



Welcome to Street Law!



Spring 2023

Sharing

What is one thing you're looking forward to after graduation?



Trial Advocacy & Cross Examinations



Opening Statements

When both sides get to present their stories to the jury. Unlike a closing, the attorney may **only discuss facts that will be shown, not their arguments about the law.**



THE CASE OF...
The Shipwrecked Sailors



Three sailors on an ocean-going freighter were cast adrift in a life raft after their ship sank during a storm in the Atlantic Ocean. The ship went down so suddenly that there was no time to send out an SOS. As far as the three sailors knew, they were the only survivors. In the raft, they had no food or water. They had no fishing gear or other equipment that might be used to get food from the ocean.

After recovering from the shock of the shipwreck, the three sailors began to discuss their situation. Dudley, the ship's navigator, figured that they were at least one thousand miles from land and that the storm had blown them far from where any ships would normally pass. Stephens, the ship's doctor, indicated that without food they could not live longer than thirty days. The only nourishment they could expect was from any rain that might fall from time to time. He noted, however, that if one of the three died before the others, the other two could live awhile longer by eating the body of the third.

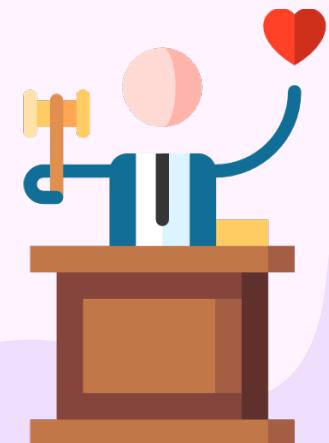
On the twenty-fifth day, the third sailor, Brooks, who by this time was extremely weak, suggested that they all draw lots and that the loser be killed and eaten by the other two. Both Dudley and Stephens agreed. The next day, lots were drawn and Brooks lost. At this point, Brooks objected and refused to consent. However, Dudley and Stephens decided that Brooks would die soon anyway, so they might as well get it over with. After thus agreeing, they killed and ate Brooks.

Five days later, Dudley and Stephens were rescued by a passing ship and brought to port. They explained to authorities what had happened to Brooks. After recovering from their ordeal, they were placed on trial for murder.

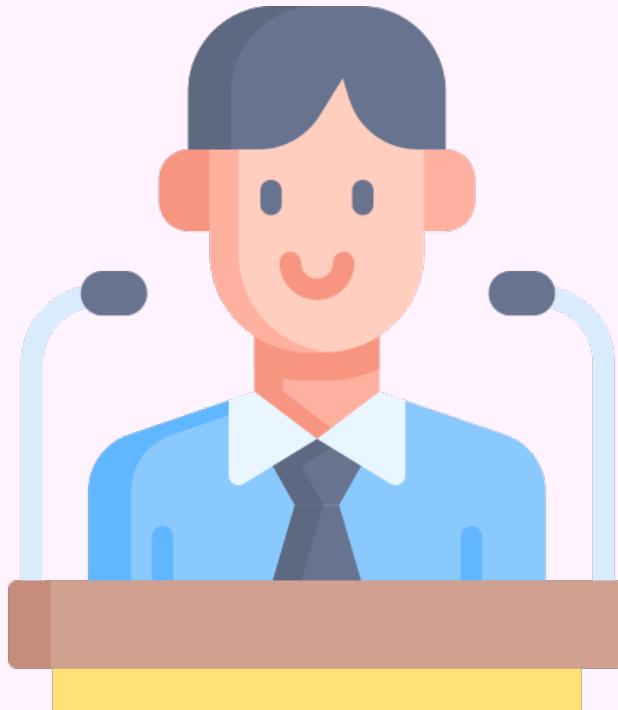
The state in which they were tried had the following law: Any person who deliberately takes the life of another is guilty of murder.

Writing the Opening

- (1) Introduction
- (2) **Introduce** the parties
- (3) Paint a picture of the **scene**
- (4) Explain the **theory** (aka the story) using evidence that will be introduced
- (5) Explain the basis of **guilt/non-guilt**
- (6) **Refute** the other side's arguments
- (7) Ask the jury to find a **verdict** for your side



Student Presentations



P.S.: You get snacks and positive feedback!

Feedback



Cross Examination

https://www.youtube.com/watch?time_continue=5&v=uvrHS7KdZ64&embeds_euri=https%3A%2F%2Fthedebateguru.weebly.com%2F&feature=emb_logo



The Purpose of Cross Examination

Cross examination is a way for a side to make their case for why they should win. Some purposes include:

- (1) To repair or minimize damage from the witness
- (2) Bring out facts that help your case
- (3) Discredit the witness
- (4) Stay in control



How to Conduct Cross Examination

- ❑ Use **leading** questions to guide the witness
- ❑ Ask only **one** question at a time
- ❑ The attorney should be the star
- ❑ Take pauses to plant ideas in the jury's mind
- ❑ Don't ask questions you don't know the answer to

Direct

Explain what you saw when you opened the door?

How did the defendant react?

Describe the scene.

What happened next?

Cross Examination

You entered the building at ten am, correct?

You drive a red, Honda Odyssey, correct?

You saw Mr. Smith leaning over the body but you could only see his back, correct?

Sample Cross Examination

Spongebob is a defense attorney cross-examining his neighbor, Squidward. Squidward testified that he saw Patrick Star rob the Krusty Krab at gunpoint earlier that month. However, after conducting some investigation, Spongebob found out that Squidward has a history of reporting Patrick Star for many other incidents, showing a history of hatred towards Patrick.

What questions should Spongebob ask on cross-examination?



The Shipwrecked Sailors

Dudley and Stephens are being charged with murder. Pair up with a classmate, and decide who will be the **prosecutor**, and who will be **Dudley**. The prosecutor will ask **leading questions** to Dudley based on Dudley's confession. Dudley should answer based on his confession.

*Note: You may ask questions about things not specifically in the confession. However, Dudley may then answer however they want.



Dudley's Confession

Dudley: "Yeah, we ate Brooks. But we were starving – I never wanted to eat him. He was my friend. In fact, I've known him since I was five years old. If I had drawn the unlucky cards, then I would have been eaten instead!"

It wasn't even my suggestion. Brooks suggested it in the first place, and Stephens said that we couldn't survive for much longer without food. I felt pressured by Stephens – he told me that even if we didn't eat Brooks, he would die soon anyways because he was becoming super weak. I'm the one who put the bag over his head, but Stephens told me what to do every step of the way. I was barely conscious because I was so hungry and dehydrated at that point."

Dudley's Confession

“Of course I feel sad about what happened. After we ate Brooks that first night, I cried myself to sleep. I couldn’t even help Stephens with anything because I was so upset and grossed out over what happened. I almost didn’t eat Brooks, but Stephens told me I would die if I didn’t.

Brooks shouldn’t have suggested it in the first place. We were rescued on the 30th day of being shipwrecked, so we all could have survived. I wish it never happened.”

Feedback

