



CLASSROOM
LAW PROJECT®

CLASSROOM LAW PROJECT presents

STATE V. GOLDBLOCKS

...a criminal case about trespass, mischief, and theft...

*Did Goldilocks commit crimes when
she went into the house of the Bear Family?*



The Goldilocks Mock Trial Activity Framework & Guide

This is a fun mock trial to try with kids (and adults!) of any age. It is a criminal case that revolves around the testimony of the witnesses on each side. Concepts that are practiced and can be expanded on by teachers include:

- Criminal v. Civil Law
- Prosecution & Prosecutors
- Defense and Defendants
- Witnesses
- Telling the truth
- Understanding different perspectives
- Responsibility for actions
- Questioning (including direct and cross examination)
- Developing a theory or explanation of a case
- The roles of people in the courts

Grades: 3-Adult

Time Needed: 1-3 class periods, depending on modifications

Objectives:

- Increase proficiency in reading, writing, speaking and critical thinking. Also analyzing and reasoning, listening and questioning
 - Actively engage in the justice system and understand how it works
 - Practice civic participation and prepare students to learn further about important justice issues

Set Up

This mini mock trial can be done with a small number of participants or up to a class of 30. Suggested roles up to 30 participants are included in this packet.

All of the witness statements are included for all participants to read ahead of time. Those in attorney roles will want to especially be knowledgeable about the witnesses they will question.

Activity Steps

1. Discuss with the class what they know about trials and how they work. This might be a good time to introduce trial/legal vocabulary (such as defendant, prosecutor, judge, bailiff, witness, jury, etc.)
2. Talk about why we have trials to solve conflicts and the difference between criminal law (breaking a rule) and civil law (a conflict between people).
3. Give a quick summary of the case to the students and either ask for volunteers to fill the roles, or assign the roles.

4. Describe the steps of a trial for the students - it can be drawn out or demonstrated physical (see “Steps in a Trial” in this packet)
5. For purposes of this mini mock trial, depending on the age and experience of your students, you can either employ the use of objections or not. A guide to objections is also included.
6. Students should be given enough lead time to read and prepare so that they understand their roles and the stories that go with them:

Attorneys should:

- read the facts of all the witness statements or ones assigned to them
- prepare an opening statement to the judge or jury that explains their theory of the case, or their story
- prepare questions for the witnesses
- prepare a closing argument (that can be added to if they learn new things during the trial)

Witnesses should:

- Read their statement at least 3 times so they can pick out all the important facts in their story
- Think about what questions might be asked of them
- Work with the lawyers on their own side to think of questions and how they want to make sure they tell their side of the story

Judge(s) or Jury should:

- Read through the “Steps in a Trial” so they know how a trial should go
- Read through the objections guide (if you plan to include objections)

Bailiff should:

- Read through the “Steps in a Trial” so they know how a trial should go
- Practice the oath they will administer to each witness

If journalists are included, they should:

- Read through the witness statements to get an idea of the different stories
 - Be prepared to write down ideas about what parts of the trial might the public be interested in and what they think about the verdict
7. See “Steps in a Trial” for the trial procedure itself - conduct the trial!
 8. Debrief the Trial: there is a handout attached that has debrief questions for students to consider, or you can use them as a starting point for a discussion.

Another option is to have students draw or artistically create their impression of the trial or what they agreed or disagreed with about the verdict.

STEPS IN A TRIAL

1. Opening Statements

The attorneys from both sides present their perspectives to the judge and/or jury. This is their opportunity to start right off with their version of the story foremost in the minds of the people who will decide the verdict.

- A. The Prosecution/Plaintiff attorney introduces themselves to the court (“Your honor, members of the jury, I am... and I represent...”) and states what their side intends to prove and what their version of the story is (how will you get the judge and jury to decide your way?)
- B. The Defense attorney introduces themselves to the court (“Your honor, members of the jury, I am... and I represent...”) and states what their side intends to prove and what their version of the story is (how will you get the judge and jury to decide your way?) Be sure to ask for a verdict of *not guilty* (in a criminal case) or a verdict for the defense (in a civil case).

