

Fayette County Teen Court Hearing Script Guide

INTRODUCTION

BAILIFF: Will everyone please rise? The Fayette County Teen Court is now in session, The Honorable Judge _____ presiding.

JUDGE: Please be seated. Good evening and welcome to the Fayette Teen Court. On behalf of the Teen Court program, I want to thank everyone for being here today and for your participation. **(NOTE: After reading the instructions below, our Judges may exclude reading the entire paragraph after the first case.)**

The business of Teen Court is very serious. The Juvenile Offenders have voluntarily chosen to come before the Teen Court to have a jury of their peers decide what disposition, if any, they should receive for their actions. The Juvenile Offenders deserve your respect and attention. It takes courage for them to be here and I am sure that if you were in their place, you would want a fair hearing.

Therefore, everyone in the courtroom should remain attentive during the proceedings and give their complete attention to what occurs here. If you fail to do so, I will ask you to leave the courtroom. Please also remember that it is not our right to humiliate or make fun of the Juvenile Offenders. That is not the purpose of Teen Court. We are simply here to do what is right and fair to the Juvenile Offenders, the Victim(s), and the community.

Will the Clerk please announce the first case?

CLERK: Fayette County Teen Court vs. _____ case number 15-TC-

JUDGE: (to the Juvenile Offender) Are you the Juvenile Offender in this case?

JUVENILE OFFENDER: yes.

JUDGE: What is your full name and age?

JUVENILE OFFENDER: (states name and age.)

JUDGE: Is the parent/guardian of the Juvenile Offender present?

PARENT/GUARDIAN: Yes, your honor.

JUDGE: And your name, please.

PARENT/GUADIAN: (Parent/guardian states name.)

JUDGE: Is the Victim present? (Teen Court Coordinator will comment regarding victim involvement.)

VICTIM: Yes, your honor.

JUDGE: And your name, please.

VICTIM: (Victim states name/representing _____business/organization.)

JUDGE: Thank you for being here today. **Members of the jury, at this time I will read the relevant details of the Juvenile Offender’s crime.** Remember you should consider all evidence and testimony in making your determination of an appropriate disposition.

JUDGE: Juvenile Offender, did you read, understand, and sign the Consent and Waiver to Participate in Teen Court?

JUVENILE OFFENDER: Yes.

JUDGE: Parent/Guardian did you read, understand, and sign the Consent also?

PARENT/GUARDIAN: Yes.

JURY BIAS INQUIRY

JUDGE: Therefore, the Juvenile Offender pleaded “no contest” to the offense and has voluntarily agreed to participate in the Fayette County Teen Court. Members of the jury, it is your duty to determine what disposition, if any, is fair and appropriate. To be sure that you are impartial and able to fulfill this obligation, I must ask you some questions. **If the answer is “yes” in your mind, please raise your hand and I will ask you some follow-up questions.**

- Are any of you good friends, or are you related, or have you been long acquainted with the Juvenile Offender?
- Have any of you had any problem with or quarreled with the Juvenile Offender in the past, whether in school, your neighborhood, or elsewhere?
- Have any of you heard anything about the Juvenile Offender in this case, whether good or bad, true or not, which might prejudice you one way or another in this case?
- Did any of you witness this incident or hear anything about it, which might prejudice you about the case?
- Is there any reason that I have not asked you about which makes you unsure whether you should serve on this jury?

JUDGE: Juvenile Offender, do you accept this jury to hear your case?

JUVENILE OFFENDER: Yes.

JUDGE: Members of the jury, there have been no objections raised to you serving on the jury in this case. Please stand and raise your right hand and the Clerk will administer the oath.

CLERK: Do you solemnly swear or affirm that you will objectively weigh the issues in this case and render a disposition according to the evidence and guidelines of Teen court? If so, say I do.

JURY: I do.

CLERK: You may be seated.

OPENING STATEMENTS

JUDGE: At this time the Prosecutor and the Defense Attorney will be allowed to make a statement regarding the charges, in that order. After statements have been made, the attorneys will be allowed to ask questions of the parties and when there are no further questions, the parties will again be allowed to make closing statements.

JUDGE: Prosecution, you may now make your opening statement to the court.

PROSECUTING ATTORNEY: (Statement to the court.)

JUDGE: Defense, you may now make your opening statement to the court.

DEFENSE ATTORNEY: (Statement to the court.)

QUESTIONING OF VICTIM, PARENTS/GUARDIANS, AND JUVENILE OFFENDER

JUDGE: Prosecution, you may now proceed with your questioning of the parties.

PROSECUTING ATTORNEY: (Direct Examination)

JUDGE: Prosecutor, you may now proceed with your questioning of the parties. Please call your first witness.

