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I. Teen Court Trial Process

A. Agenda

Sign in:

4:30 p.m. to 4:45 p.m.

Participants must arrive by 4:45 p.m. to assign key roles

- Defense Attorneys
- Prosecuting Attorneys
- Bailiff
- Clerk
- Jurors

By 5:00 p.m. ALL Teen Court Volunteers must have:

- a. Signed roster
- b. Know his or her designated role and location

The court will be called to order at 5:00 p.m., or as the judge determines.

All parties must be ready for their case to be called.

Grand Jury cases take 30 minutes.

Hearings take about an hour.

The Teen Court Coordinator, prior to court convening for the evening, will determine the format of these cases. The decision will be based upon the number of cases and the time available.

B. Pretrial

Purpose: To allow defense attorneys and prosecuting attorneys time to prepare their case during the evening of the hearing. Attorneys must be ready when their case is called.

C. Courtroom Proceedings

1. Trial Format

- 1- The **bailiff** will call the court to order and announce the judge.
- 2- The **judge** will address the court and ask that the clerk administer the oath to the jury.
- 3- The **clerk** asks the jury members to please stand and raise their right hand. The **clerk** then administers the oath.
- 4- The **judge** calls the case in a strong, clear voice.
- 5- The **judge** briefly explains the nature of the charge to the jury.
- 6- **OPENING STATEMENTS:** The prosecutor goes first, followed by the defense attorney.
- 7- After opening statements, the judge will ask the defendant to step forward to be sworn in. Following the oath, the defendant takes a seat in the witness chair.
- 8- **DIRECT EXAMINATION:** The defense attorney questions the defendant first, followed by the prosecuting attorney. As each attorney finishes questioning, the defense attorney must state, "The defense passes the witness", and the prosecuting attorney must state, "The prosecutor passes the witness."
- 9- **CROSS EXAMINATION:** Defense attorney goes first. Questions are limited to information obtained during direct examination and should be brief. If the defense chooses not to cross-examine; the prosecutor may not cross-examine the defendant.
- 10- The judge instructs the defendant to return to his or her seat (next to defense attorney).
- 11- **CLOSING STATEMENTS:** Prosecutor goes first and makes a statement to the jury. Defense attorney follows.
- 12- The judge will instruct the jury and will direct the bailiff to take them to the deliberation room where they will retire and reach a verdict.
- 13- The jury will appoint a foreperson that will fill out and sign the verdict form.
- 14- The judge will give a verdict form to the clerk or bailiff, who will give it to the foreperson.
- 15- When the jury reaches a verdict, the bailiff advises the court. The jury re-enters the room and is seated.
- 16- The bailiff hands the verdict form to the judge for review.

C. Courtroom Proceedings (Continued)

- 17- The foreperson then reads the verdict/sentence to the defendant.
- 18- The judge questions the defendant regarding the verdict and sentence.
- 19- The judge dismisses the jury. **The jury may be required to hear another case.**

2. Grand Jury Format

Same instructions 1 - 5, and 12 - 19, as in trial format.

Omit instructions 6 - 11 and replace with the following:

- Jurors conduct questioning of the defendant as to the commission of the offense. The judge calls upon jurors to ask questions as each juror raises his/her hand.

GRAND JURY QUESTIONS:

These questions are merely a sample of the type of questions you want to ask a defendant. Most important, *listen* to what/how the defendant answers any questions, and if necessary, follow up on the defendant's response.

General Questions:

- Do you do well in school?
- Have you received any ISS/OSS?
- Do you cut classes/poor attendance?
- Were you punished at home?
- What was the punishment you received?
- Do you get in trouble at home?
- Do you have siblings? What do they think of your recent behavior?
- How do you get along with your siblings?
- Do you think you're a good role model to them?
- What chores are you responsible for completing at home?
- Do you have a curfew?
- Do you think you choose good friends?
- Are you a follower or a leader?

- Do you usually succumb to peer pressure?
- Are you sorry you did this? - Can you tell me why you're sorry?

Theft related offenses:

- Have you ever stolen anything before?
- What prompted you to steal this time?
- Will you steal again, or have you learned a lesson from this experience?
- Do you have a job?
- Have you thought about getting a job?
- Did you have any money that day? - Why didn't you use your money?
- Do you think stealing is right?
- Has anything ever been stolen from you?

