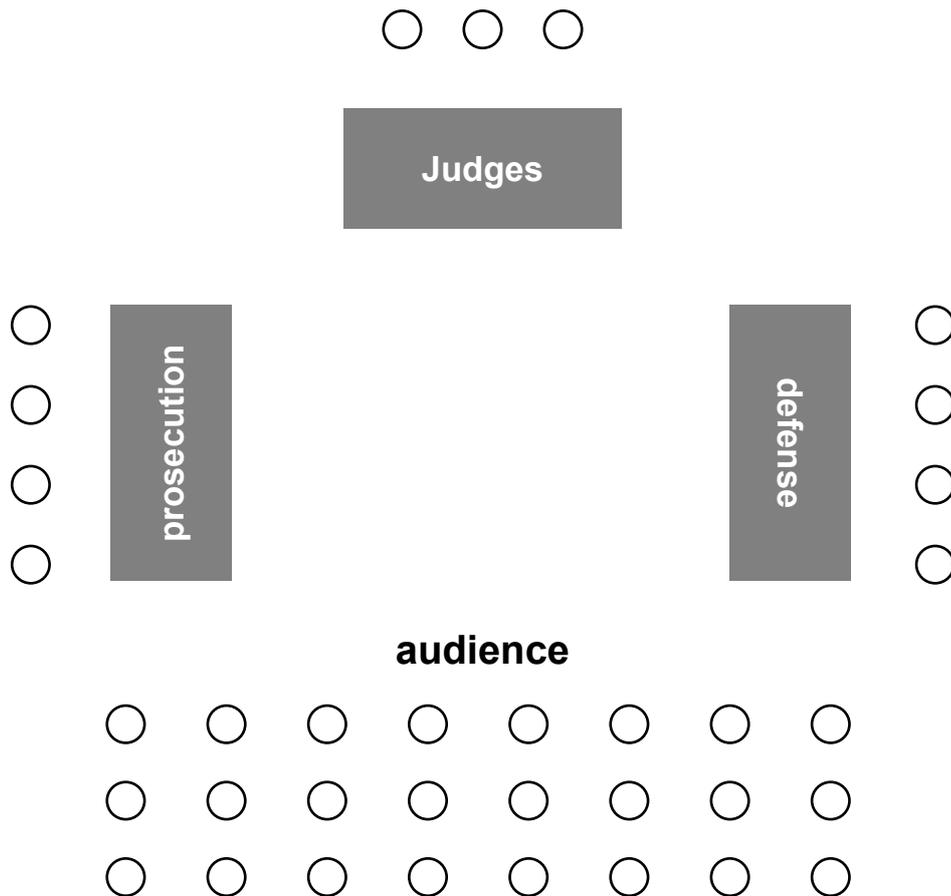


## Handout 7: Instructions for Trial

### Individual work before the trial

1. Homework: prepare the arguments to be presented at the trial.
  - 1.1. Establish the group's their positions in main issues, main statements and main emphasis. The offence structure and case exercises will be useful for that purpose
  - 1.2. Prepare legal arguments to support the group's claims in accordance with the application scheme.
  - 1.3. Divide the prepared content between the first three speakers in more or less equal shares. Decide on the sequence of speakers.



## **The course of trial**

Figure 5 indicates the layout of desks in the classroom during the trial. Parties' representatives will stand up at their seats and address their speeches to the judges. The registrar in the front row will measure the length of speeches and inform the speakers of the remaining time.

The judges are all participants who are not defence counsels or prosecutors. The educator is the registrar.

Before the trial begins, the judges will elect a chairperson to chair the session. The chairperson must be bold and speak in a clear and strong voice.

### *Beginning of the trial*

At the beginning of the trial, the parties' representatives and judges will be sitting at their desks. The chairperson will be behind the door. When all have taken their seats, the registrar will stand and announce: „All rise, the court will enter!“. Everybody will then rise and the judges will enter the room. Once the chairperson has taken a seat, everybody may sit. From that moment, the chairperson will be in command – he/she will conduct all procedures (call on the parties' representatives, orders silence in the room where necessary).

### *The trial*

When everything is ready, the chairperson will call on the prosecution who will have three speeches to present their arguments and requests to the court (see Table 3). The registrar will measure the length of speeches (4 min each). When the speaker's time is up, the registrar will notify the chairperson, who will politely interrupt the speech and call on the next speaker.

Once the prosecution has presented its arguments, the judges may proceed with questioning. The questions will not target argumentation errors or criticise the presentations, their aim is to gather additional information which the judges find necessary in order to reach a fair judgment. The questioning will be led by the registrar.

After that, the chairperson of the court shall call on the defence. Defence presentations will once again be followed by questioning.

Next, both the prosecution and the defence shall have the opportunity to once more outline their positions and reply to the other party.

#	Part of the session	Duration
1.	Speech of the prosecution	4 minutes
2.	Speech of the prosecution	4 minutes
3.	Speech of the prosecution	4 minutes
4.	Speech of the defense	4 minutes
5.	Speech of the defense	4 minutes
6.	Speech of the defense	4 minutes
7.	Judges' questions to both sides	4 minutes
8.	Prosecution's reply speech	4 minutes
9.	Defense's reply speech	4 minutes
	All together	36 minutes

#### *End of trial (h4)*

When the principal part of the trial has ended, the chairperson will announce: „The session is finished. The court shall retire to make a judgment,“ at which point everybody will rise and the chairperson will leave the room. The courtroom is now under the command of the registrar, who will explain what happens next.