lunch and she should eat. After tasting the delicious porridge, Goldie begins to explore the Bear house. While exploring, Goldie breaks Baby Bear's chair and falls asleep in Baby Bear's bed.

When the Bear family returns, they quickly see what Goldie has done. Goldie Locks sees the Bears and runs out of the house. Mama and Papa Bear are very upset and call Officer Rob Wilderness of the Village of Greenville Police Department. Papa Bear tells Officer Wilderness that Goldie trespassed into his family's home and destroyed some of their property. The Officer finds Goldie Locks nearby and arrests her. From the Bear family's point of view, Goldie entered uninvited, ate and broke things that did not belong to her, and used things in their home that were not hers.

Under the law, a person is guilty of criminal trespass if he or she deliberately enters the property of another without permission. A person is guilty of destruction of property if the person intentionally damages or destroys the property of another without permission.

What do you think? Is Goldie Locks guilty of criminal trespass? Is she guilty of destruction of property? Now prove your point.

MOCK TRIAL SCRIPT

Bailiff: All rise. The Honorable Judge _____ presiding. (After the Judge takes his/her seat...) You may be seated.

All individuals in the courtroom stand when the Judge enters as a sign of respect.

Judge: Good morning. Today we are going to hear the case of The Village of Greenville v Goldie Locks.

Is the Prosecution ready?

Prosecuting Attorney: [Stands] We are, Your Honor.
Attorneys should always stand when addressing the Judge as a sign of respect.

Judge: Is the Defense ready?

Defense Attorney: [Stands] We are, Your Honor.

Judge: The Prosecution may make its Opening Statement.

Prosecuting Attorney: Thank you, Your Honor, and may it please the Court.
“May it please the court” is the traditional way to greet the court. The origin of the phrase has been lost but its usage dates back to the time of Shakespeare.

Key Concept: Opening Statement

The Opening Statement is the first opportunity that each side has to present the “story” or “theme” of the case and provide a preview of the evidence to come through the witnesses. The Opening (and closing) Statements should be directed to the jury. It’s important that the Opening Statement doesn’t promise evidence that the lawyer can’t present. The Prosecutor presents the first Opening Statement because the Prosecutor has the burden of proof.

Prosecuting Attorney: Ladies and gentlemen of the jury, the Village of Greenville is a safe place for people and animals to live. The actions of the defendant, Miss Goldie Locks, has made the family of the Three Bears feel unsafe in their own home. Today we will hear from Papa Bear that

Miss Goldie Locks entered his home without permission, and he will describe what they found inside when they arrived home - Miss Goldie Locks had eaten Baby Bear's porridge; she had broken Baby Bear's chair; and she was sleeping in Baby Bear's bed.

We also will hear from Mama Bear that Miss Goldie Locks sat on her bed and tasted her homemade porridge without permission. In addition, Mama Bear will point out that Miss Goldie Locks ignored the signs posted at the beginning of the forest in which the Three Bears lived, warning people and animals not to take the shortcut into the forest.

We will hear from Miss Little Red Riding Hood, the witness who saw Miss Goldie Locks enter the Three Bear's home without permission. In addition, we will hear from our eye witness – Mr. Hunter who saw Goldie Locks enter the Bear Cabin.

Finally, we will hear from the police officer who will tell us that he captured Goldie Locks near the Bear's home after being called to the home because of a break-in.

Through the testimony of these witnesses, we will prove to this jury that Miss Goldie Locks should be found guilty of criminal trespass and of damaging or destroying the property of another. Thank you.

Judge:

The Defense may make its Opening Statement.

Defense Attorney:

Thank you, Your Honor, and may it please the Court.

Ladies and gentlemen of the jury, today we will show that the prosecutor cannot prove that Goldie Locks is guilty of criminal trespass. She had permission to enter the home of the bears and was really looking out for the safety of her friend, Baby Bear. We will hear from Baby Bear about how he had invited his new friend, Goldie Locks, to his house to play and that he was excited that she actually came and knocked on his door. Baby Bear will also tell the jury how he forgot to lock the front door, so it swung open when Miss Goldie Locks knocked. Finally, Baby Bear will talk about the fact that he was not upset about her eating his porridge, breaking his chair, or sleeping in his bed. He will state that he knew his friend had not broken into their house, rather she had entered their home to make sure everyone was okay.

