Group Names: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Trial Date(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Sethe vs. State of Ohio**

**Sethe on Trial: Is she guilty or innocent?**

* **Task**: You will conduct a full-class trial to determine whether Sethe is guilty or innocent of infanticide. Should she go to prison for what she has done? What type of penalty should she receive? Currently, the prosecution of the State of Ohio believes she should be imprisoned and put to death for her crime. The defense team’s ultimate goal is to exonerate Sethe of all charges.
* It is up to you to present your case for the honorable Judges Livingston and Atchison.
* Each student will have certain preparation assignments that are to be completed prior to the trial. All speeches, evidences, questions, and responses should be neatly typed and organized and will be turned in.
* Read this packet THOROUGHLY and COMPLETELY. REFER TO IT over the course of the trial. If you are unsure of something, it is likely outlined in this packet OR made particularly clear on my website. USE YOUR RESOURCES. We have high expectations for you.
* Students should consult the novel for events and evidence. Additionally, they may also reference outside sources for further insight on slavery, the civil war, and the general time period surrounding Sethe’s story. If any outside resources are used (they will be…), you MUST INCLUDE A WORKS CITED PAGE in MLA format.
* Obviously you will use an ample amount of textual evidence. That said, you are becoming your character/becoming a lawyer, so much of your evidence will come from paraphrasing and synthesis of the text. Therefore, you do not need to say “on page…” during your witness testimony, but you will have to cite on any written testimony. Lawyers may wish to refer to page numbers during statements/examination; expert witnesses will want to reveal their sources during testimony as a method of argument/persuasion.
* Each student will need to take notes during the trial as well. Notes should be neat and legible or typed and will be turned in.
* Due to the extended nature of this mastery project, you WILL use time outside of class, both independently and with your team. Be sure to exchange contact information.

**Roles in the trial:**

**Prosecution: State of Ohio**

Attorneys (3):   
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Witnesses (3-4):   
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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Outside Experts (2)  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Defense: Sethe**  
  
Sethe (1): You will put Sethe on the stand.  
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Attorneys (3)  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
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Witnesses (3-4)  
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Outside Experts (2)  
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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**General Guidelines and Notes:**

1. All teams must submit a list of witnesses and witness statements by Wednesday, April 11. After this date, your list of Witnesses CANNOT change. Each witness is required to compose a Witness statement, which must be a part of your witness list. See the website for how to.
   1. If witnesses overlap, Judges Livingston and Atchison will determine which team gets to directly examine that witness based on the arguments of each team. E.g. Stamp Paid may be on EITHER the defense OR prosecution team, but cannot be on both. Each team would present a case as to why they want that witness; then judges will decide. Your witnesses will be called to the stand IN THE ORDER of the list you provide, so be intentional.
   2. The opposing team will get a list of your witnesses AND their witness statements.
   3. While witnesses will have to use creative license, they cannot make up testimony/information that is improbable.
   4. In a real court of law, the list of witnesses would be in the following order:
      1. Eyewitness testimony
      2. Witness testimony
      3. Expert witness testimony
2. All teams must submit a list of evidence by Friday, April 13. At this time, you need only a list of evidence and its intended purpose for the trial. The judges will then determine whether your evidence is admissible and will give an evidence list to the opposing side. If your evidence is considered admissible, you will introduce it to the court during the trial, generally during witness interviews. It is during the trial that you must have a physical representation of the evidence. Do not bring a saw to school (Maybe use a picture?).
3. Lawyers may object on the day of the trail. See the website for a list of common objections. The judges will sustain or overrule objections.
4. All witnesses must be in appropriate costume on the day of the trial and must conduct themselves in the manner appropriate to that character.
5. All outside experts must be appropriately dressed on the day of the trail (e.g. Doctor’s coat, lab coat, etc.)
6. All lawyers must be appropriately dressed on the day of the trail (e.g. business attire).

**The Trial Procedure:**

1. Welcome and call to order
2. **Opening Statements (**minimum 2 minutes/side): Introduce your case (State of Ohio first), explaining what your side believes and how you will prove it. The state will then get 2 more minutes after the defense has presented its opening statement.
3. **Direct-Examination** (one per witness from your side, State of Ohio first): Examine witnesses whose testimony will support your side. Ask open-ended questions to help witnesses tell the story in their own words. Minimum of five questions must be prepared by the witness (but should work in conjunction with the attorney). It is during direct-examination that any evidence must be submitted into court.
4. **Cross-Examination** (one per witness from the opposing side): Examine witnesses whose testimony has just been given by the opposing side. Looks for reasons to discredit the witness or throw doubt upon their testimony. Consider asking “yes or no” questions to prevent the witness from having a chance to tell their story in their own words. Minimum of five questions must be prepared. (Not all questions need to be asked.)
5. **Closing Statement** (minimum 3 minutes/side): Conclude your case, defense first, reminding the jury of what your side believes and why you think they should believe you. The defense will then get 2 more minutes after the prosecution has presented its closing statement.
6. Judges Decision: After deliberations, we will announce the verdict.

**Role Expectations**

**Defense/Prosecuting Attorney: Factors that impact grade**

Although each of you will be completing some assignments individually, we encourage you to collaborate and share your ideas because everyone’s ideas will be crucial to winning this trial. Attorneys have a lot of work to do, so it is up to you to be sure that you have divided the work up. We suggest that each attorney write a statement, and that you divide your list of witnesses to work with. Each attorney must present an argument (opening or closing), must directly examine a witness, **and** must cross-examine a witness. Choose your role wisely.   
SEE ROLES IN CRIMINAL TRIALS and MOCK TRIAL JUDGING FORM on website.