[After direct examination of each witness]

JUDGE: **I will ask the Clerk to also administer an Oath to the witness.**

CLERK: Do you solemnly swear or affirm that the statements you are about to make are the truth, the whole truth and nothing but the truth? If so, say I do.

WITNESS: I do.

CLERK: You may be seated.

JUDGE: Defense, you may now proceed with your cross-examination questioning of the witnesses.

DEFENSE ATTORNEY: (Cross Examination)

JUDGE: Redirect by Prosecutor?

JUDGE: Does the Prosecutor rest his or her case?

DEFENSE ATTORNEY: (Direct Examination)

JUDGE: Defense, you may now proceed with your questioning of the parties. Please call your first witness.

JUDGE: Prosecution, you may now proceed with your cross-examination questioning of the parties.

PROSECUTING ATTORNEY: (Cross Examination)

JUDGE: Redirect by Defense counsel?

JUDGE: Does the defense rest its case?

CLOSING STATEMENTS

JUDGE: Prosecution, you may now make your closing statement to the court.

PROSECUTING ATTORNEY: (Statement to the court.)

JUDGE: Defense, you may now make your closing statement to the court.

DEFENSE ATTORNEY: (Statement to the court.)

JURY INSTRUCTIONS

JUDGE: Members of the jury, you will be sent to deliberate in a few moments, but first I would like to explain some of the legal principles you need to know and procedures you must follow:

- First, you should select a Jury Chair. You also need to appoint a Jury Recorder to complete the Final Disposition Form as you make your disposition order selections.

- Second, your responsibility is to decide the appropriate disposition in this matter. You can consider only the statements and information you have heard today in the teen court proceedings in reaching your decision. You may consider the demeanor, character, attitude, degree of remorse, consistent or inconsistent statements of the juvenile respondent. You may also consider the comments of the parent and the victim. You are free to believe all or part of what the participants said.
- You may take into account the seriousness of the offense and how the offense has affected the victim, the parent, and the community at large, including the school community. You must set aside any bias you have based on race, gender, or national origins. Your disposition must be unanimous. You have 20 minutes to reach your decision.
- When you have reached your decision, the Jury Recorder will complete the Dispositional Form, the Jury Chair should inform the Bailiff, and then you will return to the courtroom.

JUDGE: If there isn't any additional information that needs to be shared, Bailiff, please escort the jury to the deliberation room and also deliver to them the Disposition Form.

[Jury deliberates on appropriate disposition]

(While this jury is deliberating, the Teen Court Coordinator will seat the next jury, and call in the next Juvenile Offender, so we can begin the next case.)

RETURN/ANNOUNCEMENT OF JURY DECISION

BAILIFF: Will everyone please rise?

JUDGE: You may be seated. Who is the Chair of this jury?

CHAIR: I am your honor.

JUDGE: Has the jury reached a unanimous disposition?

CHAIR: Yes, your honor.

JUDGE: Will the Bailiff please deliver the disposition to the bench for inspection? Will the Juvenile Offender please rise? **Will the Jury Chair please read the required disposition orders along with any other orders issued by the Teen Court Jury?**

CHAIR: (Disposition read)

JUDGE: The court having heard the statements of the parties, now finds the Teen Court Jury's disposition to be appropriate and fair to the Juvenile Offender, the Victim, and the community. Judgment is hereby entered on the Teen Court Jury's Disposition. **Juvenile Offender, do you accept this disposition?**

JUVENILE OFFENDER: Yes.

JUDGE: Parent/guardian do you accept this disposition?

PARENT: Yes.

JUDGE: I will sign the Acceptance of Disposition Form after you and the Juvenile Offender do so. The Teen Court Coordinator will also sign this form. Please see the Coordinator, before you leave so that you can pay your \$25.00 court oversight fee and receive instructions regarding how you will begin disposition activities. Teen Court Coordinator will also answer any questions you may have regarding how to precede.

On behalf of Teen Court, thank you Peer Jurors for your time and remember that you swore an oath of confidentiality and each of you are therefore reminded at this time to the obligation to fulfill that oath and that this is a duty you owe both the Juvenile Offender and the Teen Court program. You may not divulge any information about the cases you have heard in Teen Court and will keep confidential all proceedings held in their presence.

If you violate this oath of confidentiality by revealing the names of participants or any other specific details of a case which may identify that juvenile, you will be subject to contempt of court and/or school disciplinary action. Thank you all for your participation in Teen Court. (We will take a moment to call the next Teen Court Jury and seat the next Juvenile Offender to continue with our hearings.)

(Special Note: Before we dismiss for the day and time permitting and with our Judges' consent, we would like to take a group picture with you and our Teen Peer Jurors. These photos are presented in recognition of their service in our community.)