We also will hear from Miss Muffet, a teacher at Greenville Elementary School, who will tell the jury about the actions of Miss Goldie Locks as a student in her classroom. She will tell us that Miss

Goldie Locks is a responsible and respectful student who cares about her school work and the other students in her class.

Finally, we will hear from Miss Goldie Locks herself, who will tell the jury exactly what happened that day at the Three Bears' house. She will describe that when the front door opened unexpectedly, she entered to make sure that the Bear family was okay and that she knew she had permission to go into the home and never intended to cause harm. Therefore, Miss Goldie Locks should be found not guilty of trespassing or of causing harm to property. Thank you.

Key Concept: The defendant can choose not to take the stand, or “be a witness against himself”. The Fifth Amendment protects people’s rights against self-incrimination – a criminal defendant has the right to remain silent and to decide whether or not to testify.

In this script Goldie Locks, the defendant, is going to testify but in many criminal cases the defendant does not testify. The defendant has the right to remain silent under the United States Constitution and if the defendant decides not to testify that cannot be used as evidence of guilt.

Judge: The Prosecution may call its first witness.

Prosecuting Attorney: Your Honor, the Prosecution calls Papa Bear to the stand.

Bailiff: Papa Bear, please stand and raise your right paw. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Note that if the witness objected to swearing or to promising to tell the truth, the witness could simply affirm that he/she is going to tell the truth. There is no standard form the oath must take, as long as the witness makes clear his/her commitment to tell the truth.

Papa Bear: I do.

Bailiff: You may be seated.

Prosecuting Attorney: What is your name?

Key Concept: Direct Examination. The attorney calling the witness conducts the questioning direct examination. Direct examination consists of open-ended questions which do not suggest the responses.

Papa Bear: I am Papa Bear.

Prosecuting Attorney: Where do you live?

Papa Bear: I live in the Forest of Greenville, right outside of the Village of Greenville.

Prosecuting Attorney: Do you know the Defendant, Miss Goldie Locks?

Papa Bear: I do not know Miss Goldie Locks. I saw her for the first time when I found her in my house sleeping in Baby Bear's bed.

Prosecuting Attorney: Would you tell the Court what happened on the day you first saw Miss Goldie Locks?

Papa Bear: Mama Bear had made some of her delicious porridge. When we tried to eat it, we found it was too hot. So Mama Bear, Baby Bear and I decided to take a walk to allow the porridge to cool.

Prosecuting Attorney: What happened next?

Papa Bear: When we arrived home, we found our front door wide open and saw that someone had tasted our porridge and eaten all of Baby Bear's portion. We also noticed that someone had tried each of our chairs and had broken Baby Bear's chair. Then, with a great start, we found Miss Goldie Locks (*pointing to the Defendant*) sleeping in Baby Bear's bed. You can imagine that this whole experience was very upsetting for my family!!!!

Prosecuting Attorney: Let the record show that Papa Bear identified the Defendant, Goldie Locks.

Now, would you describe how Miss Goldie Locks got into your house?

Papa Bear: When we left for our walk, we must have forgotten to lock the front door, causing it to swing open when the defendant knocked on it. Still, no one was at home, so no one invited her into the house. Miss Goldie Locks came into our house without our permission.

Prosecuting Attorney: Thank you, Papa Bear.

We have no further questions for this witness, Your Honor.

Judge: The Defense may cross-examine this witness.

Key Concept: The attorney who did not call the witness can, but is not required to, question the witness by cross-examination. *Leading questions, or questions that suggest their own answer (and elicit a "yes" or "no" response) are okay on cross-examination, but NOT in direct*

examination. Cross-examination is limited to matters discussed in the preceding direct examination.

Defense Attorney: Papa Bear, isn't it true that Miss Goldie Locks was able to enter your home because the door was not locked and it swung open when she knocked?

