



The Legal System: SS.7.CG.2.5
The Trial Process and Juries
VIDEO #1 SCRIPT



Criminal Trials

1. Oftentimes when we see a courtroom on television or in a video, we hear the bang of a gavel, “dun dun”, and a judge or a member of the jury state that a person is guilty or not guilty. Have you ever wondered how a judge or the jury reaches this decision?

2. In this video we will learn about the criminal trial process. But be sure to watch the videos on the civil trial process and juries in this module on Civics360!

3. After watching this video, you will be able to

- Describe the criminal trial process.

Be sure to watch the other videos for 2.5 in this module to be able to:

- Describe the civil trial process.
- Examine the significance of juries.
- Explain how juries are selected and why jury trials are important.

4. Let’s begin with the trial process, and start with a criminal trial. Criminal law is law that deals with crimes and the punishments for those crimes.

5. When the police make an arrest, the person arrested is called the suspect. During the arrest, the suspect is informed of their rights, and likely will be charged with a crime. These rights are called Miranda rights as established in *Miranda vs. Arizona*, the U.S. Supreme Court case in 1966. The Miranda case affirmed that persons being arrested had the right to be informed of their rights upon their arrest. Check out the video on Landmark Supreme Court Civil Liberties Cases to learn more about this case.

6. The suspect then goes to court to hear the charges against them. At this time, the suspect is asked to enter a plea. This means they can say if they plead not guilty, guilty, or no contest. No contest means that the suspect does not disagree with the charge, but isn’t pleading guilty or not guilty.

7. Let’s check in. Try to answer the following in your own words.

8. Summarize what happens from when a suspect is arrested to his or her first appearance in court.

9. ANSWER TO QUESTION

10. Let's recap what we've learned so far. Criminal law deals with crime and punishment. Suspects are informed of their Miranda rights when they are arrested, and after an arrest, the suspect goes to court to hear the charges and enter a plea. When they're making their plea, they can plead guilty, not guilty, or no contest. So what happens next? Let's look now at the four steps of a criminal trial.

11. So there are four major steps that were going to talk about of the criminal trial process. The first is the opening statements. This is when the prosecution, which represents the government, and the defense, which is represents the suspect, give the judge and the jury their side of the case.

12. Step 2, The witnesses Give Testimony – After opening statements, the prosecution presents their case by calling witnesses to the stand to give testimony which are answers and statements that are given under oath. Once prosecution has presented its witness, the defense has an opportunity to “cross-examine” or question the prosecution witness to see if they made a mistake or are lying. Once the prosecution has presented all of their witnesses, the defense then has a turn to present their own. After the defense questions each witness under oath, the prosecution then can do their own cross-examination.

13. Step 3, we have what are known as the Closing Statements – After all of the witnesses have been questioned, the prosecution and the defense give their closing statements. A lawyer from each side summarizes the case from their side's perspective and asks the jury to rule in their favor.

14. Step 4 is when the Jury Deliberates – To deliberate means to think about something long and carefully. After closing statements, the jury leaves the courtroom to deliberate. They go to a secure room and discuss the evidence of the case. Once the jury has reached a unanimous decision, meaning they all agree, they announce the verdict, or jury's decision, to the judge. You might have heard how it goes: ‘Has the jury reached a verdict?’ ‘We have your honor. We the jury find the defendant...’ Could be guilty, could be not guilty.

15. In your own words, what are the purposes of the opening and closing statements.

16. ANSWER TO QUESTION

17. Let's recap what we've learned so far. Remember that criminal law deals with crime and punishment, and when they are arrested, suspects are informed of their rights that are known as Miranda rights. There are four steps to a criminal trial. These four steps are the opening statements, witnesses giving testimony, closing statements, and jury deliberation. And remember that the decision of a jury is known as a verdict. Now be sure to watch the video on juries to really understand their role in this system.

18. We've learned quite a bit about the criminal trial process in this system. We know that it seeks to ensure justice, and we started to learn some about juries.

19. You can learn even more about the state and federal court system and the appellate process in other modules. Now be sure to watch the videos on the civil trial process and yes, the jury system if you haven't done so already.