Battery related offenses:

- Do you usually get in fights?
- Why didn't you walk away?
- Did you consider reporting person to authorities? (principal, SRO, teacher)
- Was this person a friend/enemy/unknown?
- Had you been having problems with this person for a while?
- Do you think you have an anger problem?

Drug related offenses:

- Have you smoked marijuana before?
- When did you first start taking drugs? How old were you?
- How often do you smoke/take drugs?
- Do you drink alcohol? - How often?
- Do you enjoy drugs?
- How did you get started on marijuana/other drugs?
- Do you usually take marijuana/drugs with your friends/other people, or by yourself?
- Why did you start taking drugs?

D. Opening Statement

Purpose: To introduce or outline the case for the Court. The attorneys tell the story of the case to the judge and jury in a complete form; to set for the plan of action so the judge and jury know what you will prove.

Object: To present the good and bad points in your case in their best light. To frame the issues of your case.

Content: Short and clear. Tell your story in a logical and precise fashion, giving chronological outline of the facts, with emphasis of the important ones. Explain the other side's contention. Be brief and only state as much as necessary to clarify your own side.

Defense Attorney: State the background of your client by introducing him/her to the jury. Also give information about how he/she has already been punished; or if his/her grades are good; maybe he/she has gone to counseling since the incident. (Remember that your job is to get the minimum sentence for your client, so show his/her good side).

NOTE: Try not to get too far into the defendant's personal history; it could become embarrassing for everyone.

Prosecuting Attorney: Explain the offense with which the defendant has been charged and the laws which have been broken. Be careful about making assumptions about whether the defendant is remorseful, etc. - since the defendant has not yet testified.

Facts: This is not the place to argue the case. Present the case factually and logically from your point of view. Be careful not to misstate any facts or exaggerate. If you overstate your case, opponent can point out where you did not live up to your claim.

Preparation: The success of the opening statement depends on preparation. Make an outline of what the opposing counsel should say in his or her opening statement for any inaccuracies which can be used in the closing argument.

D. Opening Statement (Continued)

Introduction: " I would like to give you the facts of this case at this time. . ."

Conclusion:

Prosecuting Attorney: These are things which I will offer in proof of testimony by the defendant, and I am sure you will agree with me that he/she should receive a (strong, harsh, maximum) verdict.

Defense Attorney: These are the things that (defendant's name), will offer in proof of his case. When (defendant's first name) completes his/her testimony, I am sure you will agree with me that he/she should receive a (lenient, light, minimum) verdict.

Discuss the Weaknesses:

Here is your opportunity to present the weaknesses in their best light before the opponent has a chance to use them against you.

Mannerisms:

Be natural, firm, and confident. Speak conversationally, but with correct grammar and pronunciation. Look at the judge or jury as much as possible though you can refer to your notes.

Ask Yourself These Questions:

- Does your statement tell the full story so the jury will understand the issues?
- Have you considered any weaknesses that you can develop before the other side does?
- Is your opening statement accurate and free from exaggeration?
- Do you know the opening statement well enough to give it without notes?
- Have you thought of the strong points so you can emphasize them?

E. Direct Examination

Courtroom Demeanor:

- Keep back from the jury box (unless approved by judge).
- Keep back from the witness stand (causes defendant to keep voice up).
- Always rise when addressing the court.
- You can be firm, but polite.
- Juries do not like rudeness.
- Appear calm, cool, and collected

Improper:

- Do not walk around while questioning witness (unless approved by judge).
- Do not hold notes.
- Do not lean or slouch.
- Never show surprise.
- Never show anger.
- Never turn your back on the court.
- Never show disrespect for the court.

Methods for Direct Examination:

Narrative techniques:

- Let defendant tell story first - if properly prepared, defendant will need few questions. If an important point is omitted by defendant, ask specific questions. If that does not work, ask if memory in that area can be refreshed.

E. Direct Examination (Continued)

Directive questions technique:

Used when:

- Defendant is unable to narrate without guidance; tactically advantageous.

