

# The trial game



**Classe visée:** 1ère ou Tle spécialité AMC ou LLCER

**Niveau visé:** B1+ /B2

**Durée:** 2 heures

**Compétences:** E.O.I

**Objectifs méthodologiques :** Être capable d'exposer ses opinions et de les défendre avec pertinence en fournissant des explications et des arguments. Être capable de communiquer avec un niveau d'aisance et de spontanéité sur un sujet donné.

*Cette activité s'inscrit en complément d'une séquence sur Black Lives Matter ( Faire entendre sa voix, représentation et participation). Elle servirait de préparation à une tâche finale plus aboutie de procès ou toute autre tâche orale, qui permettrait aux élèves d'exprimer leur opinion et de convaincre de manière spontanée et pertinente.*



# The trial game



## TO THE TEACHERS

- **Role cards need to be printed multiple times to have enough cards per group.**
- Try to make sure that in the group the judge is a student who understands well and quickly, to monitor the game.
- **Print the pages STEPS & HOW TO PLAY several times so that each group has their own instructions.**
- If they use all their sentences before the end of the game, they can draw more sentence cards.
- There might be a need to time the rounds or the questions per witness.
- Reading the instructions and setting out the game will take 10-15 minutes. The game lasts about 1-1.5 hours
- Instructions are on the next page. You should read them to the class aloud before making the groups, or, explain them step by step before they start playing.



# The trial game



## STEPS

1. **The cards are drawn by each student** (1 each) for the different roles.
2. **The case is read** by the judge or a volunteer (juror, for example). The case card is left **FACE UP** on the table at all times.
3. **The question cards are displayed FACE UP** on the table so that everybody can read them.
4. **The OBJECTION card is also displayed FACE UP** (it can be used whenever the attorney wants, but they need to pick it up quickly **before** using it).
5. **The ACTION cards are piled up FACE DOWN.** They tell you what you HAVE TO DO!
6. **The EVIDENCE cards are also piled up FACE DOWN.** They help your argumentation or cross-examination.
7. One or two sentence cards are handed out to the attorneys. One sentence card for the witnesses and the judge. The rest of the sentence cards are piled up **FACE DOWN**.
8. The judge receives his/her marking sheet/card.

In each group, there are in total at least: 3 action cards minimum + 3 evidence cards minimum + 1 objection card + 8 sentence cards minimum + 6 question cards.



# The trial game



## HOW TO PLAY

The first witness is questioned by the attorneys as follows:

1. **The Defence attorney starts by choosing an action card**, then he/she plays accordingly (e.g, asking a question to a journalist, the fiancée or the expert witness)
2. **The witness reacts / answers** depending on the action card ( and acts the part!).
3. **The prosecutor CROSS-EXAMINES the witness by presenting EVIDENCE** ( they will draw an evidence card (without knowing if it will be useful or not to their cause), or the prosecutor can **OBJECT** if he/she wants. When you cross-examine, your goal is to DESTROY the opposition (either by discrediting the witness or making the opposition's arguments invalid). The prosecutor can **use a question card** or ask a question, depending on what the defence attorney previously said. The same witness answers/reacts.

If there is no objection, the players move on to the next witness.

4. **The prosecutor draws an action card** and plays accordingly.
5. The second student who has a witness card answers/reacts depending on the action card ( and acts the part!).
6. Same as previously but this time it is the defence attorney who can **CROSS-EXAMINE** the witness by presenting **EVIDENCE** or he/she can **OBJECT** if he/she wants. They can also decide to draw an evidence card (without knowing if it will be useful or not to their cause). The same witness answers/reacts. If there is no objection the players move on to the next witness.
7. And so on. When all the action cards are played, the attorneys can give a quick closing statement.
8. The members of the jury discuss and deliver the verdict.
9. **The Judge MUST pay attention at all times!! To be fair in the marking, make sure you listen carefully!**



## Mock trial game Black Lives Matter

For each case, you will need at least **9 players**: 1 judge, 1 witness, 1 defence attorney, 1 prosecutor, 1 defendant, 1 expert witness, and 3 jurors. Depending on your case, you might need more players.

- Case/Role card
- Action/ Evidence card
- Sentence card
- Question card



### JUDGE

Your role → You must decide if objections are relevant or not. You listen to the attorneys, you decide sentencing. You count the points



### WITNESS

Your role → You answer questions from attorney. Depending on which side you are on your testimony can be **VALUABLE** to help the jury decide if the defendant is guilty or not.



### ATTORNEY ( DEFENCE ATTORNEY)

Your role → You must argue:

- doubt
- mistaken identity
- unfair assumptions or bias



### PROSECUTOR ( OR VICTIM'S ATTORNEY)

Your role → You must argue guilt

- strong evidence
- witness credibility



### ACCUSED / DEFENDANT

Your role → argue so that the jury believes your story



### SPECIALIST / EXPERT WITNESS

Your role → You must answer questions and state objectively the evidence



### JUROR

Your role → you must decide if the defendant is guilty or not, given the evidence at your disposal, as well as the testimonies given by witnesses.