Papa Bear: Yes...that is what I said.

Defense Attorney: You said that you did not know Miss Goldie Locks before you found her in Baby Bear's bed. Isn't it also true that Baby Bear and Miss Goldie Locks go to the same school and are in the same classroom?

Papa Bear: Yes.

Defense Attorney: Thank you, Papa Bear.

We have no further questions for this witness, Your Honor.

Judge: Papa Bear, you may step down.

The Prosecution may call its next witness.

Prosecuting Attorney: The Prosecution calls Mama Bear to the stand.

Bailiff: Mama Bear, please stand and raise your right paw. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Mama Bear: I do.

Bailiff: You may be seated.

Prosecuting Attorney: What is your name?

Mama Bear: I am Mama Bear.

Prosecuting Attorney: Where do you live?

Mama Bear: I live in the Forest of Greenville, right outside of the Village of Greenville.

Prosecuting Attorney: Would you tell the jury what happened on the day you found Miss Goldie Locks in your house?

Mama Bear: I am a mother, I worry about my family. When we came home from our walk, I could see that someone had been in our house. I was

frightened by the thought that someone could enter our home without permission. Then I saw all the damage that was done and was worried what might have happened if we had actually been home. I was glad to see Miss Goldie Locks run from our house, but I am still afraid she might come back and this could happen again.

Prosecuting Attorney: Do people often wander into the forest where you live and knock unexpectedly on your door?

Mama Bear: Not really. There are signs posted at the edge of the forest warning people not to enter. If we invite someone to our home, we greet them at the edge of the forest and bring them to our house.

Prosecuting Attorney: Thank you, Mama Bear.

We have no further questions for this witness, Your Honor.

Judge: The Defense may cross-examine this witness.

Defense Attorney: Mama Bear, isn't it true that Baby Bear and Miss Goldie Locks are friends at school?

Mama Bear: Well...I guess so...yes.

Defense Attorney: Isn't it true that Baby Bear has friends from school over to play sometimes?

Mama Bear: Yes...but we generally know about it first.

Defense Attorney: Isn't it possible that Baby Bear and Miss Goldie Locks had talked about coming to each other's houses to play?

Prosecution: Objection! Your Honor, the witness could not possibly know this.

Judge: Objection Sustained.

Note that witnesses can only testify about what they have actual, personal knowledge of. A question asking a witness about what other witnesses talked about would be objectionable, as it is hearsay evidence which is generally not allowed. The judge is sustaining the objection which means that the judge agrees with the attorney making the objection and the witness will not have to answer the question. If the judge disagreed with the objection the judge would overrule the objection and the witness would have to answer the question.

Defense attorney: Thank you, Mama Bear.

We have no further questions for this witness, Your Honor.

Judge: Mama Bear, you may step down.

The Prosecution may call its next witness.

Prosecuting Attorney: Your Honor, we call Miss Little Red Riding Hood to the stand.

Bailiff: Miss Little Red Riding Hood, please stand and raise your right hand. Do you promise to tell the truth and nothing but the truth?

Little Red Riding Hood: Yes.

Bailiff: You may be seated.

Prosecuting Attorney: What is your name?
Little Red Riding Hood: My name is Little Red Riding Hood.

Prosecuting Attorney: Where do you live?

Little Red Riding Hood: I live with my grandmother in the Village of Greenville. I have lived there my whole life.

Prosecuting Attorney: Where do you go to school?

Little Red Riding Hood: I go to Greenville Elementary School.

Prosecuting Attorney: Is the Defendant, Miss Goldie Locks, a friend of yours?

Little Red Riding Hood: She is. Goldie Locks recently started going to my school. We played on the playground her first day at school and we have played together ever since.

Prosecuting Attorney: Can you describe what you and the defendant were doing the day of the events in question?

Little Red Riding Hood: We were walking in the woods and I was scared. I did not know Goldie Locks well enough yet to know what she might do next. She knocked at the door and then went in. I felt that what she was doing was wrong, so I ran away. I did not want to get into trouble.

Prosecuting Attorney: Thank you, Miss Little Red Riding Hood.

