**Crucible Trial Project**

Abigail Williams Trial Script

Reporter starts off the trial: Reporter announces the case the charges, and the expected witnesses.

Judge is out of the room

Bailiff says: All rise

(Everyone in the courtroom stands)

Judge enters and sits at the podium

Bailiff: The Honorable Judge \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_presiding.

Judge says: This courtroom will now come to order. (Bangs gavel) You may be seated.

The court is now in session. This is an action brought by the people of the state of Massachusetts against the defendant, \_\_\_\_\_\_\_\_\_\_\_\_for the crime(s) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Is the prosecution ready?

Prosecution: (All prosecutors stand) Ready for the people. (They sit)

Judge: Is the defense ready?

Defense: (All defense team and defendant stand) Ready for the defendant. They sit.

Judge: Will the bailiff please swear in the jury?

Bailiff: Will the jury please stand. (Jurors stand)

Bailiff: Please raise your left hand. Do the members of the jury declare that you are ready and willing to render a true verdict in this case?

Jury: We so swear.

Bailiff: You may be seated. (Jury sits) (Bailiff sits or stands next to judge)

Judge: Will the prosecution now make an opening statement?

Prosecution: (**One** team member delivers the opening statement—after the opening statement the attorney sits down)

Judge: Will the attorney for the defense please make an opening statement?

Defense: (**One** team member delivers the opening statement—after the opening statement the attorney sits down)

Judge: Will the prosecution please call your first witness?

**First witness for the Prosecution**:

Prosecution: (One attorney stands and calls the first witness) The state calls \_\_\_\_\_\_\_.

Bailiff: (Bailiff approaches the witness with a Bible) Please place your right hand on the Bible and raise your left hand. Do you solemnly swear that the testimony you are about to give will be the truth the whole truth and nothing but the truth, so help you God?

Witness: I do

Bailiff: Be seated.

Prosecution: (asks questions). After questioning, says “No further questions”

Defense: (Cross-examines the witness.) After questioning, says, “No further questions.”

Judge: Prosecution, please call your next witness.

**Second witness for the Prosecution**:

Prosecution: (One attorney stands and calls the second witness) The state calls \_\_\_\_\_\_\_.

Bailiff: (Bailiff approaches the witness with a Bible) Please place your right hand on the Bible and raise your left hand. Do you solemnly swear that the testimony you are about to give will be the truth the whole truth and nothing but the truth, so help you God?

Witness: I do

Bailiff: Be seated.

Prosecution: (asks questions). After questioning, says “No further questions”

Defense: (Cross-examines the witness.) After questioning, says, “No further questions.”

Judge: Prosecution, call your next witness.

**Third witness for the Prosecution**:

Prosecution: (One attorney stands and calls the third witness) The state calls \_\_\_\_\_\_\_.

Bailiff: (Bailiff approaches the witness with a Bible) Please place your right hand on the Bible and raise your left hand. Do you solemnly swear that the testimony you are about to give will be the truth the whole truth and nothing but the truth, so help you God?

Witness: I do

Bailiff: Be seated.

Prosecution: (asks questions). After questioning, says “No further questions”

Defense: (Cross-examines the witness.) After questioning, says, “No further questions.

Judge: Prosecution, do you have any more witnesses?

Prosecution: No further witnesses your honor.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge: Will the defense please call your first witness?

**First witness for the Defense**:

(One attorney stands and calls the first witness) The Defense calls \_\_\_\_\_\_\_.

Bailiff: (Bailiff approaches the witness with a Bible) Please place your right hand on the Bible and raise your left hand. Do you solemnly swear that the testimony you are about to give will be the truth the whole truth and nothing but the truth, so help you God?

Witness: I do

Bailiff: Be seated.

Defense: (asks questions). After questioning, says “No further questions”

Prosecution: (Cross-examines the witness.) After questioning, says, “No further questions.”

Judge: Will the defense, please call your next witness.

**Second witness for the Defense**:

Defense: (One attorney stands and calls the second witness) The Defense calls \_\_\_\_\_\_\_.

Bailiff: (Bailiff approaches the witness with a Bible) Please place your right hand on the Bible and raise your left hand. Do you solemnly swear that the testimony you are about to give will be the truth the whole truth and nothing but the truth, so help you God?

Witness: I do

Bailiff: Be seated.

Defense: (asks questions). After questioning, says “No further questions”

Prosecution: (Cross-examines the witness.) After questioning, says, “No further questions.”

Judge: Defense, please call your next witness.