### **CASE N°1: THE TRAYVON MARTIN CASE**

- **Victim:** Trayvon MARTIN
- **Accused:** George Zimmerman (neighborhood watch volunteer)
- **Date:** February 26, 2012
- **Location:** Sanford, Florida
- **Weapon:** 9mm handgun
- **Crime:** Second-degree murder / manslaughter
- **Summary:** Trayvon Martin was walking back to a house after buying candy and iced tea from a store. George Zimmerman called the police to report a "suspicious person" in the neighborhood. A confrontation occurred, and Zimmerman shot Trayvon Martin.
- Was the shooting self-defense, or was Trayvon Martin wrongly perceived as a threat?
- **You NEED:** 2 witness cards + 1 expert, 1 defendant, 3 jurors, 1 judge, 1 prosecutor, 1 defence attorney

Case n°1 : The Trayvon MARTIN case

### **EVIDENCE CARD**

Zimmerman called the police  
or

Neighbours called 911  
Trayvon was unarmed

*If played correctly +1 pt*

Case n°1 : The Trayvon MARTIN case

### **ACTION CARD**

You have to  
Question the defendant

who claims it was  
*self-defense.*

*If played correctly +2 pts*

Case n°1 : The Trayvon MARTIN case

### **EVIDENCE CARD**

Autopsy report

*If played correctly +1 pt*

Case n°1 : The Trayvon MARTIN case

### **ACTION CARD**

You have to

Question the neighbour

who saw the altercation  
between Trayvon Martin  
and George Zimmerman  
and then called 911.

*If played correctly +2 pts*

Case n°1 : The Trayvon MARTIN case

### **ACTION CARD**

You have to

Question Trayvon's friend

who was on the phone  
with him minutes before  
the altercation.

*If played correctly +2 pts*

Case n°1 : The Trayvon MARTIN case

### **ACTION CARD**

You have to

Question the medical  
examiner (expert  
witness).

who did the autopsy.

*If played correctly +2 pts*

Case n°1 : The Trayvon Martin case

### **OBJECTION CARD**

On what grounds do you object?  
*(Choose the correct one to win 3  
points!)*

- The question suggests the answer.
- The witness is repeating what someone else said. = hearsay.
- Irrelevant
- The witness is guessing. = speculation

## CASE N°2: THE PRINCE JONES CASE

- **Victim:** Prince Jones 25 y.o
- **Defendant:** Police Officer (Prince George's County undercover officer)
- **Date:** September 1, 2000
- **Location:** Fairfax County, Virginia
- **Weapon:** Police firearm
- **Crime:** Wrongful death / excessive use of force
- **Summary:** Prince Jones, a graduate student at Howard University, was followed by an undercover police officer who believed Jones was connected to drug activity. The officer followed Jones across county lines and later shot him 16 times.
- Was the shooting justified police action, or a case of mistaken identity and excessive force?
- **You NEED:** 1 witness card + 1 expert, 1 defendant, 3 jurors, 1 judge, 1 prosecutor, 1 defence attorney

Case n°2 : The Prince JONES case

### EVIDENCE CARD

**Balistic report.**

**Prince Jones was unarmed.**

*If played correctly +1 pt*

Case n°2 : The Prince JONES case

### EVIDENCE CARD

**Prince Jones' phone record showed traces of his movements.**

*If played correctly +1 pt*

Case n°2 : The Prince JONES case

### EVIDENCE CARD

**Investigation documents. There were no drugs in his car.**

**The car plate was not connected to a police case. His identity was mistaken with somebody else's.**

*If played correctly +1 pt*

Case n°2 : The Prince JONES case

### ACTION CARD

You have to

Question the expert witness

**who can explain that there were only bullets coming from the police officer's firearm.**

*If played correctly +2 pts*

Case n°2 : The Prince JONES case

### ACTION CARD

You have to

Question Prince Jones' fiancée

**who can testify on his character, their relationship and what he was doing that day.**

*If played correctly +2 pts*

Case n°2 : The Prince JONES case

### ACTION CARD

You have to

Question The defendant

**who claims his life was in danger.**

*If played correctly +2 pts*

Case n°2 : The Prince JONES case

### OBJECTION CARD

On what grounds do you object?  
*(Choose the correct one to win 3 points!)*

- The question suggests the answer.
- The witness is repeating what someone else said. = hearsay.
- Irrelevant
- The witness is guessing. = speculation