We have no further questions for this witness, Your Honor.

Judge: The Defense may cross-examine this witness.

Defense Attorney: Miss Little Red Riding Hood, are you and Miss Goldie Locks in the same class at school?

Little Red Riding Hood: Yes.

Defense Attorney: Do you and Miss Goldie Locks still play together at recess?

Little Red Riding Hood: I like to play at recess, and...

Judge: Please answer the question, Miss Little Red Riding Hood.

Little Red Riding Hood: Yes, we still play.

Defense Attorney: So when you say you were scared, were you scared of Miss Goldie Locks?

Little Red Riding Hood: No...I wasn't scared of her.

Defense Attorney: So...you were not, and are not, scared of Miss Goldie Locks?

Little Red Riding Hood: No.

Defense Attorney: Thank you, Miss Little Red Riding Hood.

I have no further questions for this witness, Your Honor.

Judge: Miss Little Red Riding Hood, you may step down.

The Prosecution may call its next witness.

Prosecuting Attorney: The Prosecution calls Officer Rob to the stand Your Honor

Bailiff: Please stand and raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Baby Bear: I do.

Bailiff: You may be seated.

Prosecuting Attorney: Please tell the Court your name and where you live.

Officer Rob: My name is Officer Rob. I am a Police Officer in the Village of Greenville. I live on 22 Walnut Street.

Prosecuting Attorney: Were you in the forest the day in question?

Officer Rob: Yes, I was walking my daily patrol route through the forest.

Prosecuting Attorney What did you see?

It was a typically quiet day until Papa Bear and Mama Bear started shouting for help that someone had broken into their house. I then went running the 100 yards to their property.

Prosecuting Attorney What did you see?

Officer Rob: When I approached the home the door was wide open and inside the dining table was a mess with broken dishes and spilled porridge. There was also a broken chair and furniture overturned throughout around the room. Papa Bear said that the intruder (Goldie Locks) had just rushed out of the house. I then went outside to see if I could find anyone in the area and I found Goldie Locks hiding in the pine trees to the left of the house.

Prosecuting Attorney What did you do once you found Goldie Locks?

Officer Rob I apprehended Ms. Goldie Locks and brought her back to the Bear house. Papa Bear and Mama Bear indicated that she was the individual who had been in their house.

Prosecuting Attorney No further questions for this witness – Your Honor.

Judge: The Defense may cross-examine this witness.

Defense Attorney Officer Rob – Isn't it true that you did not see Goldie Locks in the Bear house?

Officer Rob Yes – but Papa Bear...

Defense Attorney Thank you officer. Is it true that you found Goldie Locks in the woods away from the house?

Officer Rob Yes – but...

Defense Attorney Is there any record that Goldie Locks has ever committed a crime?

Prosecuting Attorney Objection, Your Honor. It is not material to the case at hand.

Judge Sustained.

Note that the judge is sustaining this Objection. This means that the judge agrees with the objection and the witness will not answer the question. Usually instances of past conduct are not relevant to the case at hand, and are therefore generally inadmissible.

Defense Attorney No further questions, Your Honor.

Prosecuting Attorney: The Prosecution calls Mr. Hunter to the stand.

Bailiff: Please stand and raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Mr. Hunter I do.

Bailiff: You may be seated.

Prosecuting Attorney: Please tell the Court your name and where you live.

Mr. Hunter: My name is Mr. Hunter and I live in Greenville.

Prosecuting Attorney: Did you see Goldie Locks near the Bears home on that day?

Mr. Hunter Yes, I saw Goldie Locks walking in the woods with another girl and they stopped at the bear home.

Prosecuting Attorney: Did you see her enter the home?

Mr. Hunter: She was at the door and then when I looked back the door was open and she was gone.

Prosecuting Attorney: In your experience was Goldie Locks familiar with the forest and knew how to get home?

Mr. Hunter: Well – she seemed very comfortable walking in the woods.

Defense Attorney: Objection – calls for a conclusion by the witness.

Judge: Sustained – the jury will disregard the answer.

Prosecuting Attorney: No further questions Your Honor.

