

Frankenstein Mock Trial Planning Phase

1. You will be assigned a part, which will be part of a team. You will work with this team to prepare for trial. KEEP IN MIND THAT THERE WILL BE TWO TRIALS (ONE FOR VICTOR AND ONE FOR THE CREATURE).

Please find the instructions for your role below.

NOTE: After the trials everyone will write a reflection regarding the events of the trial and its outcome. You will address the following prompts:

Do you agree with the ruling? Which testimony do you feel was most influential in the decision?
What will/should our society take from this ruling?

Team Victor Prosecution and Team Monster Prosecution:

You will be responsible for an opening statement where you will make clear the charges you are bringing against the defendant (be sure it is a charge that you feel you can support in court. It is sometimes better to bring a lesser charge that you feel you have enough evidence to sell a jury than to bring a 1st s degree murder charge which can not be supported by the facts). You may consider 2nd degree murder, manslaughter, negligence, malpractice, emotional or physical distress. You can bring more than one charge.

You will need to research the specifics behind the charge you wish to bring against the defendant. You are also required to share this charge with the defendant's defense team by the end of the day Tuesday.

You will want to research types of objections that can be made (Blendspace).

You will need to decide which witnesses you plan to call (in support of the prosecution) and what questions you will ask. The names of the witnesses must be revealed to the defense team by the end of class Tuesday. The students playing these roles will also be informed. The defense will share their witness list with you at the same time and you will need to think about why the witness was chosen by the defense and be prepared to cross-examine the witnesses (if you choose) after they are questioned by the defense. You will indicate, to the judge, when you have finished questioning or cross-examining the witness.

Finally, you will want to prepare a closing argument. We will try to have a brief recess prior to this part of the trial in order to allow your team to amend anything you want after hearing all the facts presented throughout the trial, but you will want to have some format prepared ahead of time. The prosecution will present their closing argument first, followed by the defense's closing argument. The prosecution may be allowed a final word (if time allows).

Team Victor Defense and Team Monster Defense

You will be responsible for an opening statement, which you will give after the prosecution has presented theirs. You will have been informed of the exact charges brought against your client and should prepare your opening statement with that in mind (research “burden of proof”). The defendant will be asked to enter a plea (not guilty or there will be no trial).

You will want to research types of objections that can be made (Blendspace).

You will want to research the specifics of this charge and then decide upon a defense strategy (insanity, self defense, diminished capacity, automatism) which you will be required to share with the prosecution team by the end of the day Tuesday.

You will need to decide which witnesses you plan to call (in support of the defense) and what questions you will ask. The names of the witnesses must be revealed to the prosecution team by the end of class Tuesday. The students playing these roles will also be informed. The prosecution will share their witness list with you at the same time and you will need to think about why the witness was chosen by the prosecution and be prepared to cross-examine the witnesses (if you choose) after they are questioned by the prosecution. You will indicate, to the judge, when you have finished questioning or cross-examining the witness.

Finally, you will want to prepare a closing argument. We will try to have a brief recess prior to this part of the trial in order to allow your team to amend anything you want after hearing all the facts presented throughout the trial, but you will want to have some format prepared ahead of time. The prosecution will present their closing argument first, followed by the defense’s closing argument. The prosecution may be allowed a final word (if time allows).

Judge

You will be the judge in both court proceedings (for Victor and then for the Monster). You will be informed of the prosecution and defense strategies of each team in each trial. You will need to research terminology such as objection, sustained, overruled, etc. It will be your job to rule on objections made by with defense team (Blendspace).

You will ask the defendant to enter a plea.

After each witness is questioned and cross-examined you will ask the prosecution or defense to call their next witness.

After the jury reads the verdict, if the defendant is found guilty on any of the charges, you will assess the verdict and assign the appropriate sentence (punishment). You will need to research some reasonable sentences for the charges that are being brought against the defendant.

During the pre-trial planning phase you will need to make predictions about the prosecution's and defense's approaches and about the outcome of the trial.

Discuss the Monster's nature. Is he innately good or bad? What influence did Victor have on him? What role did society play in his actions (if any)?

Witnesses

You will play this role (a character or expert) for both trials (Victor's and the Monster's).

You will be informed in advance that you will be called to trial as either a prosecution witness or a defense witness for one or both of the trials (Victor and/or the Monster). You will also be provided a list of all questions you will be asked by any given team of lawyers. You will want to prepare your answers to these questions. You will be cross-examined for which there is no preparation, so you will want to know your character well.

After you have studied and recorded notes about your character (his/her words, actions, etc.), you will work with a juror as they prepare.

During the pre-trial planning phase you will need to make predictions about the prosecution's and defense's approaches and about the outcome of the trial.

Discuss the Monster's nature. Is he innately good or bad? What influence did Victor have on him? What role did society play in his actions (if any)?

Jury

You will be the jury in both trials (Victor's and the Monster's). There will be a jury foreman (this can be a different person for the two trials).

Once the trials end you will deliberate and decide upon a verdict (guilty or not guilty).

During the pre-trial planning phase you will work with two of the witnesses as they prepare. During the pre-trial planning phase you will need to make predictions about the prosecution's and defense's approaches and about the outcome of the trial.

Discuss the Monster's nature. Is he innately good or bad? What influence did Victor have on him? What role did society play in his actions (if any)?