Where used:

- No leading questions except for foundation; use short, driving questions (such as: Who was there? What was said? Where was it said? When was it said? How much did he want?)

"Why" questions are usually not permitted . . . (Why something happened should be obvious from other questions.)

F. Cross-Examination

Possible objectives of Cross-Examination:

- Establish that defendant being examined is lying or withholding certain information on one or more material points.
- Impeach defendant by showing a prior contradictory statement.

Decision to Cross Examine:

- Not always necessary or desirable.

Risks that could result from Cross-Examination:

- An attempt to prove bad character of the defendant may provoke sympathy in the jury.
- Cross-examination is intended to bring out matters about which the defense failed to inquire in the belief that you will receive favorable answers may result in more unfavorable evidence.
- Asking a "why" question in the belief that there is no reasonable explanation may result in statements of prejudicial arguments that would have been clearly inadmissible in the absence of the open question.

Common errors:

- Asking for repetition and additional details usually just strengthens the direct testimony. Only do so when necessary to lay the foundation when there is a direct contradiction.
- Generally trick questions accomplish little and create sympathy.

F. Cross-Examination (Continued)

Do's and Don'ts:

Do's:

- Hold the eye of the defendant.
- Roll with the punches, if you get an unexpected answer, ask another question without showing impact of previous answer.
- Let the jury keep up with the testimony.
- Be brief. Use short questions with simple words.
- Ask leading questions that call for yes or no answer.
- Stop at the end - avoid the "one question too many" syndrome.
- Listen to the answers given.

Don't:

- Attempt to patently confuse the defendant.
- Beat a dead horse.
- Ask "Why".
- Ask questions that you don't know the answer to (or can't anticipate what the answer may be).
- Quarrel with the defendant.
- Permit the defendant to tell his story again.
- Underestimate the intelligence of the jury.
- Permit defendant to explain.

G. Closing Argument

Purpose: To collect the important facts and expose them to the view of the jury in a logical and unified pattern that they will accept and believe.

Preparation: Do not write out an argument and attempt to memorize it. You should have prepared a written outline. However, you can use the opening statement as the basis of your outline.

- Take notes during the opponent's opening statement so that you can point out those statements which opposing counsel has not proven with the evidence.
- Watch what the defendants say. This is a good way to get ideas for summation.
- At the close of the evidence, look at your outline and add material gathered during the trial, modify anything in your outline, which needs to be changed because of testimony offered, or events for which you were unprepared.

Strategy: The final argument should recap the high points of the entire case.

Delivery: A clear, direct, and logical discussion of the facts, delivered in a friendly, conversational tone can be very effective. It is proper to appeal to the emotions of the jury. Look them in the eye in order to keep their attention. It is all right to glance at your outline, but don't give the impression you are reading a statement.

- Dress neatly and conservatively; any eccentricity of appearance will distract the jurors from what you are saying. Avoid repeated gestures or hemming and hawing. It will bore the judge and jury.

G. Closing Argument (Continued)

Content: Give brief opening remarks.

- Define the issues.
- Summarize the evidence, stressing key testimony, and showing why particular evidence should be believed; be candid about any weaknesses in your case.
- Refute the opponent's case. Go over it point by point. Expose any distortions or omissions. Point out any lack of credibility on the part of a witness.
- **Concluding remarks:** You can stop at an effective point that will have a strong impact or give a brief closing which is to the point.

H. Objections

When to object:

- Object as soon as you hear the question. If you do not, and you had the time, most judges will permit the answer to stand.
- If the question and answer come out very fast; object and then move to strike the answer for the appropriate reason.

How to Object:

- Stand up quickly.
- State the objection in a firm, loud voice.
- If necessary, cut into the answer of a witness.
- It is best not to put any dramatics into your standing or into your voice.

Reasons for Objecting:

- Exclude improper evidence.
- Protect witness from harassment or embarrassment.
- Expose opposing counsel's unfair tactics.

Types of Objections

Ambiguous and/or Unintelligible:

Definition: witness and/or counsel cannot figure out what the question means.

** Very important that the question be properly stated so the witness will give the correct answer, rather than an attempted answer.

Asked and Answered:

Definition: Should be distinguished from "cumulative" which pertains to the repetition of different evidence on the same point. Probably best used to stop endless direct examination.