**Third witness for the Defense**:

Defense: (One attorney stands and calls the third witness) The Defense calls \_\_\_\_\_\_\_.

Bailiff: (Bailiff approaches the witness with a Bible) Please place your right hand on the Bible and raise your left hand. Do you solemnly swear that the testimony you are about to give will be the truth the whole truth and nothing but the truth, so help you God?

Witness: I do

Bailiff: Be seated.

Defense: (asks questions). After questioning, says “No further questions”

Prosecution: (Cross-examines the witness.) After questioning, says, “No further questions.

Judge: Defense, do you have any more witnesses?

Defense: No further witnesses your honor.

Judge: Does the Prosecution rest?

Prosecution: (An attorney stands) The Prosecution rests, your honor.

Judge: Defense?

Defense: (An attorney stands) The defense rests, your honor.

Judge: Will the prosecution make a closing statement?

Prosecution: (ONE attorney stands and makes a closing statement).

Judge: Will the defense make a closing statement?

Defense: (ONE attorney stands and makes a closing statement).

Judge: I will now turn this case over to the jury for deliberations and a verdict. I urge you to carefully consider all testimony and evidence heard in this case carefully and to render a fair and objective verdict in good conscience.

Jurors: (Jurors rise leave the room to deliberate)

Judge: We will now take a break and reconvene in five minutes while the jurors deliberate. (Bangs gavel)

(Jurors let Bailiff know when that they have rendered a verdict.)

(Bailiff tells Judge)

Judge: (Bangs gavel) This court is now in session. Please be seated.

(Jurors re-enter the courtroom and sit down)

Judge: Have you reached a decision?

Jury Foreman/woman: (stands) We have, your honor. (Juror gives a paper with the verdict on it to the Bailiff)

(The Bailiff takes a written piece of paper with the verdict on it to the judge. The judge reads it and gives it back to the bailiff who gives it back to the Foreman.)

Judge: Abigail Williams, please rise. (Abigail Williams and her attorneys rise.) Will the jury foreman/woman please read the verdict.

Jury Foreman/woman: We, the jury, find the defendant, Abigail Williams \_\_\_\_\_\_\_\_\_\_\_\_\_ of the crime of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Judge: (repeats the verdict) The jury has found Abigail Williams \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Having been found \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the crime(s) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Abigail Williams will thereby be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Sentenced to death by hanging

Sentenced to life in prison without the possibility of parole

Sentenced to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_years in prison

Sentenced to a probationary period of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ years and mandated by the state to continue psychiatric counseling…

Released from custody and her record cleared.

Sentenced to perform community service for\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bangs the gavel and says “This court is adjourned”

**OBJECTIONS:**

**Irrelevant**: the testimony does not have to do with the case before the court

 **Example**: Attorney: “Mrs. Putnam, do you love your husband?”

**Badgering the witness**: harassing the witness

**Example:** Attorney: “Mrs. Proctor, you are a cold, sniveling woman, are you not?”

**Leading the witness**: the question is phrased like a statement, leading the witness to a particular response.

 **Example**: Attorney: “Betty, you were afraid that Abigail called the devil to her when you saw her drink chicken blood. Isn’t that right?”

**Speculation**: the witness is asked to speculate about an event or behavior that hasn’t been seen by the witness.

 **Example**: Attorney: “Rebecca Nurse, would Abigail have danced with the devil if he were in Salem?”

**Hearsay**: the witness is asked to comment on what she or he heard another say that yet another person said

 **Example**: Witness: “I heard Mary say that John told her that he robbed the store.”

**Judge and Bailiff Contract**

**I solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Carolina, and that I will faithfully discharge the duties of an attorney and counselor at law to the best of my knowledge and ability.**

**SECTION 1: Group Names and Contact Info**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Email Addresses** | **Phone Numbers** | **Signature** |
| 1. Ross, Brooke |  |  |  |
| 2. Soluri, Nick |  |  |  |

**SECTION 2: Responsibilities**

The Case: The case concerns the accusation of Abigail Williams perpetrating the Salem Witch Trials, which has led to the imprisonment innocent people and could have led to their deaths. The case is as follows: the people of Salem initially believed the young girls’ accusations that witches were destroying Salem. However, after investigations led by John Hale, the accusations were declared false. Faced with jail-time the young girls took a plea bargain and confessed that Abigail Williams is to blame for the false accusations, trials, and imprisonments. Abigail Williams’ case is considered a criminal case. Therefore, bail has been set. The trial date has also been set for 10/31.