Judge: The defense may cross-examine.

Defense Attorney: Is it true that on the day in question – you were not wearing your glasses?

These questions go to the reliability of the testimony. The defense attorney is trying to establish that the jury should not rely on his testimony about what he saw because he has poor eyesight. This practice is called “impeachment”, or “impeaching the witness”. The opposing partner can respond to impeachment in a subsequent examination of the witness in an effort to show his or her reliability – this practice of called “rehabilitation”.

Mr. Hunter: Well yes – but I know what I saw.

Defense Attorney: Mr. Hunter, is it true that you have a very strong prescription and cannot drive without your glasses?

Mr. Hunter: Well yes – but I know what I saw.

Defense Attorney: Isn't true that you are a very good hunter and always follow the Greenville hunting rules.

Mr. Hunter: Well –yes – of course

Defense Attorney: And you are familiar with Hunting regulation 1258 which states all Hunters must stay at least ¼ mile away from homes?

Mr. Hunter: Yes.

Defense Attorney: So how far away from the bear home were you on the date in question?

Mr. Hunter: At least a quarter mile – I always obey the laws.

Defense Attorney: So – you are saying that without your glasses and at least ¼ mile away in the woods – you were able to see Goldie Locks go into the bear home?

Mr. Hunter: Well – I think so – there were people there- might have been a little blurry.

Defense Attorney: No further questions.

Prosecuting Attorney: The Prosecution rests.

When an attorney has presented all of the evidence that is going to be presented, the attorney informs the judge that the Prosecution (or Defense) rests its case.

Judge: The Defense may call its first witness.

Defense Attorney: We call Baby Bear to the stand, Your Honor.

Bailiff: Baby Bear, please stand and raise your right paw. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Baby Bear: I do.

Bailiff: You may be seated.

Defense Attorney: Please tell the Court your name and where you live.

Baby Bear: My name is Baby Bear and I live in Greenville Forest, right outside of the Village of Greenville.

Defense Attorney: Would you tell us how you know the Defendant, Miss Goldie Locks?

Baby Bear: Goldie Locks is my friend from school. We met at Greenville Elementary School, and we play together a lot.

Defense Attorney: What happened on the day that Miss Goldie Locks came to your house?

Baby Bear: My parents and I went for a walk while we waited for our porridge to cool off. When we came home, we saw that someone had been in our house. When I realized that the person in our house was Goldie Locks, I was excited and happy because I had invited her to my house to play. My mother and father were upset because she had eaten my porridge, broken my chair, and was sleeping in my bed. I was not. Goldie Locks is my friend. I was glad that she had to come visit.

Defense Attorney: Thank you, Baby Bear.

We have no further questions for this witness, Your Honor.

Judge: The Prosecution may cross-examine this witness.

Prosecuting Attorney: Baby Bear, isn't it true that Miss Goldie Locks did not have permission to come into your house that day?

Baby Bear: Maybe not that day...but I did invite her to come over to play.

Prosecuting Attorney: So you invited her to come over to play at your house. Did you invite Miss Goldie Locks to eat your porridge, or sit on your chair, or sleep in your bed?

Baby Bear: Well...no.

Prosecuting Attorney: So, would you say that Miss Goldie Locks did something wrong?

Baby Bear: Yes...I guess so.

Prosecuting Attorney: Thank you, Baby Bear.

Your Honor, we have no further questions for this witness.

Judge: Baby Bear, you may step down.

The Defense may call its next witness.

Defense Attorney: The Defense calls Miss Muffet to the stand.

Bailiff: Miss Muffet, please stand and raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Miss Muffet: I promise.

Bailiff: You may be seated.

Defense Attorney: Would you tell the Court your name and where you live?

Miss Muffet: My name is Miss Muffet; I am a teacher at Greenville Elementary School. I teach the class in which Baby Bear, Little Red Riding Hood and Goldie Locks are students. I live in the Village of Greenville.

Defense Attorney: Would you please tell the Court what you know about Miss Goldie Locks since she moved to the Village of Greenville and began attending your class?