H. Objections (Continued)

Argumentative:

Definition: Permits opposing counsel to badger your witness into changing his/her story even though he/she may not mean to do so.

Assumes Facts Not in Evidence:

Definition: Question may trap the witness into implied affirming the truth of the assumed fact, without his/her meaning to do so.

**This question may be incorporated into a hypothetical question so pay close attention to this type of question being made. This question usually starts with "Do you know", "Have you heard", or "Do you remember".

Compound Question:

Definition: If forced to answer the question, the witness may answer one part not meaning to answer the other part. However, if the answer is permitted to stand, it will cover both sections of the question.

Example: "Isn't it true that you were drinking a beer on the beach, and someone said you were harassing the public with name calling?"

Calls for Speculation:

Definition: Witness asked to just guess. Only allowed for such things as time, distance, etc.

Beyond the Scope of Direct Examination:

Definition: When an attorney attempts to ask a question during cross-examination about a subject that has not been brought up during Direct Examination by either side.

This objection is to be used during the Cross Examination portion of the hearing.

H. Objections (Continued)

Irrelevant:

Definition: Unconnected with the case.

Leading:

Definition: When opposing counsel is testifying for the witness.

Should be made as soon as it becomes apparent that opposing counsel is testifying for the witness. Be aware, leading is allowed on cross-examination.

II. Teen Court Job Descriptions

A. Prosecuting Attorney (Prosecutor)

- A prosecutor has the responsibility to seek justice and to advocate for a verdict based on severity of the offense.
- During pre-trial, the prosecuting attorney will prepare for the case. The prosecutor will be provided with a summary sheet giving facts regarding the particular case to be heard.
- After the jury has been sworn in and the case is called, the prosecutor begins by giving an opening statement. In the opening statement, the prosecutor should state the defendant's offense. The prosecutor will let the court know what he/she intends to provide and why he/she plans to advocate a harsh verdict.
- Next, the prosecutor will question the defendant (direct examination). The questions should be relevant to the offense and should elicit responses that justify the prosecutor's verdict recommendations. Questions can include why the defendant committed the offense, or that the defendant was the one who started the fight.
- Following direct examination by both attorneys, the prosecutor should have the opportunity to cross-examine the defendant. He/she will question the defendant on the testimony already brought out through direct examination.
- Lastly, when the questioning of the defendant is completed, the prosecutor will give a closing argument to the jury. It should be organized and supported by the evidence. The prosecutor can point out the reasons why he/she would like the jury to recommend a particular verdict.

Co- Counsel Responsibilities: Know everything about the case and help lead counsel by taking good notes during trial. Listen carefully to the opposition's case to help identify weaknesses. Help prepare questions for cross-examination. Remind lead counsel of anything important which may have been left out. **Be Supportive.** Be ready to be lead at any time you are asked.

Do not badger, distract, interrupt, correct or openly criticize lead counsel at any time during the trial. If a mistake is made let it pass or the team could lose credibility with the jury by looking disorganized.

B. Defense Attorney

- A defense attorney is an advocate for the defendant. The defendant should be presented in the best possible light. While the defense attorney must zealously seek to help his/her client, he/she must never misrepresent the case. To prepare the case, the defense attorney should be familiar with the aggravating and mitigating circumstances.
- During pretrial, the defense attorney will have the opportunity to meet with the defendant and prepare his/her case. The defense attorney will interview the defendant to learn the circumstances surrounding the offense. The defense attorney does not encourage the defendant to change his/her story in hope of a lighter verdict, but stresses that the defendant must remain true to the facts. At this time, the defense attorney should also familiarize the defendant with the hearing proceedings.
- Once the hearing has started, and the jury has been sworn in, the defense attorney will give an opening statement.
- Direct examination follows the opening statements. The defense attorney will question defendant attempting to elicit responses that enable the jury to learn the facts of the case. Questioning can include, i.e., the shame of committing the crime, the fact his/her parents punished the defendant or the defendant did not mean to commit the crime, the defendant feels remorse over the offense. The questioning and responses should justify the request of a lesser verdict.
- After direct examination, both attorneys will cross-examine the defendant. This line of questioning is limited to the facts brought out in direct examination. If defense waives cross-examination of defendant, the prosecutor automatically waives the rights to cross-examination.
- The defense attorney then gives a closing argument for the jury. It should be a concise and organized summary of mitigating factors supported by the evidence brought out in testimony. The defense attorney can point out to the jury the facts which may help convince the jury to render a lesser verdict.