Overview for Judge:

## **Before a Trial:** Before a trial, judges hold pretrial hearings. They decide whether evidence is sufficient for a trial and, in criminal cases, sets a defendant's bail.

## **During a Trial:** During a trial, the judge presides. A judge ensures that a trial follows established legal procedures, and when unusual circumstances arise, a judge interprets the law and finds a resolution.

## **Outside of a Trial:** Outside of trial, judges research legal issues and publish their opinions. In some jurisdictions, they also manage the court's administrative and clerical staff.

Overview for Bailiff:

The duties and responsibilities of a bailiff vary with each court. It is important that the bailiff understands that the Judge determines the specific duties and responsibilities each bailiff will perform.

A bailiff is an officer and representative of the court. The bailiff is an important link between the court, other court officers, others who use and or visit the court and the general public. As a result, the bailiff has direct personal contact with attorneys, litigants, jurors and the public both in and out of court. The bailiff must:

* present a neat and pleasant appearance;
* be courteous and cooperative;
* assist in the smooth operation of the court’s functions;
* be knowledgeable in all areas of the court’s function; and
* be professional.

While some courts assign a bailiff to work in certain areas, his/her duties may include:

* Security
* prisoner transportation;
* court organization and administration;
* schedule cases;
* jury management;
* court reporter; and
* execute civil and/or criminal process [evictions, levies, arrest warrants, etc].

You will need to:

* swear in the jury
* swear in the witnesses
* maintain order in the courtroom
* deliver messages to and from the judge
* maintain security in the courtroom

Judge Dress: Robes

Bailiff Dress: Formal

 Important Terms for Judge and Bailiff:

* Objection - This is made by either a defense or a prosecuting attorney if either finds the line of questioning irrelevant or, constituting harassment of witness.
* Overruled - Only the judge has the privilege to overrule, which means that whoever raised an objection, will be silent and the attorney w ill continue questioning.
* Sustained: Only the judge may say this. If an objection is raised and the judge agrees with the objection, then the attorney questioning the witness must rephrase the question or stop the line of questioning altogether.

**SECTION 3: 10/22 Tasks - Research**

Overview: The following are the responsibilities of the Judge. Both the Judge and Bailiff should read through the responsibilities and annotate to ensure that proper courtroom procedures are upheld.

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**PART I.** **BASIC DUTIES**

**Standard****6-1.1. General responsibility of the trial judge**

(a) The trial judge has the responsibility for safeguarding both the rights of the accused and the interests of the public in the administration of criminal justice. The adversary nature of the proceedings does not relieve the trial judge of the obligation of acting on his or her initiative, at all appropriate times and in an appropriate manner, matters which may significantly promote a just determination of the trial. The purpose of a criminal trial is to determine whether the prosecution has established the guilt of the accused as required by law, and the trial judge should not allow the proceedings to be used for any other purpose.

(b) The trial judge should require that every proceeding before him or her be conducted with unhurried and quiet dignity and should aim to establish such physical surroundings as are appropriate to the administration of justice. The trial judge should give each case individual treatment; and the judge's decisions should be based on the particular facts of that case. The trial judge should conduct the proceedings in clear and easily understandable language, using interpreters when necessary.

(c) The trial judge should be sensitive to the functions of the prosecutor, defense counsel, witnesses, and jury, and the interests of the defendant, victim and public; and the judge's conduct toward them should manifest professional respect, courtesy, and fairness.

**Standard****6-1.4. Appearance, demeanor, and statements of the judge**

The trial judge's appearance, demeanor, and statements should reflect the dignity of the judicial office and enhance public confidence in the administration of justice. The wearing of the judicial robe in the courtroom will contribute to these goals.

**Standard****6-1.5. Obligation to use court time effectively and fairly**

(a) The trial judge has the obligation to avoid delays, continuances, and extended recesses, except for good cause. In the matter of punctuality, the observance of scheduled court hours, and the use of working time, the trial judge should be an exemplar for all other persons engaged in the criminal case. The judge should require punctuality and optimum use of working time from all such persons.

(b) The trial judge should respect the personal and professional demands on the lives of counsel, the defendant, jurors, witnesses, and victims, and should schedule and utilize court time remaining sensitive to these needs.

**Standard****6-1.6. Duty to maintain impartiality**

(a) The trial judge should avoid impropriety and the appearance of impropriety in all activities, and should conduct himself or herself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. The judge should not allow family, social, political or other relationships to influence judicial conduct or judgment.

(b) During the course of official proceedings, the trial judge should avoid contact or familiarity with the defendant, victims, witnesses, counsel, or members of the families of such persons which might give the appearance of bias or partiality.

