

JOB DESCRIPTION FOR JURORS

Jury duty is a privilege and a serious responsibility. As a Teen Court juror, you have the obligation of determining a fair and appropriate sentence that will be constructive for the defendant and the community in its consequences. You must listen carefully to the facts of the case and pay close attention to all information presented from the Judge, witnesses, and the Defense and Prosecuting attorneys. Each juror must listen objectively, without bias or prejudice in order to render a fair and just sentence. The jury discusses the testimony given in the hearing and then decides what sentence is in the best interest of our community and the offender. All jurors must agree (a unanimous decision) on the constructive sentence before returning to the court.

THINGS TO REMEMBER:

- Report on time for jury duty.
- Sign up to serve on a jury - but be certain you are not from the same school as the defendant and that you do not know the defendant. If you hear evidence in a hearing and realize that you do know the defendant or a victim, inform the Teen Court Coordinator so that you can be appointed to a different jury.
- Listen carefully to all that is said in the hearing.
- Sit quietly without fidgeting while court is in session. No talking, chewing gum, eatingNO LAUGHING.

PROCEDURES

- At the end of the court hearing, the Judge will instruct the Jury, and the Bailiff will give the Jury a Jury Verdict Form.
- The Bailiff will escort you to a quiet jury deliberation area (behind the courtroom), and your first duty will be to elect a Jury Foreperson.
- The Jury Foreperson will lead the discussion, and it will be the duty of the Jury Foreperson to make certain that all jurors take the matter seriously and treat each other with respect, so that all jurors participate in the discussion of what is a fair and constructive sentence.
- The Jury Foreperson informs the Bailiff when the Jury has reached a unanimous decision, and the Bailiff will escort the Jury back to the courtroom.
- The Judge will review the Jury Verdict and then ask the Jury Foreperson to announce the Jury Verdict.
- After the hearing, do not discuss the case with anyone. Remember the Oath of Confidentiality.

JOB DESCRIPTION FOR CLERK OF COURT

The Clerk of Court is responsible for recording and maintaining the paperwork for each case hearing. The Clerk monitors the docket and assists the Teen Court Coordinator in determining that parties (defendants and attorneys) are present and that jurors are assigned for each case. At the end of the court session, the Clerk gives all the paperwork to the Teen Court Coordinator or another staff member.

Be certain to arrive on time and dress appropriately for court. In addition to the above recording duties, it is the general duty of the Clerk to assist the Judge.

RESPONSIBILITIES AND PROCEDURES

- When requested by the Judge, administer the Oath of Confidentiality. Ask everyone present to:
“ Please, stand, raise your right hand and repeat after me
(recite the Oath and break at the appropriate pause breaks)”

- Call cases when directed to do so by the Judge:
“ Calling case 97 TC 000000 in the case of State vs.
(offender’s first name)

- Swear in the defendant and other witnesses before they take the stand to testify. Say, “Place your left hand on the Bible and raise your right hand.” Then say to the witness, “Do you solemnly swear or affirm that the testimony you are about to give shall be the whole truth and nothing but the truth, so help you God?”

Offender says, “I do.”

The Clerk says, “Be seated.”

- When directed, hand the Jury Verdict to the Bailiff.
- Record Jury Verdicts on the Court Docket, and collect Jury Verdicts.
- At the end of the Court, return all paperwork to the Teen Court Coordinator or another staff member - be certain to return the copies of the Oaths, the Docket with recorded verdicts, and the Jury Verdicts as signed by the Jury Foreperson and the Judge.

JOB DESCRIPTION FOR THE BAILIFF

The general duty of the Bailiff as an officer of the court is to assist the Judge and to maintain order in the courtroom. The Teen Court Bailiff will open and close each court session and announce recesses when requested to do so by the Judge. It is important to stand straight and speak loud and clear. The way the Bailiff acts sets the tone in the courtroom.