### **CASE N°3: THE PROTEST CASE**

- **Victim:** City of Brookdale (public property)
- **Defendant:** Maya Thompson, 21 y.o (university student)
- **Date:** June 6, 2020
- **Location:** Liberty Square, Brookdale City
- **Weapon:** Spray paint can
- **Crime:** Vandalism and disorderly conduct
- **Summary:** During a BLM protest following the death of George Floyd, police arrested Maya Thompson near the city courthouse. Police say Maya Thompson spray-painted the words "Justice Now" on a government building. The defendant says she was peacefully protesting and that someone else committed the vandalism.
- Was Maya Thompson the person who vandalized the courthouse, or was she wrongly identified during a chaotic protest?
- **You NEED:** 3 witness cards, 1 defendant, 3 jurors, 1 judge, 1 prosecutor, 1 defence attorney

Case n°3 : The protest case

### **EVIDENCE CARD**

**Photo of the graffiti on the courthouse wall.**  
*Thousands of protesters were present that evening.*

*If played correctly +1 pt*

Case n°3 : The protest case

### **EVIDENCE CARD**

**Spray paint can found in Maya Thompson's backpack.**  
*The arrest happened shortly after the graffiti appeared.*

*If played correctly +1 pt*

Case n°3 : The protest case

### **EVIDENCE CARD**

**Short video from a journalist filming the protest.**  
*The video shows someone spray-painting the wall, but their face is partially covered.*

*If played correctly +1 pt*

Case n°3 : The protest case

### **ACTION CARD**

You have to

Question the police officer

who arrested Maya Thompson (his name is Daniel Brooks)

*If played correctly +2 pts*

Case n°3 : The protest case

### **ACTION CARD**

You have to

Question the journalist

who recorded the video. Jamie Lee (journalist covering the protest)

*If played correctly +2 pts*

Case n°3 : The protest case

### **ACTION CARD**

You have to

Question a protester

who participated alongside Maya Thompson. Malik Carter (protest participant)

Case n°3 : The protest case  
**ACTION CARD**

You have to

Question the defendant

who claims she was exercising her right to protest and did not vandalise the building.

**SENTENCE CARD**  
**JUDGE**

Call your next witness.

Remember you are under oath.

The objection is sustained.

The objection is overruled.

"The witness may answer the question."

**SENTENCE CARD**  
**WITNESS (1)**

"Not that I recall."

"To the best of my recollection, the defendant was..."

"I heard a loud argument before the incident happened."

**SENTENCE CARD**  
**EXPERT WITNESS (1)**

"The wounds are consistent with the type of weapon described."

"The victim suffered a violent death"

" The victim presented no defensive wounds"

**SENTENCE CARD**  
**THE DEFENDANT (1)**

"I believed my life was in danger at that moment."

"I warned the suspect before using force."

"My goal was to protect myself and the public."

**SENTENCE CARD**  
**PROSECUTOR (1)**

"He/She is guilty."

"The defendant had the opportunity and the motive."

"The prosecution asks the jury to return a guilty verdict."

**SENTENCE CARD**  
**DEFENCE ATTORNEY (1)**

The defence rests.

"The witness testimony is not reliable."

"The evidence does not clearly identify my client."

**SENTENCE CARD**  
**JUDGE**

Call your next witness.

Remember you are under oath.

The objection is sustained.

The objection is overruled.

"The witness may answer the question."

**SENTENCE CARD**  
**WITNESS (2)**

I perfectly remember that...

"To the best of my recollection, the defendant was..."

"I did not see a weapon, but I heard something that sounded like a gunshot."

**SENTENCE CARD**  
**EXPERT WITNESS (2)**

"The evidence shows... "

"Based on my examination, the victim died from a gunshot wound."

"The victim had no chance of survival."

**SENTENCE CARD**  
**THE DEFENDANT (2)**

"I did not commit this crime."

"I want the court to know that I am innocent."

"There's been a huge mistake! I have no priors!"

**SENTENCE CARD**  
**PROSECUTOR (2)**

"The State rests your honor."

"The witness testimony clearly identifies the defendant."

"Ladies and gentlemen of the jury, the facts are clear."

**SENTENCE CARD**  
**DEFENCE ATTORNEY (2)**

"There is reasonable doubt in this case."

"My client is innocent until proven guilty."

"I ask the jury to carefully consider all the facts before deciding."

**SENTENCE CARD**  
**JUDGE**

Call your next witness.

Remember you are under oath.

The objection is sustained.

The objection is overruled.

"The witness may answer the question."

**SENTENCE CARD**  
**WITNESS (3)**

"The victim was scared and tried to walk away."

"I have known the victim for five years, and they were not a violent person."

" I could not clearly see but I'm sure that..."

**SENTENCE CARD**  
**EXPERT WITNESS (3)**

"The evidence shows... "

"Based on my examination, the victim died from a gunshot wound."

The wounds are consistent with the type of weapon described."