Co-Counsel Responsibilities: See instructions on page 15, following the prosecutor's job description.

C. Court Clerk

- Before pre-trial, the court clerk is responsible for signing in the Teen Court Volunteers.
- Once the hearing has started and the bailiff calls the court to order, the judge will direct the clerk to swear in the jury.

Swearing in Jury:

"DO YOU SOLEMNLY SWEAR (OR AFFIRM) THAT YOU WILL WELL AND TRULY TRY THE ISSUES BETWEEN THE STATE OF FLORIDA AND THE DEFENDANT AND RENDER A TRUE VERDICT ACCORDING TO THE LAW AND THE EVIDENCE, SO HELP YOU GOD?"

- After the questioning and closing arguments, the clerk gives the Verdict Form Packet to the Bailiff.

D. Bailiff

The primary duty of the Court Bailiff in Teen Court is to assist the judge and maintain order in the courtroom at all times. Specifically, the bailiff's duties are:

- To seat the jurors in the jury box before court convenes.
- The bailiff initiates the proceedings by announcing the judge and the court to order.

"ALL RISE,

TEEN COURT IN AND FOR PASCO COUNTY IS NOW IN SESSION.
THE HONORABLE (JUDGE'S NAME) PRESIDING. COURT COMES
TO ORDER. PLEASE BE SEATED."

- After the jury has heard the case and is ready to leave the courtroom to deliberate the verdict, the bailiff then obtains the Verdict Form from the court clerk or judge and shows the jury panel to the deliberation room.
- The bailiff waits in the courtroom while the jury is in deliberation. The bailiff will ensure that the jury's conversations are not too loud to be heard by those in the courtroom.
- When the jury has reached a decision, the bailiff escorts the jury members back to the jury box.
- The bailiff hands the *Verdict Form* to the judge for review and returns the form to the jury foreperson.
- The bailiff is permitted to sit during court proceedings.

E. Job Descriptions for Jurors

- A Teen Court jury member determines appropriate and fair consequences for the defendant. He/she must listen carefully to the facts of the case and pay close attention to the questioning of the defense and prosecution. The consequences should be designed to hold the defendant responsible and accountable for his/her actions to the community and the victim. The verdict should be proportional to the offense and the aggravating and mitigating factors. A Teen Court juror must be able to treat each case individually and without prejudice.
- *Remember sanction #1, Community Work Service (CWS) is required (10 hour minimum, 100 hours maximum). The remainder of the verdict is optional and for the jurors to use at their discretion.*
NOTE: For multiple charges CWS hours will be doubled, 20 hours minimum and 100 hours maximum.
- **ALL** drug or alcohol related offenses also have mandatory requirement that the defendant get an assessment by a licensed rehabilitation program (P.A.R., etc.)
- See copy of Verdict form with details of sanctions and instructions for the jury.

Trial Proceeding: Jurors listen to the questioning and testimony of the defendant. Using the instructions provided by the judge, jurors must base their decisions on the information obtained during the hearing.

Grand Jury Proceeding: Jurors question the defendant directly. There are no attorneys present. The judge directs the questioning by calling upon jurors when they raise their hand to ask a question. Jurors should study the grand jury questions and the sections of this manual on direct and cross-examination, as well as on the job description for the attorneys. This will provide useful information for formulating questions that you want answered.

Instructions:

You will retire to the jury room and first select a foreperson from your group. You will then proceed with determining the recommendation that you will make to the Court regarding this offense. You are instructed that your recommendation must be unanimous. When you have completed your deliberation and are ready to return to the courtroom, please give your jury report to the bailiff.

