

MEMO

TO: The Honorable _____
The Honorable _____

FROM: Stephanie S. Bascon

DATE: February 24, 2005

RE: Mock trial—March 7, 2005

Thanks for agreeing to assist with the CCBA mock trial with the Upstarts program. Your role is to help the student judges oversee the mock trial, guide the proceedings and accept the verdict.

YOUR JOB: The students will play all the parts, including the Judge (we will actually have two). They have met with some lawyers already to give them an idea of their roles as judges. However, we need your help in three ways:

1. Help the student judges during testimony on March 7, 2005, from @ 8:30 to 11:30 am. Help the students make rulings and guide the proceedings. Anywhere from 2:30 to 3:00 pm, I expect the student jurors to return with their verdict (they will begin deliberating in the courtroom @ 1:00 pm). I would need a judge to help the student judges accept and read the verdict.
2. If one or more of you would be willing to meet with the students after school either March 1, 2, or 3rd, to give them an idea of what their role will be, that would be helpful. Karen McDonnell, who runs the Upstarts program, can bring the students to you, if necessary.
3. We are going to have a mock voir dire on Wednesday, March 2, 2005, from 3:30 to 5:00 pm at NBHS. Joe Soane will be the prosecution attorney and Wade Arledge will be the defense attorney. Students will make up the jury panel. If any of you could be available to act as the judge during this voir dire, that would be great. Otherwise, another lawyer will do so. Perhaps we could combine this with number 2 above.

SCENARIO: I have attached a copy of the criminal scenario put together by the TYLA, which we will be using. I have also attached the TYLA's statement of facts of what went on in their "trial." The students have the scenario, but not the statement of facts. The purpose of the mock trial is to have the students "prepare for trial" and get their own question and arguments prepared.

Wayne Lehmann with the Sheriff's Office has prepared witness statements for some of the witnesses and we will get that to you as soon as possible.

CHANGES TO THE SCENARIO: We made a few minor changes to the scenario

1. Mr. Rat will be referred to as Mr. Ratcliff, so he is not automatically the “bad guy”
2. Skylar Johnson was drinking at the party
3. David Diaz has been hanging with a new crowd, has considerably more cash and toys (MP-3—whatever the latest gadgets are).

TIME AND LOCATION: The mock trial on March 7, 2005 will be in County Court at Law No. 1. Any after school meeting is at the **New Braunfels High School**. They meet in a conference room by the library. If you are looking at the High School from Loop 337, it is to the left. If necessary, Karen McDonnell can bring the students to you during an afternoon.

THE STUDENTS: Please be mindful that these students have limited life experiences and probably will not understand many of the legal terms involved. They are very eager to participate in the mock trial, but do not have a lot of life experiences to prepare them for it. For example, many have never been in an office setting or know how to shake hands to introduce themselves. Their points of reference are very different. However, they are excited about this project and have been very receptive to the lawyers who have already met them.

MOCK TRIAL: We will have lunch at Reagan Burrus from @ 11:30 am to 1:00 pm. You are welcome to attend.

Thanks for your help in this. Please let me know if you can assist in the voir dire or meet with the students after school. I understood that you will agree amongst yourselves who will cover what time on March 7, 2005. If you will just let me know what you work out, I would appreciate it.