(c) A judge should not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion, national origin, disability, age, or sexual orientation.

(d) It is the responsibility of the trial judge to attempt to eliminate, both in chambers and in the courtroom, bias or prejudice due to race, sex, religion, national origin, disability, age, or sexual orientation. The judge should also avoid bias in hiring, and strive to achieve diversity in his or her staff.

(e) A judge should not be influenced by actual or anticipated public criticism in his or her actions, rulings, or decisions.

**Standard****6-1.11. Communications concerning prisoner status**

(a) The trial judge should seek to ensure that the status of persons held in jail awaiting formal charge, trial, or sentence is monitored. The judge should take appropriate corrective action when required.

(b) The trial judge should respond promptly to specific inquiries from persons held in custody and, if warranted, should make inquiries or take other action.

**PART II.** **GENERAL RELATIONS WITH COUNSEL AND WITNESSES**

**Standard****6-2.1. Ex parte discussions of a pending case**

The trial judge should insist that neither the prosecutor nor the defense counsel nor any other person discuss a pending case with the judge ex parte, except after adequate notice to all other parties or when authorized by law or in accordance with approved practice. The judge should ensure that all such ex parte communications are subsequently noted on the record.

**Standard****6-2.2. Duty to witnesses**

The trial judge should permit full and proper examination and cross-examination of witnesses, but should require the interrogation to be conducted fairly and objectively and with due regard for the dignity and legitimate privacy of the witnesses.

**Standard****6-2.3. Duty to control length and scope of examination**

The trial judge should permit reasonable latitude to counsel in the examination and cross-examination of witnesses, but should not permit unreasonable repetition or permit counsel to pursue clearly irrelevant or improper lines of inquiry.

**Standard****6-2.4. Duty of judge on counsel's objections and requests for rulings**

The trial judge should respect the obligation of counsel to present objections to procedures and to admissibility of evidence, to request rulings on motions, to make offers of proof, and to have the record show adverse rulings and reflect conduct of the judge which counsel considers prejudicial. Counsel should be permitted to state succinctly the grounds of his or her objections or requests; but the judge should nevertheless control the length, manner and timing of argument.

**Standard****6-2.5. Duty of judge to respect privileges**

The trial judge should respect the obligation of counsel to refrain from speaking on privileged matters, and should avoid putting counsel in a position where counsel's adherence to the obligation, such as by a refusal to answer, may tend to prejudice the client. Unless the privilege is waived or is otherwise inapplicable, the trial judge should not request counsel to comment on evidence or other matters where counsel's knowledge is likely to be gained from privileged communications.

**Standard****6-2.6. Duty to juries**

(a) The trial judge has the responsibility to treat the jury with dignity. This includes the responsibility both to inform the jury of anticipated scheduling and to assure that the jury has an opportunity to deliberate on a reasonable schedule. The trial judge should also endeavor to assure that the jury has comfortable surroundings.

(b) The trial judge should conduct the trial in such a way as to enhance the jury's ability to understand the proceedings and to perform its fact-finding function.

**PART III.** **MAINTAINING THE DECORUM OF THE COURTROOM**

**Standard****6-3.4. Courtroom demeanor**

(a) The trial judge should be a model of dignity and impartiality. The judge should exercise restraint over his or her conduct and utterances. The judge should remain neutral regarding the proceedings at all times, suppress personal predilections, control his or her temper and emotions, and be patient, respectful, and courteous to defendants, jurors, witnesses, victims, lawyers, and others with whom the judge deals in an official capacity. The judge should not permit any person in the courtroom to embroil him or her in conflict, and should otherwise avoid personal conduct which tends to demean the proceedings or to undermine judicial authority in the courtroom.

(b) The trial judge should require similar conduct of staff, court officials and others subject to the judge's direction and control.

**Standard****6-3.5. Judge's use of powers to maintain order**

(a) A trial judge should maintain order and decorum in judicial proceedings. The trial judge has the obligation to use his or her judicial power to prevent distractions from and disruptions of the trial.

(b) When it becomes necessary during the trial for the judge to comment upon the conduct of witnesses, spectators, counsel, or others, or upon the testimony, the judge should do so outside the presence of the jury, if possible. Any such commentshould be in a firm, dignified, and restrained manner, avoiding repartee, limiting comments and rulings to what is reasonably required for the orderly progress of the trial, and refraining from unnecessary disparagement of persons or issues.