III. Miscellaneous

A. Requirements for Teen Court Volunteers

AS A VOLUNTEER:

- You will be required to complete and return a Teen Court Application Packet **before** you may participate in Teen Court.
- You will be required to sign a confidentiality statement indicating you are not to discuss Teen Court proceedings. If confidentiality is breached, you can and will be dismissed from participating in Teen Court.
- You are required to have a waiver of liability signed by a parent or guardian.
- You will be required to sign and abide by the Rules of Teen Court.

DO:

- Appear for Teen Court on time! Tardiness is not tolerated in the court system. You are responsible for your transportation to and from Teen Court.
- Be neat and conservative in your dress and personal appearance. (see dress code)
- Address the Court with respect as "your honor" or "may it please the court".
- Be serious about Teen Court at all times and businesslike in your conduct while court is in session.
- Treat all participants with equal courtesy, whether a friend or stranger to you.
- Be alert, attentive and enthusiastic in your work.
- Return all paperwork to the Teen Court Coordinator before leaving the session. Destroy any notes that may have the defendant's name on them.

DON'T:

- Socializing with defendants is not permitted. This includes: exchanging of telephone numbers, home addresses, or offering of transportation.
- Prop feet on furniture.
- Put anyone down, or appear superior in your attitude.

CONFIDENTIALITY POLICY

AS VOLUNTEERS, YOUR ACCEPTANCE INTO THE TEEN COURT PROGRAM IS DETERMINED BY YOUR ADHERENCE TO THE MOST RIGID STANDARDS OF CONFIDENTIALITY. THEREFORE, YOU MUST UNDERSTAND AND AGREE TO THE FOLLOWING CONDITIONS:

1. When you begin your participation in Teen Court you may have access to various case files and other pertinent records. These may never be copied or in any way removed from the office except as needed for hearings.
2. As a Teen Court volunteer you are not to discuss cases with anyone! You **will not** divulge any information which comes to your knowledge in the course of a Teen Court hearing.
3. I (we) have read the above and hereby acknowledge that I (we) understand that in all matters relating to juveniles within the jurisdiction of the Teen Court Program, confidentiality is paramount and breaking confidentiality is an illegal act, pursuant to Florida Statute 415.51, "confidentiality of reports and records ..."



RULES OF TEEN COURT

- 1- Courtroom demeanor is to be maintained at all times.
- 2- Courtesy, maturity and respect are to be applied towards ALL Teen Court Participants.
- 3- Be serious about Teen Court at all times and businesslike in your conduct while court is in session.
- 4- Proper business attire – Neat and conservative. No sneakers, no jeans, no shorts, no sleeveless tops, no T-shirts, no hats, no body piercing (exception: female ear piercing).
- 5- Be on time – 4:45 p.m. to 5:00 p.m. – tardiness will not be accepted unless you have an emergency or have previously notified the Teen Court Coordinator.
- 6- Confidentiality is required by Florida Statute 415.51.
- 7- No socializing during Teen Court with defendants or while defendant is completing Teen Court program.
- 8- No food, drinks or gum allowed in the courtroom.

I understand that by signing this form I agree to abide by the Rules of Teen Court. Failure to abide by this agreement may result in my dismissal from Teen Court.

B. Glossary

Advocate:	To speak in favor of; One who supports or defends a cause; One who pleads in another's behalf.
Aggravating Circumstances:	Any circumstance attending the commission of a crime or tort which increases its guilt or enormity or adds to its injurious consequences, but which is above and beyond the essential constituents of the crime or tort itself.
Ambiguous:	Liable to more than one interpretation; Uncertain, confusing or indefinite.
Bailiff:	Court officer responsible for maintaining order in courtroom. (Page 18, Teen Court Training Manual for job description.)
Closing Statement:	Final arguments made by defense and prosecuting attorneys to the jury in order to convince them of the guilt or innocence of the accused. (See page 10, Teen Court Training Manual).
Compound:	To combine so as to form a whole; a combination of two or more elements of parts.
Confidential:	Communicated or effected secretly; entrusted with the confidence of another.
Contradictory:	To express or assert the opposite of (a statement); to deny the statement of; to be inconsistent with. To utter a contradictory statement.
Court:	The building, hall, or room in which cases are heard and decided; the regular session of a judicial assembly.