Miss Muffet: Goldie Locks is a very good child and a smart little girl, but sometimes she does not obey *all* of the rules at school. Nevertheless, I have always found her to be respectful, caring and responsible.

Defense Attorney: Thank you, Miss Muffet.

We have no further questions for this witness, Your Honor.

Judge: The Prosecution may cross-examine this witness.

Prosecuting Attorney: Miss Muffet, isn't it true that Miss Goldie Locks is a new student in your class?

Miss Muffet: Yes...but I do try to find out as much about my students as quickly as I can.

Prosecuting Attorney: Do you have rules in your classroom?

Miss Muffet: Yes, of course.

Prosecuting Attorney: Does Miss Goldie Locks always follow the rules?

Miss Muffet: As I stated earlier, not always...no.

Prosecuting Attorney: Isn't it true that a student who does not follow the rules faces a consequence?

Miss Muffet: (Pause) I guess so.

Prosecuting Attorney: Thank you, Miss Muffet.

Your Honor, we have no further questions for this witness.

Judge: Miss Muffet, you may step down.

The Defense may call its next witness.

Defense Attorney: The Defense calls Miss Goldie Locks to the stand.

Bailiff: Miss Goldie Locks, please stand and raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?

Goldie Locks: I do.

Bailiff: You may be seated.

Defense Attorney: Please state your name and tell the Court where you live.

Goldie Locks: My name is Goldie Locks and I live in the Village of Greenville.

Defense Attorney: Would you please tell the Court what happened at the house of the Three Bears?

Goldie Locks: Little Red Riding Hood and I were out walking together, and we were talking so much that we didn't realize we had wandered into the forest. I was happy when we discovered we were at the home of Baby Bear because he and I had become friends at school and he had invited me to come to his house to play. So I went up to the

front door and knocked real hard. To my surprise, it swung open. I was concerned that something might be wrong, so I went inside to see if everything was okay.

Once inside, I smelled some delicious porridge and realized I was hungry. I ate the porridge and thought I should wait for Baby Bear to come home to explain. Then that awful accident happened with the chair. I felt terrible, and I worried about what to say to Baby Bear about it. I worried so much that I got tired and fell asleep.

Honestly, this is all a big mistake. Baby Bear and I are friends and I did not mean to do anything wrong.

Defense Attorney: Thank you, Goldie Locks.

Your Honor, we have no further questions for this witness. The Defense rests.

Judge: The Prosecution may cross-examine Miss Goldie Locks.

Prosecuting Attorney: Miss Goldie Locks, isn't it true that you entered the Bear's home without permission?

Goldie Locks: I guess so.

Prosecuting Attorney: Isn't it also true that you knew that eating someone else's food, breaking their chair and sleeping in their bed were all wrong?

Goldie Locks: Sure.

Prosecuting Attorney: We have no further questions for this witness, Your Honor.

Judge: Is the Prosecution ready to present its Closing Argument?

Key Concept- Closing Argument: Once all of the evidence has been presented each side presents its closing argument. The closing argument is the last opportunity to persuade the jury. In a Closing Argument (also called Closing Statement) the attorney reviews the evidence presented and frames it for the jury in the way that the attorney is asserting it should be viewed. Note that the Prosecution presents its Closing Argument first and that the Defense presents its Closing Statement second. This is because the Prosecution has the burden of proof. The Prosecution then gets a rebuttal.

Prosecuting Attorney: We are, Your Honor.

Ladies and gentlemen of the jury, today we have proved that Miss Goldie Locks is guilty of criminal trespass. We have proved that

Goldie Locks broke into the Bears' home even though she knew she did not have permission. We've also shown that Goldie intentionally broke the Bears' chair without their permission. We heard Papa Bear tell us that the Defendant came into his house without permission and caused damage. She ate food that did not belong to her and broke a chair that did not belong to her.

We also heard from Mama Bear, who told us that she feels unsafe in her home because of the actions of Miss Goldie Locks. She told us that Miss Goldie Locks did not obey the signs that warn people not to take a short cut through the forest.

