



#9988 ORDER IN THE COURT

FILMS FOR THE HUMANITIES & SCIENCES, 2001
Grade Level: 10-13+
30 mins.

DESCRIPTION

What happens after a person is arrested for a crime? Legal experts discuss the criminal justice system from pretrial and trial procedures to sentencing and appeal. Learn legal terminology and courtroom processes that include jury selection, direct- and cross-examination, types of defense, and verdicts. Includes the differences between adult and juvenile trials. Stresses that the rights of the individual must be insured, while simultaneously protecting the good of society.

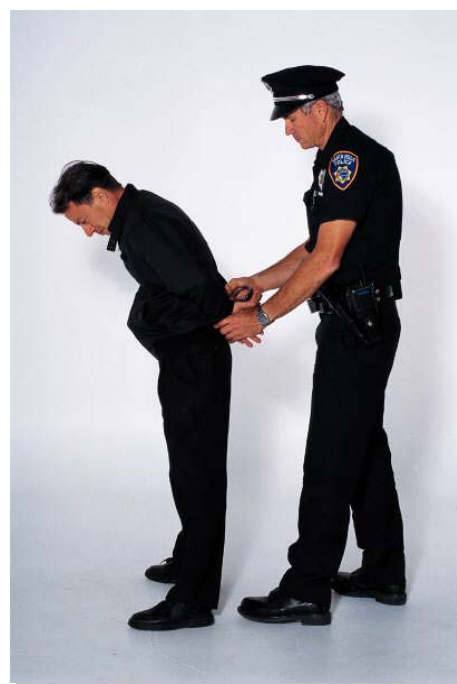
ACADEMIC STANDARDS

Subject Area: Civics—How Does the Government Established by the Constitution Embody the Purposes, Values, and Principles of American Democracy?

- Standard: Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights
 - ♦ Benchmark: Understands how the individual's rights to life, liberty, and property are protected by the trial and appellate levels of the judicial process and by the principal varieties of law (e.g., constitutional, criminal, and civil law) (See INSTRUCTIONAL GOALS 1 and 2.)
 - ♦ Benchmark: Knows the basic principles of the juvenile system and the major differences between the due process rights of juveniles and adults (See INSTRUCTIONAL GOALS 3.)

INSTRUCTIONAL GOALS

1. To illustrate U.S. judicial process.
2. To justify the strengths of the American criminal justice system.
3. To contrast juvenile and adult trial procedures.



VOCABULARY

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|---------------------|---------------------------|
| 1. bail | 7. jurisdiction |
| 2. criminal justice | 8. plea bargain |
| 3. defense | 9. prosecution |
| 4. dismiss | 10. sentence (punishment) |
| 5. due process | 11. suppress |
| 6. hearing (trial) | |

BEFORE SHOWING

1. Review Constitutional rights regarding the judicial process. Consider the Fifth and Sixth Amendments to the Constitution.
2. Discuss previous experience or exposure to the courtroom. Consider personal experience, newspaper accounts, television, and movies.



AFTER SHOWING

Discussion Items and Questions

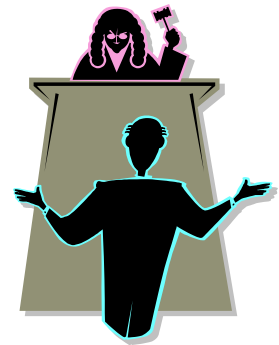
1. Discuss pretrial procedures.
 - a. What rights do the Fifth and Sixth Amendments guarantee in pretrial?
 - b. What are the differences between a grand jury and a preliminary hearing? How does a grand jury or a preliminary hearing establish probable cause?
 - c. How does a judge determine if a defendant will be held or given a pretrial release? What is the purpose of bail? How can bail be posted?
 - d. What is an arraignment? What three pleas can a defendant enter at arraignment? How does a plea influence what happens next in the judicial process?
 - e. What is a plea bargain? Why are most criminal cases disposed of via plea bargains? What factors are considered? What are restitution and rehabilitation?
 - f. What is the purpose of motions to suppress or dismiss? How does a judge decide on these motions?
 - g. What is the purpose of pretrial conferences or preliminary hearings?
2. Discuss trials in general.
 - a. What trial rights does the Sixth Amendment to the Constitution guarantee?
 - b. What is a jury?
 - c. Why is "beyond a reasonable doubt" the standard for determining a defendant's verdict? Who has the burden of proof?
 - d. How is a trial an adversarial system? What roles do the defense, the prosecution, and the judge play? Who else is present in the courtroom and why?
3. Discuss the stages of a trial.
 - a. What is the first step in a trial? How is a jury selected to be fair and impartial?

C a p t i o n e d M e d i a P r o g r a m

- b. What are opening statements and closing arguments? What is the purpose of direct and cross-examinations? What is the rebuttal?
- c. What are some examples of different types of defense? What does each defense mean?
- d. What are the roles of the prosecution and defense attorneys?
- e. What may be included in the jury's instructions? What are the three possible verdicts in a jury trial? What happens if the jury cannot agree on a verdict?
4. Discuss what happens after a trial.
 - a. After a guilty verdict, how does the judge determine a sentence? What are mitigating or aggravating factors? What are possible sentences?
 - b. What is "the right to appeal"? What are valid legal reasons to appeal? What are the possible outcomes of an appeal?
5. Discuss the juvenile court system.
 - a. How are the goals, proceedings, and court records different in juvenile and adult proceedings?
 - b. What is a juvenile adjudication hearing?

Applications and Activities

1. Research the evolution of judicial sentencing in U.S. history. List possible sentences from community service to the death penalty. Consider reasons sentences have changed.
2. Compare the U.S. judicial system with other countries. List strengths and weaknesses in each system. Consider checks and balances, equity, and improvements over time.
3. Stage a mock trial. (See RELATED RESOURCES, World Wide Web.)
4. Visit a local court.
5. Investigate judicial system access for persons who are deaf or hard of hearing. Consider ASL interpreters, captioning, and assistive listening technology for jurors, defendants, plaintiffs, attorneys, and witnesses.



CMP RELATED RESOURCES

- [Trial By Jury #9454](#)

World Wide Web



The following Web sites complement the contents of this guide; they were selected by professionals who have experience in teaching deaf and hard of hearing students. Every effort was made to select accurate, educationally relevant, and "kid safe" sites. However, teachers should preview them before use. The U.S. Department of Education, the National Association of the Deaf, and the Captioned Media Program do not endorse the sites and are not responsible for their content.

- **ORDER IN THE COURT: AN ELECTRONIC FIELD TRIP FROM COLONIAL WILLIAMSBURG**

http://www.history.org/history/teaching/order/order_home.html

This award-winning site provides three examples of British-run court case adventures from American colonial times as a contrast to the current United States judicial processes. Includes downloadable teacher resources.

- **FAMOUS TRIALS**

<http://www.law.umkc.edu/faculty/projects/FTrials/ftrials.htm>

This searchable site was created by Professor Doug Linder of the University of Missouri-Kansas City Law School and tells the stories of more than 30 famous trials throughout history with a mix of images and primary documents. Spanning from the trial of Socrates in 399 B.C. and Jesus in A.D. 30 to the LAPD (King beating) trial in 1992 and the O.J. Simpson trial in 1995.



- **TITANIC VIRTUAL TRIAL**

<http://www.andersonkill.com/titanic/>

Created by a law firm as part of Take Our Daughters to Work Day, this site features a mock trial based on actual events surrounding the sinking of the Titanic, introduction to the judicial process, a glossary, a teacher's guide, and links to more information about the U.S. judicial system.