Brief Opening Statement Guide:

<p>Your Honor, members of the jury, my name is _____ and I represent _____ in this case. We intend to prove that _____. When you have heard all the facts, please decide a verdict of _____.</p>
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2. The Oath

All witnesses should be sworn in before they begin answering questions. This is to remind them that they must tell the truth.

When they get to the witness stand, the Bailiff faces them and says:

<p>“please raise your right hand. Do you promise to tell the truth, the whole truth, and nothing but the truth?”</p>
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Each witness should say “Yes” or “I do” before they can be questioned.

3. Direct Examination

- Prosecution/plaintiff calls their first witness.
- Ask clear and simple questions that allow the witness to tell their story in their own words.
- Witnesses should not try to make up facts that aren't in the witness statements.
- Witnesses can answer "I don't know"
- Some suggested questions for direct examination:
 - How do you know the defendant?
 - In your own words, what happened on the day of this event?
 - What do you remember about your experience?

4. Cross Examination

- Defense attorney questions each witness from the other side to try to prove that they are either lying or not telling the whole story.
- For example, they might ask "isn't it true that it was very stormy that day and hard to see through the forest?"
- Try to ask questions that have "yes" or "no" answers so you can limit what the witnesses for the other side might say that could impact your own version of the story.

5. Defense's Case

After all the prosecution/plaintiff witnesses have had direct and cross-examination, then the process starts again with each of the defense witnesses. The Defense attorney does the direct examination and the prosecution or plaintiff attorney does the cross examination.

6. Closing Arguments

Each side gets to summarize their version of the events and the facts. They should try to present their story in a way that shows the witnesses' testimony agrees with them. The prosecution should ask for a verdict of guilty (in a criminal trial), and the defense attorney should ask for a verdict of not guilty.

Brief Closing Statement Guide:

Your Honor, members of the jury, today you heard testimony about _____ . I would like to remind you of important information about this case that you should think about when you make your decision:

When you decide your verdict, please find _____ . Thank you.

7. Judge/Jury Deliberation

After hearing all the arguments and closing statements, the judge(s) and/or jury will meet to decide guilty or not guilty. They make the announcement to the courtroom.

8. The judge or head of the jury call the trial “adjourned” or complete, and it’s over!

OBJECTIONS

Objections are called by attorneys when they feel that the attorney(s) on the opposing side have broken a rule of the trial or are not being fair with their questions.

The judge can either “sustain” the objection - which means the question (and any answer to it) is NOT allowed. OR the judge can “overrule” the objection - which means the question (and any answer to it) IS allowed.

Here are some reasons you might object to the opposing attorney’s questions:

- | | |
|---------------------------|--|
| Leading questions: | This means attorneys must allow the witnesses to tell their own stories. They cannot lead the witness through the story or describe the story themselves and ask the witness to agree. |
| “Immaterial”: | This means that the question asked is not actually related to the story and has nothing to do with it. |
| Opinions and conclusions: | This means that witnesses or attorneys can not say their opinion about facts, just the facts as they know them. |
| Nonresponsive answer: | This is when the witness doesn’t actually answer the question asked. |

JURY OBSERVATION CHECKLIST: PROSECUTION

The jury will decide whether the defendant is guilty or not guilty based on the facts that they hear in the case and whether they believe the witnesses. This checklist helps jurors to keep track of what they hear and observe in the trial.

Prosecution Opening Statement - What is the prosecution going to try to prove?

What did you learn from:

Witness #1:

Witness #2:

Witness #3:

Do you Believe or Not Believe?