**Standard****6-3.8. The disruptive defendant**

A defendant may be removed from the courtroom during trial when the defendant's conduct is so disruptive that the trial cannot proceed in an orderly manner. Removal is preferable to gagging or shackling the disruptive defendant. The removed defendant ordinarily should be required to be present in the court building while the trial is in progress.

**Standard****6-3.10. Misconduct of spectators and others**

(a) Any person who engages in conduct which disturbs the orderly process of the trial may be admonished or excluded, and, if such conduct is intentional, may be punished for contempt. Any person whose conduct in a criminal proceeding tends to menace a defendant, an attorney, a victim, a witness, a juror, a court officer, the judge, or a member of the defendant's or victim's family may be removed from the courtroom.

(b) When a victim or a member of a victim's or a defendant's family is removed from the courtroom during trial, he or she should ordinarily be allowed to return upon assurance of good behavior.

**PART IV.** **USE OF SANCTIONS**

**Standard****6-4.3. The sanction of contempt**

The sanction of contempt should not be imposed by the trial judge unless:

(a) it is clear from the identity of the offender and the character of his or her acts that the disruptive conduct was willfully contemptuous; or

(b) the conduct warranting the sanction was preceded by a clear warning that such conduct was impermissible and that specified sanctions might be imposed for its repetition.

**Standard****6-4.4. Notice of intent to use contempt power; postponement of adjudication**

(a) The trial judge should, as soon as practicable after he or she is satisfied that courtroom misconduct requires contempt proceedings, inform the alleged offender of the judge's intention to institute such proceedings.

(b) The trial judge should consider deferring adjudication of contempt for courtroom misconduct of a defendant, an attorney, or a witness until after the trial, and should defer such a proceeding unless prompt punishment is imperative.

**SECTION 4: 10/24 Tasks – Two Page Position Paper**

**SECTION 5: 10/28 Tasks – Review and Memorize Script**

**SECTION 6: Trial Date 10/31**

**Lawyers of the Prosecution Contract**

**I solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Carolina, and that I will faithfully discharge the duties of an attorney and counselor at law to the best of my knowledge and ability.**

**SECTION 1: Group Names and Contact Info**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Email Addresses** | **Phone Numbers** | **Signature** |
| 1.  |  |  |  |
| 2.  |  |  |  |
| 3.  |  |  |  |

**SECTION 2: Responsibilities**

Goal: The goal is to prove Abigail Williams guilty of perpetrating the Salem Witch Trials, which has led to the imprisonment innocent people and could have led to their deaths. The case is as follows: the people of Salem initially believed the young girls’ accusations that witches were destroying Salem. However, after investigations led by John Hale, the accusations were declared false. Faced with jail-time the young girls took a plea bargain and confessed that Abigail Williams is to blame for the false accusations, trials, and imprisonments. Abigail Williams’ case is considered a criminal case. Therefore, bail has been set. The trial date has also been set for 10/31.

What do you want to prove? How will you do it? Whose testimony do you need to help convince the jury of the defendant’s innocence? Think about which witnesses will best help you prove your case.

Dress: Formal

 Important Terms:

* Objection - This is made by either a defense or a prosecuting attorney if either finds the line of questioning irrelevant or, constituting harassment of witness.
* Overruled - Only the judge has the privilege to overrule, which means that whoever raised an objection, will be silent and the attorney w ill continue questioning.
* Sustained: Only the judge may say this. If an objection is raised and the judge agrees with the objection, then the attorney questioning the witness must rephrase the question or stop the line of questioning altogether.

**SECTION 3: 10/22 Tasks - Questioning**

1. Brainstorm: What do you want to prove? How will you do it? Whose testimony do you need to help convince the jury of the defendant’s guilt?
2. Think about which witnesses will best help you prove your case. Create a desired Prosecution Witness List of 3-4 individuals. Get this list approved by your instructor.
3. After your list of witnesses is approved, you must start the witness interviewing process. Your team will need to write examination questions, which you will ask your witnesses on the stand. Remember that you want to ask questions that will bring forth the testimony that will help you prove your case in court. Write 10 potential questions for each of your witnesses.