We heard from Miss Goldie Locks's friend, Miss Little Red Riding Hood, who told us that she saw the Defendant enter the Three Bears' home without permission, and that she, herself, ran away because she knew what Miss Goldie Locks was doing was wrong.

We heard from Officer Rob that Goldie Locks was apprehended near the scene of the incident only seconds after Papa Bear called for help. In addition, Mr. Hunter placed Goldie Locks at the scene of the crime.

It is clear that the Defendant, Miss Goldie Locks, broke the law and we have proven our case beyond a reasonable doubt. Therefore, she should be found guilty of criminal trespass and of damaging and destroying the property of another. Thank you.

Judge:

Is the Defense ready?

Defense:

We are, Your Honor.

Ladies and gentlemen of the jury, today we have shown that Miss Goldie Locks should be found not guilty of any wrongdoing. The prosecution has put forward no evidence that Ms. Goldie Locks knew that she didn't have permission to enter the Bears' home. The prosecution has also failed to show that Goldie Locks intentionally broke the Bears' chair. Instead, Miss Goldie Locks was the victim of a simple misunderstanding. We heard from Baby Bear that he and Miss Goldie Locks are friends at school and he had invited her to come to his house to play. Goldie Locks had permission to be in the house. Baby Bear also told us that he was not upset that Miss Goldie Locks ate his porridge, broke his chair, and slept in his bed. His mom will make more porridge and chairs can be fixed.

We also heard from Miss Muffet, Goldie Locks' teacher at Greenville Elementary, who told us that she is a good child and student. In addition, Miss Muffet has observed that Miss Goldie Locks is a caring young lady, one who would be concerned if she thought her friend Baby Bear might be in trouble.

Finally, we heard from Miss Goldie Locks herself. She told us that she never meant to do any harm. The door to the Three Bears' house just swung open when she knocked, and in Goldie Locks' own words, she was concerned and went inside to make sure that Baby Bear and his family were okay. She testified that she stayed at the house to explain why she had eaten Baby Bear's porridge and how she had broken his chair.

Miss Goldie Locks is a young, caring girl who had permission to be in the home of the Bears. Therefore, you must find her not guilty of criminal trespass or of deliberately causing damage to property. Thank you.

Judge: Prosecution would you like to make a rebuttal

Prosecution: Yes, your honor. We would like to remind the Jury that we have heard testimony from Papa and Mama Bear, the owners of the house that Goldie Locks did **not** have permission to enter the home.

Key Concept- Jury Instructions: Once the Closing Arguments are complete, then the Judge provides instructions to the jury on its responsibilities to determine the facts of the case and to apply the relevant law to the facts.

Judge: Jury, now it is time for you to deliberate on this issue. Please think about everything you have heard during the trial. Ladies and Gentlemen of the Jury, you are the only judges of whether the witnesses are believable and telling the truth or not. As you decide this case, you should pay attention to how the witnesses looked and acted when they were testifying, to what they said, and to whether different witnesses said things that were the opposite of one another. You should pay attention to all the evidence that shows the witness is credible, and you should pay attention to whether a witness might have reason to say what he/she did even though it might not be the truth. It is your job to decide if the prosecutor has proven beyond a reasonable doubt that Goldie Locks has committed criminal trespass. If you all think that the Prosecutor has, you should find Goldie Locks guilty. If you feel that the Prosecutor has not proven its case beyond a reasonable doubt, then you must find Goldie Locks not guilty. The Defendant has

been charged with criminal trespass. To find the Defendant guilty of this offense, you must find that all of the following elements have been proven beyond a reasonable doubt; first, that Defendant broke into the Bears' home and, second, that she knew she did not have permission to break in.

The Defendant has also been charged with destruction of property. To find the defendant guilty of this offense, you must find that all of the following elements have been proven beyond a reasonable doubt: first, that Defendant intentionally damaged or destroyed the Bears' property and, second, that defendant did not have permission to do so.

Key concept- Verdict: The jury's decision is called the verdict. The juror can find the defendant guilty or not guilty. Remember that the jury never finds the defendant innocent. In actual criminal trials the jurors must reach a unanimous verdict.