Circle the response which is closest to what you think of each witness:

Witness #1 _____ was:
(Name)

- Very believable
- Sort of believable
- Not really believable
- Not believable at all

Witness #2 _____ was:
(Name)

- Very believable
- Sort of believable
- Not really believable
- Not believable at all

Witness #3 _____ was:
(Name)

- Very believable
- Sort of believable
- Not really believable
- Not believable at all

Prosecution Closing Statement - did the prosecution prove their case? Why or why not?

JURY OBSERVATION CHECKLIST: DEFENSE

The jury will decide whether the defendant is guilty or not guilty based on the facts that they hear in the case and whether they believe the witnesses. This checklist helps jurors to keep track of what they hear and observe in the trial.

Defense Opening Statement - What is the prosecution going to try to prove?

What did you learn from:

Witness #1:

Witness #2:

Witness #3:

Do you Believe or Not Believe?

Circle the response which is closest to what you think of each witness:

Witness #1 _____ was:
(Name)

- Very believable
- Sort of believable
- Not really believable
- Not believable at all

Witness #2 _____ was:
(Name)

- Very believable
- Sort of believable
- Not really believable
- Not believable at all

Witness #3 _____ was:
(Name)

- Very believable
- Sort of believable
- Not really believable
- Not believable at all

Defense Closing Statement - did the defense prove their case? Why or why not?

Mini Mock Trial Parts for up to 30 participants:

1. Judge _____
2. Judge _____

(you may also want to include a jury - but one that is not too large and has a defined role)

3. Opening statement prosecution _____
4. Opening statement prosecution _____
5. Opening statement defense _____
6. Opening statement defense _____
7. Witness Papa Bear (P) _____
8. Prosecuting attorney direct examination of Papa Bear _____
9. Defense attorney cross examination of Papa Bear _____
10. Witness Mama Bear (P) _____
11. Prosecuting attorney direct examination of Mama Bear _____
12. Defense attorney cross examination of Mama Bear _____
13. Witness Baby Bear (P) _____
14. Prosecuting attorney direct examination of Baby Bear _____
15. Defense attorney cross examination of Baby Bear _____
16. Witness Woodcutter (D) _____
17. Defense attorney direct examination of Woodcutter _____
18. Prosecuting attorney cross examination of Woodcutter _____
19. Witness Goldilocks (D) _____
20. Defense attorney direct examination of Goldilocks _____
21. Prosecuting attorney cross examination of Goldilocks _____
22. Prosecution closing argument _____
23. Prosecution closing argument _____
24. Defense closing argument _____
25. Defense closing argument _____
26. Prosecution rebuttal _____
27. Prosecution rebuttal _____
28. Clerk/Bailiff _____
29. Journalist _____
30. Journalist _____

CLASSROOM LAW PROJECT presents

STATE V. GOLDBLOCKS

...a criminal case about trespass, mischief, and theft...

In the District Court of the State of Oregon for Chinook County

STATE OF OREGON,

Prosecution,

No. DA 123456-7891
Police No. 09-33526 PPB

v.

COMPLAINT
For Violation of

GOLDILOCKS,

Defendant

ORS 164.045 COUNT I
164.354 COUNT II
164.255 COUNT III

The above named defendant is accused by this complaint of the offense of

COUNT I: THEFT IN THE THIRD DEGREE
COUNT II: CRIMINAL MISCHIEF IN THE SECOND DEGREE
COUNT III: CRIMINAL TRESPASS IN THE FIRST DEGREE

committed as follows:

COUNT I

The said defendant, on or about February 15, 2018 in Multnomah County, State of Oregon, did unlawfully and knowingly commit theft of porridge, of the total value of less than fifty dollars, the property of The Three Bears,

COUNT II

and as a part of the same act and transaction as alleged in Count I herein, the said defendant did unlawfully and intentionally damage a chair, the property of Baby Bear, by sitting in said chair and breaking it, the said defendant having no right to do so nor reasonable ground to believe that she had such right,

COUNT III

and as a part of the same act and transaction as alleged in Counts I and II herein, the said defendant did unlawfully and knowingly enter and remain in a dwelling known as The Three Bears' House,

contrary to the statutes in such cases made and provided, and against the peace and dignity of the STATE OF OREGON.