**SECTION 4: 10/24 Tasks – Prep witnesses; develop cross examination; write opening & closing statements**

**SECTION 5: 10/28 Tasks** – **Learn objections; practice questioning, opening statement & closing statement**

**SECTION 6: Trial Date 10/31**

**Lawyers of the Defense Contract**

**I solemnly swear that I will support the Constitution of the United States and the Constitution of the State of North Carolina, and that I will faithfully discharge the duties of an attorney and counselor at law to the best of my knowledge and ability.**

**SECTION 1: Group Names and Contact Info**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Email Addresses** | **Phone Numbers** | **Signature** |
| 1. Davis, Emily |  |  |  |
| 2. Horney, Griffin |  |  |  |
| 3. Keith, Adam |  |  |  |

**SECTION 2: Responsibilities**

Goal: The goal is to prove Abigail Williams not guilty of perpetrating the Salem Witch Trials, which has led to the imprisonment innocent people and could have led to their deaths. The case is as follows: the people of Salem initially believed the young girls’ accusations that witches were destroying Salem. However, after investigations led by John Hale, the accusations were declared false. Faced with jail-time the young girls took a plea bargain and confessed that Abigail Williams is to blame for the false accusations, trials, and imprisonments. Abigail Williams’ case is considered a criminal case. Therefore, bail has been set. The trial date has also been set for 10/31.

What do you want to prove? How will you do it? Whose testimony do you need to help convince the jury of the defendant’s innocence? Think about which witnesses will best help you prove your case.

Dress: Formal

Forms of Defense:

* Prove the defendant innocent through evidence.
* Prove the defendant insane through evidence.
* Prove the defendant innocent by proving the guilt of another.

 Important Terms:

* Objection - This is made by either a defense or a prosecuting attorney if either finds the line of questioning irrelevant or, constituting harassment of witness.
* Overruled - Only the judge has the privilege to overrule, which means that whoever raised an objection, will be silent and the attorney w ill continue questioning.
* Sustained: Only the judge may say this. If an objection is raised and the judge agrees with the objection, then the attorney questioning the witness must rephrase the question or stop the line of questioning altogether.

**SECTION 3: 10/22 Tasks - Questioning**

1. Brainstorm: What do you want to prove? How will you do it? Whose testimony do you need to help convince the jury of the defendant’s innocence?
2. Think about which witnesses will best help you prove your case. Create a desired Defense Witness List of 3-4 individuals. Get this list approved by your instructor.
3. After your list of witnesses is approved, you must start the witness interviewing process. Your team will need to write examination questions, which you will ask your witnesses on the stand. Remember that you want to ask questions that will bring forth the testimony that will help you prove your case in court. Write 10 potential questions for each of your witnesses.

**SECTION 4: 10/24 Tasks – Prep witnesses; develop cross examination; write opening & closing statements**

**SECTION 5: 10/28 Tasks** – **Learn objections; practice questioning, opening statement & closing statement**

**SECTION 6: Trial Date 10/31**

**Witnesses Contract**

**Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth? So help you God.**

**SECTION 1: Group Names and Contact Info**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Email Addresses** | **Phone Numbers** | **Signature** |
| The DefendantAbigrail Williams |  |  |  |
| 1. Anne Putnam **Diagne, Sohkna** |  |  |  |
| 2. Betty Parris  |  |  |  |
| 3. Cotton Mather –**Lewis, Jasmine** |  |  |  |
| 4. Elizabeth Proctor**Helfrich, Caitlin** |  |  |  |
| 5. John Hale |  |  |  |
| 6. John Proctor |  |  |  |
| 7. Mary Warran**M., Samantha** |  |  |  |
| 8. Thoman Putnam |  |  |  |
| 9. Tituba |  |  |  |
| 10. Rebecca Nurse**Douglas, Amanda** |  |  |  |
| 11. Reverend Parris |  |  |  |

**SECTION 2: Responsibilities**

The Case: The case concerns the accusation of Abigail Williams perpetrating the Salem Witch Trials, which has led to the imprisonment innocent people and could have led to their deaths. The case is as follows: the people of Salem initially believed the young girls’ accusations that witches were destroying Salem. However, after investigations led by John Hale, the accusations were declared false. Faced with jail-time the young girls took a plea bargain and confessed that Abigail Williams is to blame for the false accusations, trials, and imprisonments. Abigail Williams’ case is considered a criminal case. Therefore, bail has been set. The trial date has also been set for 10/31.

Dress: Formal or Costume

**SECTION 3: 10/22 Tasks – Research**

Answer the following questions concerning your character…

1. Character Name?
2. Character’s Family?
3. Approximate Age of Character?
4. Any Physical Description? Find direct characterization in the text. Provide 1 quote with in-text citation.
5. Personality Description? Find indirect characterization in the text. Provide 2 quotes with in-text citation. Follow each with an explanation of what it indicates about the character’s personality.
6. What is your character’s attitude toward the witchcraft trials in the text? Provide 1 quote with in-text citation.
7. Does your character change throughout the text? If so, how and why.
8. You will need to use at least 3 quotes from the text if called to the stand. Recall some of your character’s important quotes or dialogue. What are the circumstances surrounding these quotes?
9. Do any of the other characters in the text talk about you? What do they say? Provide 2-3 quote with in-text citation.
10. What costume will you wear?
11. If you are put on the witness stand, what attitude will your character have toward Abigail Williams?
12. If you are put on the witness stand, what speech, mannerisms, etc. will you use to imitate the character?