B. Glossary (Continued)

Court Clerk:	Prepares all documents for judicial proceedings, and keeps a record of the rulings in court. (See manual page 17, for Teen Court job description).
Cross Examine:	The questioning of witnesses by the opposing side during a trial or hearing.
Cumulative:	Enlarging or increasing by repetition or successive addition. Normally unnecessary or objectionable.
Defense:	Something that defends or protects; an argument in support of acquittal or justification for lesser culpability.
Defense Attorney:	Lawyer responsible for representing accused. (See page 16, Teen Court Training Manual, for job description).
Deliberation:	Formal discussion and debate of all sides of an issue; thoughtfulness in action or decision; careful and thorough in deciding or determining.
Demeanor:	The way in which one behaves or conducts oneself. Normally refers to a witness' testimony.
Direct Examination:	Questioning of a witness by the side calling the witness to the stand.
Distortion:	A factual misrepresentation.
District Attorney:	Federal prosecutor appointed to handle federal cases. (in FL. However, other states refer to District Attorney as State Attorney. County elected official responsible for representing community in investigating and prosecuting violations of the law.

B. Glossary (Continued)

Extenuating Circumstances:	Facts that would make a verdict or crime less aggravated. Such circumstances may ordinarily be shown in order to reduce the punishment, damages or culpability.
Evidence:	The data on which a conclusion or judgement by a judge or jury may be based; the documentary or verbal statements and material objects admissible as testimony in a court of law.
Hypothetical:	To suppose; an explanation accounting for a set of facts than can be tested by further investigation - THEORY. Something considered to be true for the purpose of investigation or argument. ASSUMPTION; of, relating to, or based on a hypothesis; contingent; conditional.
Impeach:	To challenge or discredit.
Imply:	To involve or suggest by logical necessity; To say or express indirectly.
Inadmissible:	Not admissible. OBJECTIONABLE evidence or testimony.
Irrelevant:	Having no relevant applications or effects in a specified circumstance.
Judge:	A public official authorized to hear and decide cases brought before a court of law; to act or decide as judge.
Jury:	Group of individuals who hear evidence in a trial and determine guilt or innocence of the defendant. (see page 19, Teen Court Training Manual).

B. Glossary (Continued)

Jury Foreperson:	Individual selected by fellow jurors to act as spokesperson for the jury in dealing with judge.
Leading Question:	Question presented to a witness by either prosecuting or defense attorney that puts words into witness's mouth rather than allowing witness to answer in own words.
Mitigating Circumstances:	Such as do constitute a justification or excuse of the offense in question, but which, in fairness and mercy, may be considered as extenuating or reducing the degree of moral culpability.
Offense:	A breach of a social or moral code: SIN; a violation of law: CRIME.
Omission:	An act or instance of omitting; something left out or neglected.
Opening Statement:	Initial short presentation made to the jury by the defense and prosecuting attorneys that outlines their view of the case to be tried. (see page, Teen Court Training Manual).
Overruled:	A courts denial of a motion or point raised to the court "such as in overruling an objection".
Peer Jury:	In juvenile cases, a jury composed of teenagers.
Prosecute:	To initiate legal or criminal court action against; to seek to enforce or obtain by legal action; to initiate and conduct legal proceedings; to act as a prosecutor.

B. Glossary (Continued)

Prosecuting Attorney:	Attorney responsible for proving guilt of the accused. (see page 15, Teen Court Training Manual; for job description).
Refute:	To prove to be false or mistaken; DISPROVE; to deny the accuracy or truth.
Sentence:	(See verdict).
Speculation:	The act of speculating; profound contemplation; an opinion, theory, conclusion reached by speculating.
Summation:	A concluding statement containing a summary of principal points of a case before a court of law.
Sustained:	To support; to approve; to adequately maintain (e.g., the Judge sustained the objection because he found it to be true).
Swear In:	Act of administering an oath to tell the truth or properly perform a duty made by participants in a trial.
Testimony:	A declaration or affirmation of truth or fact, as that given before a court; Evidence in support of a fact or assertion: PROOF; the collective written and spoken testimony offered in a legal case.
Verdict:	A court judgement. A judicial decision of what punishment is to be inflicted on a convicted person. An opinion given formally after deliberation.
Unintelligible:	Lack of being understood.