

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.