

## TRIAL SCRIPT

Good evening. On behalf of the Shasta County Youth/Peer Court, I want to thank each of you for being here tonight and participating in these proceedings.

I am Judge \_\_\_\_\_ and I am the judge for the \_\_\_\_\_ Court. Tonight I will be hearing cases for the Youth/Peer Court.

The business of this court is very serious. The cases you will hear are actual cases. The respondents who appear here tonight may have been referred by Juvenile Probation or by their school, but they have all violated one or more laws of the State of California. They have also taken the first and most important step in taking accountability for their actions by admitting their guilt and accepting the consequences. Obviously, this requires a combination of courage and repentance. So, as we proceed tonight, please keep this in mind.

While the consequences may be different, even more difficult than those that might be assigned by Juvenile Probation; the disposition tonight will be more tailored to the particulars of the youth coming through the Youth/Peer Court. A successful completion of all assigned dispositions will mean dismissal of the case.

If the respondent fails to complete the assigned disposition the case will be turned over to probation and your child may have to appear in front of a judge for the juvenile court.

It is also very important to understand that juvenile proceedings such as these are confidential. We hope that you will share your experience here tonight with others, but please respect the confidentiality of the names of the respondents, victims, and witnesses.

Will everyone please rise, raise your right hand:

*“I solemnly swear or avow that I will not divulge, either by words or signs, any information which comes to my knowledge in the course of a Youth/Peer Court case presentation, and that I will keep secret all said proceedings which may be held in my presence.”*

Please be seated.

## **Parents’ Obligations**

To the parents and guardians present tonight, there are a few requirements for every child who participates in Youth/Peer Court: meeting with the Peer Court Coordinator to discuss the assigned dispositions, and

having an exit interview upon completion of the program. Additionally, the jury will assign a combination of dispositions which may include: service to the community, writing assignments, or educational classes.

No matter what the jury assigns, you must assist your child in completing the disposition imposed by the jury. This may involve providing transportation and attending classes or meetings with your child. You will also be required to attend at least one session of the Triple P Level 3 Discussion Group.

Are you willing to assist your child in completing the assigned dispositions and to attend the Triple P Level 3 Discussion Group? If so, please say, "I will."

Before we begin, do any of you have any questions?

### **Voir Dire [1<sup>st</sup> Jury]**

Members of the jury, it is your duty to determine what disposition is fair and appropriate for the respondent, the

### **Introductions**

Will the prosecuting attorneys please state their names and schools they attend?

Will you please introduce your attorney mentor?

Will the respondent's attorneys please state their names and schools they attend?

Will you also please introduce your attorney mentor?

To our adult volunteers, I want to thank you for donating your time and experience to assist our youth attorneys. Without your continued support and commitment, this program would not be possible.

### **Call the Case**

**Will the Clerk please call the first case?**

**The Court calls: \_\_\_\_\_**

Please introduce your parent or guardian. Do you agree to complete the disposition that the jury assigns tonight?

Do you have any questions before we begin?

### **Voir Dire**

Members of the jury, it is your duty to determine what disposition is fair and appropriate for the respondent, the victim, and the community. To be sure you can be

impartial, please tell me now if you know the respondent or if there is any other reason why you think you might not be able to be fair and impartial.

Do the parties wish to question the jury?

Do the parties accept this jury?

The clerk will now swear in the jury. Jurors, please stand and raise your right hand.

**Do you solemnly swear or affirm to listen carefully to the evidence and arguments and to fulfill your duty to determine a disposition that is fair and appropriate to the respondents, the victims, and the community? If so, please say I do.**

Please be seated.

You are now instructed to give your complete attention to the evidence and arguments about to be presented.

### **Opening Statements**

Ask respondent's counsel if they wish to make an opening statement: respondent first; prosecution second.

## **Presentation of Evidence**

Will the respondent please rise.

ASK RESPONDENT TO APPROACH THE  
WITNESS CHAIR AND REMAIN STANDING  
FOR OATH. (Clerk administers the oath)

**Please raise your right hand.**

**Do you solemnly swear or affirm that the  
testimony you are about to give will be the  
truth, the whole truth, and nothing but the  
truth?**

**Please be seated.**

Defense counsel questions respondent.

Then prosecution cross examines.

Defense gets a chance to rehabilitate with more  
questions.

Prosecution gets a final cross.

Jurors are allowed to ask questions if you feel that is  
appropriate. They will raise their hands and wait to  
be called on. Please do NOT let them go on too long.

Ask if respondent's counsel has any other witnesses.  
Ask if prosecution wishes to call any witnesses. If additional witnesses are called, ask them to approach witness chair and remain standing for oath.

### **Closing Arguments**

Defense council goes first.  
Prosecution goes second.  
Defense council gets a chance to rebut.

### **Jury Instructions**

Members of the jury, it is now your duty to determine an appropriate disposition. You need to take your deliberations seriously and must make your decisions fairly and objectively.

You may and are urged as a group to make appropriate comments regarding the Respondent's degree of participation as well as the Respondent's conduct both at the time of the offense and during our proceedings here tonight. Did you find the Respondent to be truthful and remorseful?

You should consider only that evidence which has been presented in Court tonight, including the information in the Police or Incident Report. If the crime involved

property or monetary loss, you should consider imposing restitution.

You are to discuss the facts of the case and possible sentencing options with each other. You are encouraged to express your feelings about the case, but please be respectful of differing opinions, and carefully consider the feelings and ideas of others.

Your Jury Foreperson shall preside over your deliberations and will take the responsibility of maintaining a respectful tone. A Jury Advisor will be present with you during your deliberations.

The jury is now excused to deliberate and the court is in recess.

### **Verdict Returned**

Will the Foreperson please rise. Has the jury reached a verdict?

Will the respondent and the defense attorneys please rise and remain standing while the verdict is read.

Please read the verdict.

Do you accept these obligations?

The court finds the disposition to be fair and appropriate.

At the conclusion of these proceedings, the Youth/Peer Court Coordinator will meet with you and your parents to explain your obligations.

A successful completion of all assigned dispositions will mean dismissal of the case. A letter will be sent to Juvenile Probation and/or to your school explaining that you completed all assigned dispositions.

If the respondent fails to complete the assigned disposition the case will be turned over to probation and appropriate action will be taken. Do you understand this?

Again, I caution all present to maintain confidentiality regarding these proceedings, especially the names of the respondents here tonight.

The jury is excused with the thanks of the court.

Court is adjourned.