

COLORADO JURY SYSTEM

Lesson Plan Summary



OBJECTIVE

Students will be able to describe the jury selection process in Colorado, and the rights and responsibilities of individuals who are summoned to jury duty.

INQUIRY QUESTIONS

- How does the jury system support access to justice?
- How do the structures of state courts impact democratic decision making?
- What do you see as the benefits and drawbacks of the jury system?

COLORADO ACADEMIC STANDARDS

SS.HS.4.2.EOf. Evaluate the role of the judicial system in protecting life, liberty, and property for all persons in the U.S.

ACTIVITIES

Video, discussion, worksheets, homework

MATERIALS

“Characters in the Courtroom” worksheet, “Trial Terms” worksheet, “Steps in a Jury Trial” information sheet

GRADE LEVEL

High School

TIME

One class period

KEY TERMS

- **Civil Case:** An action that is brought to enforce, redress, or protect an individual's or entity's private rights. The outcome is generally an amount of money awarded to the prevailing party.
- **Criminal Case:** A case brought by the government (municipal, county, state, or federal) against an individual accused of committing an act that is considered harmful to the general public and is forbidden by law. Criminal acts are punishable by fine, imprisonment, or death.
- **Voir Dire:** The questioning of prospective jurors by the attorneys in a case. Attorneys can, within limits, use this questioning to accept or excuse individual jurors until the full jury panel is chosen.
- **Opening Statement:** The presentation by each side at the beginning of the trial, where the attorneys tell what the issues are and what they intend to prove during the trial.
- **Expert Witness:** A witness with special expertise in an area who is brought in by one side in a trial to explain something technical, such as medical treatment or ballistics.
- **Motion:** A proposal submitted by one of the parties in a trial for an action by the judge, such as a motion to dismiss the charges or a motion to suppress evidence.

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Key Terms, Teacher Background and Class Prep



KEY TERMS

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- **Objection:** An attorney's request during the trial that a specific question or testimony not be allowed. The objection is either sustained (approved) or overruled (disapproved) by the trial judge.
- **Recess:** A break in the trial, such as for lunch or overnight.
- **Closing Argument:** A speech by each side's attorney at the end of the trial, summarizing what they proved and how they want the jury to decide.
- **Deliberation:** The time after the trial when the jury meets in private to decide the outcome of the case.
- **Verdict:** The decision of the jury after a trial, such as whether a defendant was guilty or not guilty or whether damages will be awarded in a civil case.
- **Sentencing:** The judge's decision after a criminal trial as to what a guilty defendant's penalty will be, such as jail time, probation, or community service.

Find more legal terms in our [Courts in the Community Teaching Materials](#).

TEACHER BACKGROUND

Through this lesson, students are introduced to the jury system. Trial by jury serves two purposes. First, it allows individuals accused of a crime, or in some instances, of civil violations such as breaking a contract or causing injury to someone else, the benefit of being tried by a jury of citizens. Second, jury service involves community members in the court system and allows them to see, understand, appreciate and critique that system. Since most students will be jurors, the goal is for students to understand what it means to fulfill their civic responsibility as a juror.

This lesson is part of our Courts in the Community curriculum. Find out more about the program (coloradojudicial.gov/courts-community) and our lessons (coloradojudicial.gov/community-and-educational-resources/lesson-plans).

CLASS PREPARATION

- Determine which class activities to do with your students given class time and student interest.
- Review Tips for Diverse Learners on p. 9 to consider how best to engage your student with the content.
- Write the lesson objective on the board or screen.
- Decide which videos you are going to show to the class.
- Make copies of "Characters in the Courtroom" and "Steps in a Jury Trial" worksheets.
- If you are going to assign the "Trial Terms" worksheet, make copies.
- If you are not going to assign the trial terms worksheet, put terms on the board or project on the screen

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Lesson Instructions



INTRODUCTION (2 minutes)

Begin by explaining: *"Today we are going to talk about the jury system. Trial by jury serves two purposes. First, it allows people accused of a crime, or sometimes civil violations like breaking a contract or causing injury to someone else, the benefit of being tried by a jury of citizens. Second, jury service involves community members in the court system and allows them to see, understand, appreciate and critique that system. Most of you will be jurors someday, so it's important to understand what it means to fulfill your civic duty as a juror."*

WARMUP

Video (5 minutes)

Begin class by watching one of these videos about the jury system:

<https://vimeo.com/386547181> or <https://www.youtube.com/watch?v=4YwHLjZdebM>.