**1. Case:** As a legal team, you are responsible for representing your client during the trial. Working together, you will present to the jury a case illustrating why and how your character is innocent/guilty. Present to the jury the effects of slavery on Sethe’s life and argue perhaps why she killed/attempted to kill her children out of love/selfishness; try to convince the jury that what Sethe did, considering her life experiences and circumstances is/isn’t jail time worthy (typed).

* **2. Evidence:** Compose a list of evidence that will be used to defend yourown client (1 page typed- due Fri. 4/13). You will need to work with witnesses to develop your evidence list as well. \*Consult the novel and other relevant sources to find this information.
* **3. Meeting time requirement/Presenting appropriately:** Presentation of case and/or closing arguments at trial must meet time requirements. Speeches must be presented clearly and loudly. Regardless who presents the speeches; all group members should contribute their ideas.

**4. Questions and Answers:** Work closely with your witnesses to develop questions and practice answers. You must pre-prepare a **minimum** of 5 questions for the direct examination and a **minimum** of 5 questions for the character you will cross examination. Although these will change over the course of the trail and you are welcome to modify, you must be prepared. (What is your life story/Tell us your life story/Introduce yourself/Tell us about yourself” to begin examination does NOT count as one of your 5 questions.)

**5. Trial Notes and Closing Arguments:** During the trial, you will keep notes on the cases of the other characters. It is the responsibility of each member to pay special attention to what is said and contribute their ideas to what should be the main points in their closing arguments (1 page). You will turn in your trial notes.

**6. Submission:** Organize your group and individual work in the order stated above, attach a title page to it stating group title, group names, class period, and hand it all in on ­­the **Monday after the trial.**

**Witness: Factors that impact grade**On the day of the trial, you must become your character, including talking and dressing like the character you have chosen. You will work closely with attorneys and other witnesses to ask/answer questions, provide evidence, and testify. SEE ROLES IN CRIMINAL TRIALS and MOCK TRIAL JUDGING FORM on website.

* **1. Witness Statements:** Provide a brief witness statement (SEE HANDOUT ONLINE) to submit on witness list (due 4/11). This brief statement (approximately 5 sentences) relays the most pertinent information that the witness plans to bring to the case.

**2. Life Story:** As part of your testimony, each character will need to tell his or her life story. This life story should include information about this person’s life before the murder, the murder committed (if you are Sethe), what events led up to the commission of the murder, what events occurred after the murder was committed, and how this character’s life has changed because of this murder. Be the expert on your character. Read and study them so you can help the court understand who they were and what motivated them to live their life as they did (1 page, typed).

* **3. Meeting time requirement/Presenting appropriately:** Presentation of story/answering questions must meet time requirements. Speeches must be presented clearly and loudly.

**4.Questions and Answers:** Working closely with your attorney, prepare a list of questions that your attorney will as you. You must provide written answers to the driving questions of your case. Work together, as the witness will need to be thoroughly prepped. Include a list of questions that the opposing lawyer will likely ask you during cross examination, and plan how you will respond (minimum of 5 questions and possible answers—“What is your life story/Tell us your life story/Introduce yourself/Tell us about yourself” to begin examination does NOT count as one of your 5 questions.).

**5. Trial Notes:** During the trial, you will keep notes on the cases of the other characters. It is your responsibility to pay special attention to what is said and make sure the lawyers do not embellish the facts of the character’s life or fabricate information. If such a situation arises, you must make an objection and set the record straight (1 page). You will turn in your trial notes.

**6. Submission:** Organize your work in the order stated above, attach a title page to it stating your title, name, and class period, and hand it all in on the **Monday after the trial.**

**Outside Expert: Factors that impact grade**On the day of the trial, you must become an expert in your field, including talking and dressing like the expert you have chosen. You will work closely with attorneys and other witnesses to ask/answer questions, provide evidence, and testify. The expert witness will NOT be cross-examined on the day of the trail; however, these experts must cite parenthetically and include a works cited page for all researched information.

* **1. Witness Statements:** Provide a brief witness statement (SEE HANDOUT ONLINE) to submit on witness list (due 4/11). This brief statement (approximately 5 sentences) relays the most pertinent information that the outside expert plans to bring to the case AND includes the expert’s credentials.

**2. Area of Expertise:** Each character will need to accurately describe their area of expertise (typed). The information they provide, should be provided objectively (no bias), but clearly have a central purpose to help prove their team’s claim. (1 page typed). YOU MUST INCLUDE A WORKS CITED PAGE in MLA FORMAT for any information you do not make up, which will the majority of it.

**3. Meeting time requirement/Presenting appropriately:** Presentation of story/answering questions must meet time requirements. Speeches must be presented clearly and loudly. **4. Questions and Answers:** Work closely with the lawyer and thoroughly research your area of expertise. Prepare a list of questions you think the lawyer will ask you. For each question, you need to write down how you would respond (minimum of 8 questions and answers). YOU MUST PARENTHETICALLY CITE ALL RESEARCHED INFORMATION and INCLUDE AN MLA WORKS CITED PAGE.

**6. Trial Notes:** During the trial, you will keep notes on the cases of the other characters. It is your responsibility to pay special attention to what is said and make sure the lawyers do not embellish the facts of the character’s life or fabricate information. If such a situation arises, you must make an objection and set the record straight (1 page). You will turn in your trial notes.

**6.Submission:** Organize your work in the order stated above, attach a title page to it stating your title, name, and class period, and hand it all in on the **Monday after the trial.**