



NAME \_\_\_\_\_ PERIOD \_\_\_\_\_

TEAM: \_\_\_\_\_  
(Prosecution or Defense)

RESPONSIBLE FOR: \_\_\_\_\_  
(Opening, Closing, Direct-exam., Cross-exam., etc.)

# MOCK TRIAL SCRIPT

**Bailiff:** Please rise. The Court of the Second Judicial Circuit, Criminal Division, is now in session, the Honorable Judge \_\_\_\_\_ presiding.

**Judge:** Everyone but the jury may be seated. Ms./Mr. \_\_\_\_\_ (Bailiff's name), please swear in the jury.

**Bailiff:** Please raise your right hand. Do you solemnly swear or affirm that you will truly listen to this case and render a true verdict and a fair sentence as to this defendant? (*Jury should answer "I do"*). You may be seated.

**Judge:** Members of the jury, your duty today will be to determine whether the defendant is guilty or not guilty based only on facts and evidence provided in this case. The prosecution must prove that a crime was committed and that the defendant is the person who committed the crime. However, if you are not satisfied of the defendant's guilt to that extent, then reasonable doubt exists and the defendant must be found not guilty. Mr./Ms. \_\_\_\_\_ (Bailiff's name), what is today's case?

**Bailiff:** Your Honor, today's case is The State of Florida versus \_\_\_\_\_.

**Judge:** Is the prosecution ready?

**Prosecuting Attorneys:** (stand up) Yes, Your Honor. (Be seated)

**Judge:** Is the defense ready?

**Defense Attorneys:** (stand up) Yes, Your Honor. (Be seated).

~~~~~**Opening Statements**~~~~~

(Speak at the podium)

**Prosecution Attorney:** Your Honor, members of the jury, my name is \_\_\_\_\_ (your name)  
and my co-council and I are representing The State of Florida in this case.  
We intend to prove that on the day of \_\_\_\_\_  
(1) \_\_\_\_\_  
(2) \_\_\_\_\_  
(3) \_\_\_\_\_  
Please find \_\_\_\_\_ (defendant's name) guilty of \_\_\_\_\_ (charge). Thank you.

(Speak at the podium)

**Defense Attorney:** Your Honor, members of the jury, my name is \_\_\_\_\_  
(your name)  
 and my co-council and I are representing \_\_\_\_\_ in this case.  
(defendant's name)  
 We intend to prove that on the day of \_\_\_\_\_  
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_  
 (3) \_\_\_\_\_  
 Please find \_\_\_\_\_ **not** guilty of \_\_\_\_\_. Thank you.  
(defendant's name) (charge)

~~~~~**Direct Examination (Prosecution)**~~~~~

**Judge:** Prosecution, you may call your first witness.

**Prosecuting Attorney:** Thank you, your Honor. I call to the stand \_\_\_\_\_  
(Prosecution Witness #1)

**Judge:** Will the witness please stand to be sworn in by the bailiff. (Witness stands)

**Bailiff:** (To the witness) Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

**Witness:** I do. (Witness goes to the stand and sits down)

**PROSECUTION: DIRECT EXAMINATION QUESTIONS for WITNESS #1**

1. *Please state your name for the court.*

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** The Defense may cross-examine the witness.

**DEFENSE: CROSS-EXAMINATION QUESTIONS for PROSECUTION WITNESS #1**

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** You may step down.

~~~~~

**2<sup>nd</sup> Prosecution Witness**

**Judge:** Prosecution, you may call your second witness.

**Prosecuting Attorney:** Thank you, your Honor. I call to the stand \_\_\_\_\_.  
(Prosecution Witness #2)

**Judge:** Will the witness please stand to be sworn in by the bailiff. (Witness stands)

**Bailiff:** (to the witness) Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

**Witness:** I do. (Witness goes to the stand and sits down)

**PROSECUTION'S DIRECT EXAMINATION QUESTIONS for WITNESS #2**

1. Please state your name for the court.

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** The Defense may cross-examine the witness.

**DEFENSE: CROSS-EXAMINATION QUESTIONS for PROSECUTION WITNESS #2**

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** You may step down.

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**3<sup>rd</sup> Prosecution Witness**

**Judge:** Prosecution, you may call your next witness.

**Prosecuting Attorney:** Thank you, your Honor. I call to the stand \_\_\_\_\_.

(Prosecution Witness #3)

**Judge:** Will the witness please stand to be sworn in by the bailiff. (Witness stands)

**Bailiff:** (to the witness) Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

**Witness:** I do. (Witness goes to the stand and sits down)

**PROSECUTION: DIRECT EXAMINATION QUESTIONS for WITNESS #3**

1. *Please state your name for the court.*

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** The Defense may cross-examine the witness.

**DEFENSE: CROSS-EXAMINATION QUESTIONS for PROSECUTION WITNESS #3**

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** You may step down.

~~~~~**Direct Examination (Defense)**~~~~~

**Judge:** Defense, you may call your first witness.

**Defense Attorney:** Thank you, your Honor. I call to the stand \_\_\_\_\_.  
(Defense Witness #1)

**Judge:** Will the witness please stand to be sworn in by the bailiff. (Witness stands)

**Bailiff:** (to the witness) Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

**Witness:** I do. (Witness goes to the stand and sits down)

**DEFENSE: DIRECT EXAMINATION QUESTIONS for WITNESS #1**

1. Please state your name for the court.

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** The Prosecution may cross-examine the witness.

**PROSECUTION: CROSS-EXAMINATION QUESTIONS for DEFENSE WITNESS #1**

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_

?

Thank you, Your Honor, no further questions.