STATE OF OREGON)
County of Multnomah) ss.

I, Snow White, having been first duly sworn say that foregoing complaint is true as I verily believe.

Subscribed and sworn before me on May 5, 2018

Notary Public for Oregon
My commission expires: 6/30/22

Witness for the prosecution

PAPA BEAR

I live at 1 Forest Lane, in the Big Woods, Multnomah County, Oregon. On February 15, 20XY, at 9:00 am, my family and I were sitting down to a nice breakfast of porridge. The porridge was too hot, so we decided to go for a walk to let it cool down. I left first and then Mama Bear and Baby Bear followed.

We walked in the woods for about 20 minutes. The weather became very cold and snowy suddenly, so we had to cut our walk short. When we returned to our house, we found the door slightly ajar. We were so hungry from our walk that we didn't investigate why the door was open. We sat down immediately. As soon as I began to eat, Baby Bear shouted, "Where's my porridge? My bowl's empty!" Sure enough, there was not a drop of porridge in his bowl at all. Baby Bear was so upset we couldn't finish our breakfast.

So we decided to go into the living room and rock for a while to relax. I sat down in my chair, Mama sat down in her chair beside me, but Baby Bear couldn't sit down at all. His chair was broken into pieces. He was very upset, as you can probably understand, and he ran upstairs.

Mama and I were following him to comfort him, when we heard his scream come from upstairs. We rushed to his bed, and found the defendant, Goldilocks, in his bed. She looked like she had been sleeping for a while, because her hair was mussed. Her shoes and cloak were beside the bed. She woke up (probably because of Baby Bear's scream) and just ran down the stairs and out of the house without saying a word. I couldn't believe it. Here, she had broken into our house, stolen Baby Bear's food, broken his chair, slept in his bed – and she didn't even explain why or pay for the damages!

Witness for the prosecution

MAMA BEAR

I live at 1 Forest Lane, in the Big Woods, Multnomah County, Oregon. On February 15, 20XY, at 9:00 am, I had just finished preparing some nice bowls of our favorite porridge for my husband, Papa Bear, and my son, Baby Bear. I guess I cooked it too long, because it was much too hot, so I suggested we go for a walk until it cooled down. It was such a pretty day I thought it would be nice to get out in the sun too. We didn't lock the front door, like we normally do, because we knew we wouldn't be gone long. We let Baby Bear shut the door. He feels so grown up to be able to help us like that.

So we went for a walk for about 20 minutes – until suddenly it began raining and snowing. The wind was blowing really hard, too. So we ran back to the house and rushed inside to get warm. We quickly sat down to eat our porridge, but poor Baby Bear's bowl was completely empty! I was very upset. Since he's a growing bear and needs his breakfast, I knew I was going to have to make some more for him. We decided to go settle him down in the living room. We walked in the living room and Papa and I sat down in our chairs. Then we noticed that Baby Bear's chair was broken in pieces. I had just dusted his chair the night before, and there was nothing wrong with it then. And here it was completely destroyed. I knew that someone must have broken it when we were out on our walk.

Well, you can imagine how upset Baby Bear was, with his chair broken and his porridge gone. He ran upstairs (probably to cry in his bed) and Papa and I followed him. Suddenly we heard him scream. We hurried to his bed and found the little girl, Goldilocks, right in his bed. I noticed that all the beds were messed up, even though I had made the beds perfectly before breakfast. It looked like Goldilocks had lain in each of them and messed them up. What a mess that girl made. She should be punished!

Witness for the prosecution

BABY BEAR

My name is Baby Bear. I am five years old and I live with my Mama and Papa in the Big Woods. February 15, 20XY was a really bad day for me. First, my porridge was too hot and burned my tongue. I was feeling bad, so Mama let me help her close the door when we decided to go on a walk. It was fun walking until it started raining and snowing. It was so cold; I almost froze my little paws!