**SECTION 4: 10/24 Tasks – Lawyers will prep witnesses; begin Web 2.0 on character**

**SECTION 5: 10/28 Tasks – Finish Web 2.0**

**SECTION 6: Trial Date 10/31**

**Reporter Contract**

**I believe that the public journal is a public trust; that all connected with it are, to the full measure of responsibility, trustees for the public; that all acceptance of lesser service than the public service is a betrayal of this trust.**

**SECTION 1: Names and Contact Info**

|  |  |  |
| --- | --- | --- |
| **Name** | **Email Addresses** | **Signature** |
| 1.  |  |  |

**SECTION 2: Responsibilities**

Dress: Business attire (Suit, collared shirt, tie—for women, nice outfit, blazer, etc.)

Overview:

The reporter’s job is to inform the public of the upcoming controversial trial: The state of Massachusetts versus Abigail. The reporter will start off the trial.

Opening: The reporter will need to present a brief, visual summary of what happened during Act I and II of the play *The Crucible*. As a reporter, the presentation must not appear biased in any way. Therefore, the reporter must share information as objectively and factually as possible. He or she should not try not to show any emotion either for or against Abigail Williams or any other villager of Salem. Simply report the facts.

**SECTION 3: 10/22 Tasks - Research**

Overview: Utilizing the text, write an objective summary of Act I and II, included what is believed to be the most pertinent information. Note that when constructing this written summary that it will eventually be turned into a Web 2.0 visual presentation.

**SECTION 4: 10/24 Tasks – Create Web 2.0 Presentation of Act I & II**

**SECTION 5: 10/28 Tasks – Finish Web 2.0 Presentation of Act I & II**

**SECTION 6: Trial Date 10/31**

**Jury Members Contract**

## **101.2 OATH OF JUROR AFTER VOIR DIRE**

**Do you solemnly swear or affirm that you will well and truly try this case between the [plaintiff(s)] [petitioner(s)] and [defendant(s)] [respondent(s)], and a true verdict render according to the law and evidence?**

**SECTION 1: Group Names and Contact Info**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Email Addresses** | **Phone Numbers** | **Signature** |
| 1. Abrahim, Melba |  |  |  |
| 2. Kythas, Peter |  |  |  |
| 3. McKay, Taylor |  |  |  |
| 4. Pippin, Sarah |  |  |  |
| 5. Siefring, Riordan |  |  |  |
| 6. Smith, Parker |  |  |  |
| 7. Wells, Cameron |  |  |  |
| 8. Zinn, Lauren |  |  |  |

**SECTION 2: Responsibilities**

The Case: The case concerns the accusation of Abigail Williams perpetrating the Salem Witch Trials, which has led to the imprisonment innocent people and could have led to their deaths. The case is as follows: the people of Salem initially believed the young girls’ accusations that witches were destroying Salem. However, after investigations led by John Hale, the accusations were declared false. Faced with jail-time the young girls took a plea bargain and confessed that Abigail Williams is to blame for the false accusations, trials, and imprisonments. Abigail Williams’ case is considered a criminal case. Therefore, bail has been set. The trial date has also been set for 10/31.

Overview: During trial proceedings, take thorough notes on the questions and testimony of the witnesses, including objections, overrulings, etc. Focus on what proof is being offered through witness testimony to prove the innocence or guilt of Abigail Williams. After closing arguments from both sides, the jury will adjourn to render a verdict. The jury will have to appoint a jury foreman/woman, who will guide the jury in deliberations. Once the jury has reached a decision, they will come back into court and deliver their verdict to the judge via the bailiff, and when prompted, the foreman or woman will announce the verdict to the court.

Dress: Business casual

During the Trial: Jurors will be sworn in by the bailiff to render a “fair and true verdict in good conscience.” Jurors will need to be familiar with the objections and the terms “overruled” and “sustained.” Jurors must remember not to base their verdict on the play itself, but on the effectiveness of the attorneys who argue their case. This means that the juror’s verdict should be based solely on which team was most persuasive in its argument.