**Judge:** You may step down.

~~~~~

**2<sup>nd</sup> Defense Witness**

**Judge:** Defense, you may call your second witness.

**Defense Attorney:** Thank you, your Honor. I call to the stand \_\_\_\_\_.  
(Defense Witness #2)

**Judge:** Will the witness please stand to be sworn in by the bailiff. (Witness stands)

**Bailiff:** (to the witness) Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

**Witness:** I do. (Witness goes to the stand and sits down)

**DEFENSE: DIRECT EXAMINATION QUESTIONS for WITNESS #2**

1. *Please state your name for the court.*

?

?

?

?

?

?

?

?

Thank you, Your Honor, no further questions.

**Judge:** The Prosecution may cross-examine the witness.

**PROSECUTION: CROSS-EXAMINATION QUESTIONS for DEFENSE WITNESS #2**

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** You may step down.

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**3<sup>rd</sup> Defense Witness (Defendant)**

**Judge:** Defense, you may call your next witness.

**Defense Attorney:** Thank you, your Honor. I call to the stand \_\_\_\_\_  
(Defense Witness #3)

**Judge:** Will the witness please stand to be sworn in by the bailiff. (Witness stands)

**Bailiff:** (to the witness) Please raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

**Witness:** I do. (Witness goes to the stand and sits down)

**DEFENSE: DIRECT EXAMINATION QUESTIONS for WITNESS #3**

1. Please state your name for the court.

- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_
- ? \_\_\_\_\_



? \_\_\_\_\_

? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** The Prosecution may cross-examine the witness.

**PROSECUTION: CROSS-EXAMINATION QUESTIONS for DEFENSE WITNESS #3**

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

? \_\_\_\_\_

Thank you, Your Honor, no further questions.

**Judge:** You may step down.

~~~~~**Closing Arguments**~~~~~

**Judge:** Both the prosecution and the defense have now rested their cases. The attorneys will now present their final arguments. Prosecution, you may begin.

**Prosecuting Attorney:** Thank you, your Honor. Members of the jury, today you have heard testimony about \_\_\_\_\_

I would like to remind you of some important information that you should consider in your decision.

These facts include (1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**PROSECUTION CLOSING (CONTINUED)**

(5) \_\_\_\_\_  
\_\_\_\_\_

Please find the defendant, \_\_\_\_\_ guilty of \_\_\_\_\_  
(defendant's name) (charge)  
\_\_\_\_\_. Thank you.

**Judge:** Defense, you may proceed with your closing argument.

**Defense Attorney:** Thank you, your Honor. Members of the jury, today you have heard testimony about \_\_\_\_\_  
\_\_\_\_\_

I would like to remind you of some important information that you should consider in your decision.

These facts include (1) \_\_\_\_\_  
\_\_\_\_\_

(2) \_\_\_\_\_  
\_\_\_\_\_

(3) \_\_\_\_\_  
\_\_\_\_\_

(4) \_\_\_\_\_  
\_\_\_\_\_

(5) \_\_\_\_\_  
\_\_\_\_\_

Please find the defendant, \_\_\_\_\_ guilty of \_\_\_\_\_  
(defendant's name) (charge)  
\_\_\_\_\_. Thank you.

~~~~~**Jury Instructions**~~~~~

**Judge:** Members of the jury, you have heard all of the testimony concerning this case. It is now up to you to determine the facts. You and you alone, are the judges of the fact. Once you decide what facts the evidence proves, you must then apply The Law as I give it to you to the facts as you find them.

**The Law:**

(Please read the law from the appropriate box for case you are doing):

**Alli McGraw Case**

POSSESSION OF MARIJUANA. If the offense is the possession of 20 grams or less of cannabis (marijuana), the person commits a misdemeanor of the first degree, punishable by up to one year in jail.

**Jesse Sunderson Case**

DAMAGE TO PROPERTY: A person who intentionally causes damage to physical property of another without the latter's consent.

SALE AND USE OF FIREWORKS PROHIBITED. It shall be unlawful for any person to offer for sale, expose for sale, sell at retail or wholesale, possess, advertise, use, or explode any fireworks.

**Tony Garcia Case**

CRIMINAL MISCHIEF: A person commits the offense of criminal mischief if he or she willfully and maliciously injures or damages by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism.

**Max Paulson Case**

RECKLESS DRIVING: Any person who drives any vehicle in such a manner as to indicate a disregard for the safety of persons or property is guilty of reckless driving. Reckless driving is a misdemeanor.

CARELESS DRIVING: Any person operating a vehicle upon the streets or highways shall drive the same in a careful manner, having regard for the width, grade, curves, corners, traffic, and all other circumstances, so as not to endanger the life, limb, or property of any person.

**Judge:** In just a moment, the bailiff will take you to the jury room to consider your verdict. One of the first things you will want to do is to select a foreperson. It will be the foreperson's duty to sign the verdict form when you have agreed on a verdict. Whatever verdict you render must be unanimous which means that each and every person must agree on the same verdict. The Bailiff will now escort you to the deliberation room.

**Bailiff:** All Rise. *(Stand, get verdict form from the judge and escort Jury to deliberation room)*

**Judge:** *(When the Jury Returns)* Have you reached a verdict?

**Jury Foreperson:** We have, your Honor.

**Judge:** What say you?

**Jury Foreperson:** We the jury, in the case of The State of Florida versus \_\_\_\_\_, find the defendant (guilty/not guilty) of the charge of \_\_\_\_\_.

**Judge:** *(After verdict is read)* Thank you, Jury, for your service today. Court is adjourned.