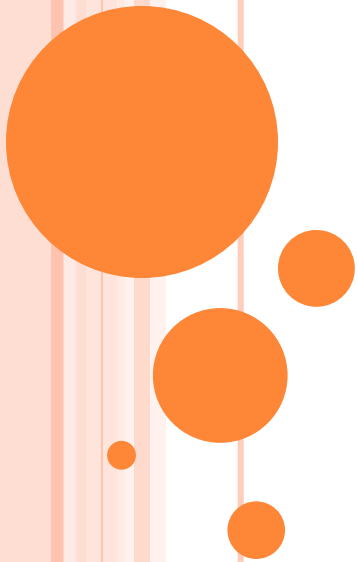


Courtroom Roles and Responsibilities



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INTRODUCTION

- The courtroom is made up of various roles that perform specific functions.
- The roles are vital in having a criminal justice system that is fair and just.
- We will be looking at what these roles are and what function they serve in the courtroom.



COURTROOM ROLES

- Police Officer
- Prosecutor
- Defense attorney
- Judge
- Defendant
- Victim
- Bailiff
- Court reporter
- Jury

POLICE

RESPONSIBILITIES

- Tell the facts of the case
- Has worked directly on the case
- Positive results seen if:
 - Precaution was taken at the crime scene
 - Case management was high quality



POLICE RESPONSIBILITIES

- Review the report before the trial
- A good report will jog the memory
- Discuss the report with the prosecutor before the trial (should NOT be told what to say)



POLICE

RESPONSIBILITIES

- Appearance enhances or diminishes the reputation of the officer and the police department
- Wear the uniform or formal wear



PROSECUTOR RESPONSIBILITIES

- Representative of the state
- Present the evidence to the jury
- Usually, at least two prosecutors are assigned to the courtroom for each trial.



PROSECUTOR RESPONSIBILITIES

- Opens the trial with an opening statement
 - Intended to “wet the appetite” of the jury regarding the topic of the trial and
 - Why the defendant is guilty
- Presents their case to the jury first



PROSECUTOR RESPONSIBILITIES

- Gives a closing statement to the jury at the end of the trial
 - Summarizes why the defendant is guilty
 - Given after the defense attorney's closing statement



DEFENSE ATTORNEY RESPONSIBILITIES

- Representative of the defendant
- May be employed by the defendant or
- May be appointed by the state to represent the defendant



DEFENSE ATTORNEY RESPONSIBILITIES

- Gives an opening statement after the prosecutor
 - Intended to inform the jury that their client is innocent
 - As they will be convinced of when the trial is over



DEFENSE ATTORNEY RESPONSIBILITIES

- Presents his or her case to the jury after the prosecution has presented its case



DEFENSE ATTORNEY RESPONSIBILITIES

- Gives a closing statement when done with the case
 - Should summarize the case for the jury and
 - Emphasize why the defendant is innocent

RESPONSIBILITIES OF THE PROSECUTOR AND THE DEFENSE ATTORNEY

- **Direct Examination** – the first series of questions asked of the witness by the prosecutor or defense attorneys when they are presenting their case
- **Cross-Examination** – the first series of questions asked of the witness by the prosecutor or defense attorneys when the other side is presenting their case

RESPONSIBILITIES OF THE PROSECUTOR AND THE DEFENSE ATTORNEY

- **Redirect Examination**– when the prosecutor or defense attorneys are allowed to ask questions after their witness has been cross-examined by the other side
- **Recross-Examination**– when the prosecutor or defense attorney can ask questions of the other side’s witness after that witness has been redirected

RESPONSIBILITIES OF THE PROSECUTOR AND THE DEFENSE ATTORNEY

- The prosecutor and the defense attorney have the duty to **object** to the judge when the other side is violating proper courtroom procedure.
- An **objection** prevents illegal questioning



JUDGE RESPONSIBILITIES

- The judge
 - Is referee in the courtroom
 - Has the final say on everything that happens in the courtroom (except the jury's verdict)
 - If the defendant has waived his or her right to a jury trial, then the judge also decides the guilt or innocence of the defendant



JUDGE RESPONSIBILITIES

- The judge makes two types of rulings on objections:
 - Sustained– the witness is **NOT** allowed to answer the question that has been asked of them
 - Overruled– the witness **IS** allowed to answer the question that has been asked of them

DEFENDANT RESPONSIBILITIES

- The defendant is
 - The person accused of committing the crimes and
 - Is protected by the 5th amendment from testifying against his or her self in court
 - If the defendant chooses to testify,
 - They will be questioned by the prosecution as well as the defense.



VICTIM RESPONSIBILITIES

- The victim is
 - The person who the crime was committed against
 - Usually called to testify during the course of the trial



BAILIFF

RESPONSIBILITIES

- The bailiff
 - Is a certified peace officer that maintains order in the court
 - Administers the oath to anyone who takes the stand
 - Takes things to and from the judge
 - Does anything else that the judge needs him or her to do



COURT REPORTER RESPONSIBILITIES

- The court reporter
 - Is an employee of the court who records everything that is said in the trial
 - Goes to a school where they learn how to take notes using a style called shorthand
 - These notes are official documents that may be used as reference in future court proceedings.



JURY RESPONSIBILITIES



- The jury
 - Consists of 6 to 12 U.S. citizens
 - Selected before the trial by the prosecutor and defense attorney
 - The judge has the final say on who can serve on the jury
 - Observes the trial then decides on the guilt or innocence of the defendant

JURY RESPONSIBILITIES



- The jury
 - Must be unanimous in their decision or
 - It is a hung jury and a new trial has to take place with a different jury
 - May also be asked to decide what the punishment of the defendant should be if they are found guilty

PROPER COURTROOM TESTIMONY

- A witness is anyone who is called to testify at a trial
- The following information will assist a witness in performing at an effective and professional level.



PROPER COURTROOM TESTIMONY

- Witnesses should:
 - Be confident
 - Not look at the jury, judge, or the accused when walking into the courtroom
 - When taking the oath, look at the person administering it
 - Sit up straight and keep their hands in their lap, not near the mouth
 - Answer questions loudly and clearly
 - Make eye contact with the jurors when answering the questions
 - Address the judge as “Your Honor” if it is necessary to ask the judge a question
 - Make sure they understand the question before answering it
 - Stop talking if an objection is made, until the judge has made a ruling
 - Always tell the truth
 - Admit when they make mistakes
 - Know the facts but not memorize the testimony

RESOURCES

- The Courts and Criminal Procedure, Instructional Materials Service, Trade and Industry Education
- *Criminal Courts: Structure, Process, & Issues* (2nd Edition), Dean John Champion, Richard D. Hartley, & Gary A. Rabe
- Our Rights (1st Edition), David Bodenhamer
<http://www.sunnylandsclassroom.org/Asset.aspx?Id=1329>
- The Annenberg Classroom
<http://www.annenbergclassroom.org>
- Justice Learning <http://www.justicelearning.org>
- Do an Internet search for FindLaw