"The victim suffered a violent death"

" The victim presented no defensive wounds"

**SENTENCE CARD**  
**THE DEFENDANT (3)**

"The suspect did not follow my instructions."

"I acted in self-defence."

"My goal was to protect myself and the public."

"I believe the witness made a mistake."

"I was simply in the wrong place at the wrong time."

**SENTENCE CARD**  
**PROSECUTOR (3)**

"You are describing the scene but you were quite far, weren't you?"

"It was dark, it was nighttime, you may have made a mistake."

"In the heat of the moment, you may have mistaken the defendant for someone else"

**SENTENCE CARD**  
**DEFENCE ATTORNEY**

The defence rests.

"There is reasonable doubt in this case."

"The evidence does not clearly identify my client."

"I ask the jury to carefully consider all the facts before deciding."

**SENTENCE CARD**  
**JUDGE**

Call your next witness.

Motion denied.

The objection is sustained.

The objection is overruled.

"The witness may answer the question."

**SENTENCE CARD**  
**WITNESS**

"I know what I saw/ heard! "

" I definitely remember...."

"There was something suspicious about the defendant."

**SENTENCE CARD**  
**EXPERT WITNESS**

" There is not enough evidence to confirm that..."

" The elements collected on the scene are not sufficient to determine whether..."

" If no further proof is given, it will be hard to compare the wounds to the weapon"

**SENTENCE CARD**  
**THE DEFENDANT**

" I am an outstanding police officer / citizen"

" I have no prejudices against....."

" I love my country!"

" You can't believe the witness!!"

**CASE N°...: THE ..... CASE**

**OBJECTION CARD**

On what grounds do you object?  
*(Choose the correct one to win 3 points!)*

- The question suggests the answer.
- The witness is repeating what someone else said. = hearsay.
- Irrelevant
- The witness is guessing. = speculation

**SENTENCE CARD**  
**DEFENCE ATTORNEY**

The defence rests, your honor.

" As you can see, the victim had the opportunity to de- escalate the situation, but they did not!"

" Picture yourself in the defendant's shoes.... would you have acted differently?"

**QUESTION CARD**

"Can you describe what you saw?"

**QUESTION CARD**

"Is it possible that you made a mistake?"

**QUESTION CARD**

"Did you clearly see the defendant's face?"

**QUESTION CARD**

"To the best of your recollection, tell us what happened on ( + date)"

**QUESTION CARD**

"Have you had any involvement with (the criminal justice system, etc.)?"

**QUESTION CARD**

" Did you consider any other course of action (=any other way to act) ? "

**QUESTION CARD**

"Did you fear for your life?"

**QUESTION CARD**

"What was your relationship with.....?"

**QUESTION CARD**

"Did you hear any shouting or argument?"

**QUESTION CARD**

"How well do you know the victim?"

**QUESTION CARD**

"Did you see any weapon/unusual object?"

**QUESTION CARD**

"Can you say with certainty that the defendant committed the crime?"

**QUESTION CARD**

"Is it possible someone else was responsible?"

**QUESTION CARD**

"Were there many people at the scene?"

**QUESTION CARD**

"Is everything you told the court true?"

**QUESTION CARD**

"It was dark outside at that time, wasn't it? So your view of the person was limited, wasn't it?"

**QUESTION CARD**

"Has your story changed since that night?"

**QUESTION CARD**

"Can you say with certainty that the defendant committed the crime?"

**CASE N°1: TRAYVON MARTIN**

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PROSECUTOR: \_\_\_\_\_

DEFENCE ATTORNEY: \_\_\_\_\_

DEFENDANT: \_\_\_\_\_

WITNESS: \_\_\_\_\_

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**



**CASE N°2: PRINCE JONES**

**CASE N°2: PRINCE JONES**

**CASE N°2: PRINCE JONES**

**CASE N°2: PRINCE JONES**

PROSECUTOR: \_\_\_\_\_

DEFENCE ATTORNEY: \_\_\_\_\_

DEFENDANT: \_\_\_\_\_

WITNESS: \_\_\_\_\_

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection  
sustained):  
\_\_\_\_\_ **pts**



**CASE N°3: THE PROTEST**

**CASE N°3: THE PROTEST**

**CASE N°3: THE PROTEST**

**CASE N°3: THE PROTEST**

PROSECUTOR:

DEFENCE ATTORNEY:

DEFENDANT:

WITNESS:

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**



CASE N°...:

CASE N°...:

CASE N°... :

CASE N°...:

PROSECUTOR:

DEFENCE ATTORNEY:

DEFENDANT:

WITNESS:

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Action cards (2pts/ card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Evidence cards (1pt/card):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Sentence cards (1pt/ sentence):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

Objection cards (3pts/ objection sustained):  
\_\_\_\_\_ **pts**