Then, when we got back to the house and sat down to eat our porridge, my porridge was all gone! And I was so hungry, too! So then we went into the living room and I found my favorite chair all broken up. That's my best chair and I loved it a lot, and now I have nothing to sit in anymore.

I was crying by then, so I went upstairs. I like to cry in my bed, where it's private, but I couldn't even do that because some stranger (who I know now was Goldilocks) was in my bed. I screamed because I was so surprised to see anyone in my bed and I woke her up. When she saw me and Mama and Papa she jumped out of bed and ran down the stairs. She left her shoes and cloak right by my bed.

Witness for the defense

WOOD CUTTER

I live at 4 Pine Street in The Village, Multnomah County, Oregon. I cut wood in the Big Woods for the villagers. On February 15, 20XY, I was out cutting wood when I saw the little girl, Goldilocks, picking up pinecones in the woods. She wasn't dressed warmly, so I told her she should get home because a storm was approaching. She didn't seem too concerned because she kept skipping on in the direction of the Three Bears' House. Soon the storm hit. It was so bad I had to go get in my pickup to wait it out. It was a terrible storm.

After about half an hour, I saw the little girl, Goldilocks, again. She was running towards The Village, barefooted (not bear-footed!) without her cloak. She looked scared to death and her hair was all mussed up. She was running very, very fast. I called out to her to see if I could help, but she just ran on. She looked terrified.

Witness for the Defense

GOLDILOCKS

My name is Goldilocks and I live at 13130 South East Douglas Fir Street, in The Village, Multnomah County, Oregon. On February 15, 20XY, I decided to take a walk in the Big Woods to pick up some pinecones for my collection. I like to get up early, so I left my house about 8:00 in the morning. It was such a pretty day I only wore my light cloak and my summer shoes. I walked and walked deeper in the Big Woods and met the Woodcutter. He told me he thought there was a storm coming and that I should go home. The weather looked all right to me so I just went on my way. He was right! A terrible storm came up and it started snowing and raining and the wind was howling terribly. I was so cold I thought I might freeze to death. I was so scared, too!

I started running to this cute little cottage I had seen earlier, hoping that the owners might let me stay there out of the storm for a while. When I got to the cottage I knocked on the door and the door flew open. I called to see if anyone was there, and no one answered, so I went right in out of the storm. I was really thankful to get out of the storm and into the nice, warm house. Plus, I was starving! On the table were three bowls of porridge – just left there going to waste. So I decided to have some. I tasted the biggest bowl first, but it was too hot. Then I tasted the medium-sized one, but it was too cold. Finally – I tasted the smallest bowl, and since it was just at the right temperature, I ate the whole thing! It was mighty tasty too!

After breakfast, I decided to go sit down and wait for the owners. I went into the living room and saw three chairs. I sat in the first one, but it was too hard. The second one was too soft. But the littlest one was just right, so I sat down and began to rock. I hadn't rocked more than three seconds when the chair collapsed and broke right under me! I almost hurt myself it surprised me so much. That chair must not have been very strong, because I don't weigh very much and I wasn't being rough with it. But I figured that since I had broken it, I had better pay for it. I decided to get a piece of paper and leave a note.

I went upstairs to look for some paper and I saw three beds. They reminded me that I was really tired. I decided to take a little nap. I lay down on the biggest bed, which was too hard. Next I tried the middle-sized bed, but it was too soft. Finally I tried the smallest bed, which was just right. I took off my shoes and cloak and fell right asleep. I was having a good dream when

I heard a scream. I opened my eyes and saw three frightening bears standing staring at me! They looked so mean I knew I had to get out of there. I jumped up, forgot to pick up my shoes and cloak and ran downstairs and out of the house. I ran all the way home. I have never been so scared in all of my life. I meant to pay the Bears for the chair that broke and for the porridge, but they scared me so much I didn't have a chance. I never meant to do anything wrong. I had no choice.