 Important Terms:

* Objection - This is made by either a defense or a prosecuting attorney if either finds the line of questioning irrelevant or, constituting harassment of witness.
* Overruled - Only the judge has the privilege to overrule, which means that whoever raised an objection, will be silent and the attorney w ill continue questioning.
* Sustained: Only the judge may say this. If an objection is raised and the judge agrees with the objection, then the attorney questioning the witness must rephrase the question or stop the line of questioning altogether.

Below is a list of responsibilities of the jury foreman or forewoman and the jurors:

1. Foreman or Forewoman: Meet with other jurors in the jury room when it is time for deliberations. It is one of the foreman's responsibilities to make sure every member of the jury is present before the discussions can begin.
2. Lead the jury in discussions during the deliberations. Ensure that all the issues in the case are fully discussed in order to reach an appropriate verdict.
3. Make sure that the deliberations are conducted in an orderly manner. The discussions should be open and free so that every juror can participate.
4. Remind the jury members to meet their responsibilities during deliberations. Every juror must state his or her views about the case, what he or she thinks the verdict should be and why.
5. Send a message to the judge when necessary. This will occur when the jury has a question, needs clarification, or requires further guidance during deliberations or when the jury is ready with a verdict.
6. Ask for recorded testimony to be read back to the jury if necessary. This may be the next step when the jury cannot agree on what was said in a testimony and cannot continue with the deliberations. However, this would mean that the jury, parties, attorneys and the judge will have to return to court, so this request should only be made when necessary.
7. Have the members vote for the appropriate sentence. Every member must vote on each charge in the case. If this is a criminal case, all members must agree **unanimously** on the verdict. In a civil case the judge will let you know how many votes are needed for a verdict.
8. Count the votes to ensure that every juror has voted.
9. Fill out the verdict form when the jury has arrived at one. The form will have a "guilty" or "not guilty" space for each charge. Check the appropriate box; then sign the form on behalf of the jury.
10. Inform the bailiff when the jury is ready to announce a verdict. When returning to the court, you will be expected to take the signed verdict form as well as any other used, but unsigned, verdict forms.
11. Announce the jury's verdict to the court when prompted by the judge.

**SECTION 3: 10/22 Tasks - Research**

Overview: Jurors should each select one of the trials listed below. Each juror should have their own individual trial and no two jurors should have the same trial. Once trials are selected, jurors must conduct research on trial.

Trial Options:

|  |  |  |
| --- | --- | --- |
| 1) Lincoln Conspiracy Trial of 18652) Johnson Impeachment of 18683) Lizzie Borden Trial of 18934) Thaw Trials of 1907 to 1908, 5) Triangle Fire Trial of 19116) Black Sox Trial of 19217) Sacco-Vanzetti Trial of 19218) Scopes “Monkey” Trial of 19259) Al Capone Trial of 193110) Scottsboro Boys Trials of 1931-1937 | 11) Resenberg Trial of 195112) Brown v Topeka Board of Ed. Trial13) Sam Sheppard Trials of 1954 & 196614) Emmett Till Murder Trial of 195515) Confidential Magazine Trial of 195716) Lenny Bruce Trial of 196417) Mississippi Burning Trial of 196718) Chicago 7 Trial of 1969 to 197019) Charles Manson Trial of 1970-197120) Pentagon Paper Trial of 1973 | 21) Patty Hearst Trial of 197622) Dan White Trial of 197923) Falwell v Flynt Trial of 198424) McMartin Preschool Trial 1987-199025) Ruby Ridge Trial of 199326) West Memphis Three Trials of 199427) OJ Simpson Trial of 199528) Olka City Bombin Trial of 199729) Clinton Impeachment Trial of 199930) Zimmerman Trial of 2013  |

Required Research Sections for Notes:

1. Basic Information (5W’s and How)
2. Is the case one of guilt or innocence? If yes, was the defendant guilty or innocent? Were there stipulations to the ruling?
3. What type of childhood did the defendant have? Were there any signs indicating their future actions?
4. What tactics did the prosecution try to use to prove the defendant guilty or false? Were all of the tactics ethical? If no, explain why.
5. What tactics did the defense try to use to prove their defendant innocent or veritable? Were all of the tactics ethical? If no, explain why.
6. What are the primary complaints and/or praises concerning the fairness trial proceeding? What caused these mishaps or successes?
7. After the trial, if found guilty, how did the defendant spend their time in jail or free?

**SECTION 4: 10/24 Tasks – Two Page Position Paper**

**SECTION 5: 10/28 Tasks – Circle Discussion**

**SECTION 6: Trial Date 10/31**