**Student Handout: PEOPLE IN THE COURT**

**Introduction: People in the court**

People visit Minnesota’s courts for many reasons. They might be involved in a case as a victim, witness, plaintiff or defendant, or they might be interested in the case because they know one of the persons involved in the trial, because the reason for the case (burglary, assault) is of personal interest, or because they want to better understand the functioning of the court system.

The persons who are responsible for managing the courts try to help all of these people by making the courtroom open to the public, enforcing the courtroom rules, publishing materials that explain the process, and hiring and training employees who perform the activities of the court.

If you visit court, things of concern to you will vary depending on your reason for your visit. For example, if you are a defendant, that is to say if you have been accused of a crime, you will want to make certain that the judge and jury will hear the evidence, that the jury or judge will not be persuaded by information not presented as evidence to them in the courtroom, that the jury understands the jury instructions, that all people in the court­room obey the court’s rules. You will want to make certain that you get your constitutionally guaranteed rights to a fair trial. See the 6th Amendment to the U.S. Constitution.

**Activity**

Try to step into the shoes of the following persons in the courtroom. List the concerns you might have. Remember that each person has some different concerns.

**1.** You are the defendant. You have been accused of stealing a sweater in a local department store.

**Concerns:**

**2.** Your sister was assaulted by a defendant. She has recovered enough to testify at the trial, but she is still healing.

**Concerns:**

**3.** You are a respected member of the community. Recently, you were charged with driving under the influence of alcohol.

**Concerns:**

**4.** A friend of yours is on trial in a highly publicized case. You want to attend the trial to provide your friend with moral support.

**Concerns:**

1.

2.

3.

**5.** You are a news reporter for the local newspaper. You have been assigned to cover the trial of a gruesome murder. You expect all the local media to be represented by reporters and many spectators to be in the courtroom.

**Concerns:**

1.

2.

3.

**6.** You are the judge. You know it is your responsibility to make certain the courtroom is run according to the rules so that the defendant receives a fair trial. This is your most important duty. The case before you involves organized crime.

 **Concerns:**

**7.** You are a public defender. Your client has been accused of crack possession and cannot afford an attorney.

**Concerns:**

**8.** You are a county attorney. It is your job to bring criminal charges against a defendant and to prosecute the case. As an elected official you represent the people. You are currently prose­cuting a defendant charged with first-degree murder of a young girl in a public parking ramp.

**Concerns:**

3.

**9.** You have been severely injured in an automobile accident that was caused by brakes not de­signed safely. Your suit against the automobile manufacturer is going to trial.

**Concerns:**

**10.** You are a member of the jury. The case you are hearing involves much complex information about the operation of a machine. You are self-employed as a landscape architect.

**Concerns:**

1.

2.

3.

**Minnesota Constitution Article 1, Sec. 6.**

 Rights of accused in criminal prosecutions. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the county or district wherein the crime shall have been committed, which county or district shall have been previously ascertained by law. The accused shall enjoy the right to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the assistance of counsel in his defense.

**United State Constitution 6th Amendment**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence[[](http://en.wikipedia.org/wiki/Sixth_Amendment_to_the_United_States_Constitution#cite_note-0)