Discussion (10 minutes)

Then discuss the following:

- Why is a jury an important part of our justice system?
- How do juries serve their communities?
- Why do you think it's important to have people from different backgrounds serve on a jury?

DIGGING IN (30 minutes) Lecture or Video

Hand out "Characters in the Courtroom" worksheet and "Steps in a Trial" information sheet. Describe the different people in the courtroom using the teacher overview sheet and the steps of a jury trial. Alternatively, you could show this video (04:36 to 06:20) that describes the courtroom players and the structure of a jury trial: <https://www.coloradojudicial.gov/jury/service-video>.

As the students are listening to you or the video, have them complete the worksheet and follow along as the trial format is described.

EXIT TICKET

Have students share one thing they learned about the jury system.

EXTENSION ACTIVITIES

Assign all the trial terms as homework. Or have students research a few trial terms in more depth.

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Characters in a Courtroom Teacher Overview



Judge: The judge is in charge of everything that happens in the courtroom. The judge resides over the case and makes legal rulings. He or she also instructs the jury on the law. The judge must always be fair and impartial to all parties in a case.

Court Clerk: The court clerk may be present in the courtroom to assist the judge. The court clerk's duties include preparing a record of the events in the case; preparing and issuing warrants, subpoenas, and citations; arranging all of the calendar settings; collecting and recording fines, bail, and other money received in court; and arranging for interpreters.

Bailiff: The bailiff is in the courtroom to keep the proceedings going smoothly, to announce the judge, and to attend to the jury's needs. When the jury must leave the courtroom for a break or recess or while the judge converses with the attorneys, the bailiff acts as the jury escort. While the jury is deliberating after a trial, the bailiff acts as the jury's link to the judge and arranges for meals, beverages, etc. for the jury.

Court Reporter: The court reporter is specially trained to record everything that is said during official court proceedings. He or she uses either a special "shorthand" machine or a computer. The court reporter is responsible for preparing an official written transcript of the proceedings.

Jury: The jury in a trial listens to the arguments of the two sides, examines the evidence, takes instruction from the judge in the trial, then deliberates in private to decide whether the prosecutor/plaintiff has proved his or her case against the defendant. If the jury decides in favor of the plaintiff in a civil case, the jury also determines the amount of any monetary award (damages) that should be awarded to the plaintiff. The verdict of the jury must be unanimous.

Plaintiff: In a civil case, the person who is the complaining party, or who initiated the case, is called the plaintiff. The plaintiff can be a person, a group of persons, an entity, or the government. (In a criminal case, the complaining party would be the People of the State of Colorado, who are represented by the prosecutor.) Plaintiffs in both civil and criminal cases may represent themselves, and thus appear without an attorney.

Prosecutor/Plaintiff's Attorney: The prosecutor represents the People of the State of Colorado in a criminal case. In a civil case, the plaintiff's attorney represents the complaining party. The prosecutor/plaintiff's attorney explains to the judge and jury (1) what happened between the complaining party and the defendant, (2) why it was not legal, and (3) what the complaining party would like to see done to fix it.

Defendant: The defendant is the person(s) or entity against whom an action has been brought (and who must respond to the complaint). Like a plaintiff, the defendant can be a person, a group of persons, or an entity. Under the U.S. Constitution and the Colorado Constitution, the defendant in a criminal case is guaranteed representation by an attorney. If the defendant cannot afford an attorney and qualifies under certain poverty guidelines, an attorney will be provided for him or her. Defendants in both civil and criminal cases may represent themselves, and thus appear without an attorney.

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Characters in a Courtroom Teacher Overview



Defense Attorney: In a criminal case, the defense attorney represents the person who has been accused of a crime. In a civil case, this attorney represents the respondent in the case (also called the defendant). The defense attorney tells the judge and jury what happened and wants them to find that what happened was not illegal or that the defendant did not do it.