RESPONSIBILITIES AND PROCEDURES

- As the Judge enters the courtroom, say:
“All rise.” Then say . . .
“Oh yes! Oh yes! Oh yes! This honorable court for the County of Durham is now open and sitting for the dispatch of its business. The Honorable Judge (Judge’s name) presiding. God save the State and this honorable court.”
- After the Jury hears the case and is ready to leave the courtroom to deliberate, get the Jury Verdict form from the Clerk and give it to a member of the Jury, and lead the Jury to the deliberation room.
- When the Foreperson informs the Bailiff that a verdict has been reached, the Bailiff notifies the Judge or the Teen Court Coordinator and escorts the Jurors back to the courtroom when told to do so.
- Announce any recesses as directed to do so by the Judge.
- Provide assistance to the Judge as directed. For example, the Judge may direct you to order that a particular individual remove his hat, refrain from talking etc.
- At the end of the court session, be certain that the Jury Verdicts are returned to the Clerk or the Teen Court Coordinator.

TEEN COURT ATTORNEYS

Before you volunteer to serve as an attorney, take the opportunity to observe several Teen Court sessions. You may also want to request that an experienced Teen Court Attorney assist you when you handle your first case. Please observe the following:

- Be aware of your commitment to abide by our laws. You are a role model for the Defendants and other students involved in Teen Court.
- Speak clearly and firmly so you may be heard.
- Address the Judge with respect, as “Your Honor” or “May it please the Court.” Stand when the Judge enters and leaves the courtroom as well as when the Jury leaves to deliberate and returns with a verdict. Stand whenever you speak to the Judge.
- Be neat in your appearance and dress.
- Be serious and professional in your conduct, and try to display confidence in your questions to witnesses and remarks to the Court.
- Do not ask embarrassing questions of a Defendant.
- Do not put anyone down. Respect for Teen Court participants is a must.
- Do not chew gum or eat food in the courtroom. Respect for the courtroom is a must.
- If you are unable to handle an assigned case, inform the Coordinator as soon as possible.

JOB DESCRIPTION FOR DEFENSE ATTORNEY

The defense attorney is an advocate for the defendant, and it is your job to present your client in the best light possible. It is important to be ethical and truthful and never misrepresent the case or your client. You need to be familiar with the circumstances of the case and know what factors are positive and negative for your client. Contact your client by phone as soon as you receive his or her number from the Coordinator, and be prompt (at court by 5:30 PM) so that you have time to talk with your client in person.

JOB DESCRIPTION FOR PROSECUTOR

The Prosecutor represents the State and has the responsibility to seek justice and advocate for the highest possible punishment for the Defendant. The Prosecutor needs to be familiar with all the facts and circumstances of the case, in order to know what is favorable or unfavorable for the Defendant. The Prosecutor should not attempt to contact the Defendant who is represented by counsel.

PROCEDURES FOR DEFENSE ATTORNEYS AND PROSECUTORS

- The Prosecutor gives an Opening Statement, followed by an Opening Statement of the Defense Attorney. Opening Statements are not argumentative. To be convincing, an opening statement should be clear and concise. Use simple, direct statements to outline the case for the Court and present the issues in the best light possible for your side. Be brief, refer to the charge but only state as much as necessary to present your position. Remember not to argue - save arguments for the closing statement. In an opening statement, the Prosecutor refers to “the Defendant”. The Defense personalizes the defendant by referring to the client by his/her first name.
- The Defense calls the Defendant or other witnesses to the stand and asks questions (non-leading) on Direct Exam. When the Prosecutor questions the Defendant on cross-examination, the Defense Attorney should object if the question seems improper, and say: “Objection, your Honor, on the grounds that the question is (irrelevant or already asked and answered, etc.)” The Court will rule on the objection, either by sustaining (the objection is correct and question not allowed) or by overruling (objection and grounds are not correct and the Defendant is ordered to answer).
- If the Prosecutor does a cross-exam, the Defense has the right to do a re-direct, which gives the Prosecutor the opportunity to do a re-cross.
- After the Defense rests his/her case, the Prosecutor has the opportunity to call witnesses for the State, whom the Defense may cross examine.
- After the Prosecution rests his/her case, closing arguments are made to the Jury. The Defense goes first, followed by the Prosecution. Closing arguments should be supported by the evidence. The Defense can point out to the Jury the facts which may influence the Jury to give a minimum range sentence to the Defendant, just as the Prosecutor can emphasize the facts which would warrant the maximum punishment.