Witness: Several types of witnesses may testify during a trial. People who witnessed a crime or an incident tell the court what they observed. Expert witnesses with special expertise in an area may be brought in by either side to explain something technical, like medical treatment or ballistics. Character witnesses may testify about the plaintiff or defendant personally in certain types of cases. Those who serve as trial witnesses are generally not allowed in the courtroom other than during their testimony.

Other People in the Courtroom: To ensure a fair trial or proceeding for all sides, the court must supply an **interpreter** for non-English speaking parties or witnesses. Members of the **press** may be in the courtroom to report on the proceedings. In a criminal trial, the **investigating officer** may sit at the prosecution's table and consult with the prosecutor during the trial. Various types of **advocates**, including victim's advocates and court-appointed special advocates, may be present during the proceedings. Finally, **observers** in the courtroom may include the parties' family and friends, as well as members of the community who are simply interested in the proceedings. Seating for observers in the courtroom is limited and is generally available on a first-come, first-served basis.

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Characters in a Courtroom Worksheet



Complete the worksheet below during the lecture or video.

Judge

Court Clerk

Bailiff

Court Reporter

Jury

Plaintiff

Prosecutor/Plaintiff's Attorney

Defendant

Defense Attorney

Witness

Interpreter

Investigating officer

Advocates

Observers

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Trial Terms Worksheet



Define each of the following trial terms.

Civil Case

Criminal Case

Voir Dire

Opening Statement

Expert Witness

Motion

Objection

Recess

Closing Argument

Deliberation

Verdict

Sentencing

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Steps in a Colorado Jury Trial



TIPS FOR DIVERSE LEARNERS



- Post key terms on the board or on the screen for students to revisit.
- Introduce key vocabulary the day before the lesson and review before teaching the content, either through a handout or a document you create using your school's virtual classroom tool.
- Consider having students make a drawing or sketch about the concepts being taught, which could be posted in the room to aid with learning. Prompt students to use these drawings and other visuals to remember vocabulary words or skills that have been taught.
- Combine students with varying learning abilities, interests, language proficiencies, or other skill strengths into groups of two or more for the reading activity to provide peer support throughout a lesson. You may want to alter the makeup of working groups according to the activity at hand, e.g. sometimes heterogeneous grouping is appropriate, where at other times, same-language or more homogenous groups may work best.
- Provide a T-chart or graphic organizer for note taking, or project one as you are teaching the content to help students track on the content.
- Allow students to demonstrate their knowledge through a range of options, such as written responses, presentations, projects or oral assessments.
- Empower students to share their thoughts and experiences about how the concept being taught has impacted Americans throughout history.
- Work with a partner or in a small group.
- Assign roles to students to help them in completing activities.
- Add pictures, photos or other visual aids to help explicitly teach skills.
- Try different discussion techniques, including jigsaw, fishbowl or wrap around.

EDUCATIONAL RESOURCES



COLORADO JUDICIAL DEPARTMENT RESOURCES

Lesson Plans: coloradojudicial.gov/community-and-educational-resources/lesson-plans

Supreme Court or Court of Appeals tours: cjlccolorado.gov/book-a-tour-of-the-ralph-l-carr-judicial-center

Visit the Judicial Learning Center: cjlccolorado.gov

JUDICIAL DEPARTMENT INFORMATION

Colorado Supreme Court: coloradojudicial.gov/supreme-court

Colorado Court of Appeals: coloradojudicial.gov/court-appeals

Map of Colorado Judicial Districts: coloradojudicial.gov/colorado-judicial-district-map

Supreme Court Library: cjlccolorado.gov/colorado-supreme-court-library

OTHER EDUCATIONAL RESOURCES

Glossary of Legal Terms: uscourts.gov/glossary

Ben's Guide to the U.S. Government: bensguide.gpo.gov

Bill of Rights Institute: billofrightsinstitute.org

Center for Civic Education: civiced.org

Digital Civics Toolkit: digitalcivicstoolkit.org

iCivics: vision.icivics.org

Colorado Council for the Social Studies: coloradocouncilforthesocialstudies.org

Annenberg Guide to the Constitution: annenbergclassroom.org/constitution

Constitution Annotated: constitution.congress.gov

The Constitutional Sources Project (ConSource): consource.org

Teach Democracy: teachdemocracy.org/curriculum

The Rendell Center for Civics and Civic Education: rendellcenter.org