

MOCK ARRAIGNMENT PARTICIPATION SHEET

PLAYERS:

1. Judge Corrigan
2. Student Judge _____
3. Court Reporter _____
4. U.S. Marshal # 1 _____
5. U.S. Marshal # 2 _____
6. Defendant's Attorney _____
7. Government's Attorney _____
8. Courtroom Deputy _____
9. Courtroom Deputy (Student) _____
10. Court Security Officer (CSO)
11. CSO Student _____
12. FBI Agent #1 _____
13. FBI Agent #2 _____
14. Defendant _____

(Defendant must be an adult)

COURT SECURITY OFFICER: All rise. The United States District Court in and for the Middle District of Florida is now in session. The Honorable _____ presiding. Please be seated

COURT OPENING BY JUDGE

THIS IS THE CASE OF THE UNITED STATES OF AMERICA VS.

_____. CASE NO. 3:11-cr- 1234-J-

32JRK. _____ IS REPRESENTING THE

GOVERNMENT AND _____ IS REPRESENTING

THE DEFENDANT.

ARE COUNSEL READY TO PROCEED?

_____ (DEFENDANT), PLEASE COME
FORWARD WITH YOUR ATTORNEY. YOU HAVE BEEN CHARGED
WITH ARMED BANK ROBBERY. THIS COURT PROCEEDING IS THE
ARRAIGNMENT. I WILL ADVISE YOU OF YOUR RIGHTS, THE
CHARGES AGAINST YOU AND THE MAXIMUM PENALTIES. YOU WILL
THEN PLEAD EITHER GUILTY OR NOT GUILTY TO THE CHARGES.

[START WITH SCRIPT]

DEFENDANT BACKGROUND

WHAT IS YOUR FULL NAME, PLEASE?

HOW OLD ARE YOU?

WHAT IS YOUR DATE OF BIRTH?

WHEN WERE YOU ARRESTED?

HOW MUCH SCHOOLING OR EDUCATION HAVE YOU COMPLETED?

CAN YOU READ, WRITE AND UNDERSTAND THE ENGLISH
LANGUAGE?

ARE YOU CURRENTLY UNDER THE INFLUENCE OF DRUGS,
INTOXICANTS, OR ALCOHOL?

DO YOU CLEARLY UNDERSTAND WHERE YOU ARE, WHAT YOU ARE
DOING, AND THE IMPORTANCE OF THIS PROCEEDING?

MOCK ARRAIGNMENT

YOU SHOULD BE AWARE YOU HAVE THE FOLLOWING RIGHTS
IN THIS CASE:

UNDER THE SIXTH AMENDMENT TO THE UNITED STATES
CONSTITUTION, YOU HAVE THE RIGHT TO A SPEEDY AND PUBLIC
TRIAL BY AN IMPARTIAL JURY. THIS JURY IS COMPOSED OF 12
CITIZENS AND THEY HAVE TO ALL UNANIMOUSLY AGREE THAT YOU
ARE GUILTY BEFORE YOU CAN BE CONVICTED.

AT YOUR TRIAL, YOU DO NOT HAVE TO PROVE THAT YOU ARE
INNOCENT. RATHER, YOU ARE PRESUMED BY THE LAW TO BE
INNOCENT OF THESE CHARGES AND BEFORE YOU CAN BE
CONVICTED, THE GOVERNMENT HAS TO PROVE TO A JURY THAT
YOU ARE GUILTY BEYOND A REASONABLE DOUBT.

AT YOUR TRIAL, THE WITNESSES FOR THE GOVERNMENT
HAVE TO COME INTO COURT AND TO TESTIFY IN YOUR PRESENCE
AND YOU CAN CROSS-EXAMINE THEM. YOU CAN ALSO PRESENT

YOUR OWN WITNESSES AT TRIAL AND IF THEY WILL NOT COME VOLUNTARILY, I CAN ISSUE ORDERS THAT WILL MAKE THEM COME.

YOU HAVE THE RIGHT TO BE REPRESENTED BY A LAWYER AT ALL TIMES IN YOUR CASE. MR. _____ ARE YOU GOING TO BE REPRESENTING MR. _____ IN THIS CASE?

UNDER THE FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION, YOU HAVE A RIGHT TO REMAIN SILENT. YOU DO NOT HAVE TO MAKE ANY STATEMENTS TO THE GOVERNMENT OR ANY LAW ENFORCEMENT AGENT. IF YOU DO MAKE A STATEMENT, HOWEVER, ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN COURT.

AT YOUR TRIAL, YOU HAVE THE RIGHT TO TESTIFY IN YOUR OWN DEFENSE, BUT YOU ALSO HAVE THE RIGHT NOT TO TESTIFY AND THAT CHOICE IS ENTIRELY UP TO YOU.

DO YOU UNDERSTAND THE RIGHTS I HAVE EXPLAINED? DO YOU HAVE ANY QUESTIONS?

[READ THE CHARGES & PENALTIES - GOV'T] (See Next Page)

MR. _____ IS THERE ANY REASON WHY MR. _____ SHOULD NOT PLEAD TO THE CHARGES?

HOW DOES HE PLEAD — GUILTY OR NOT GUILTY?

BECAUSE YOU HAVE PLEADED NOT GUILTY, YOU ARE ENTITLED TO A TRIAL BY JURY. YOUR TRIAL WILL BEGIN ON APRIL 7, 2014.

DISCUSS BAIL.

DISCUSS SEARCH AND SEIZURE — FOURTH AMENDMENT

DISCUSS ROLE OF THE CONSTITUTION & THE BILL OF RIGHTS.

DISCUSS ROLES OF GOVERNMENT, DEFENSE ATTORNEY,

JUDGE. MARSHALS, CSO, COURT REPORTER.

ASK FOR QUESTIONS.

GOVERNMENT ATTORNEY SCRIPT

MAY IT PLEASE THE COURT?

THE GRAND JURY HAS CHARGED THAT ON OR ABOUT
JANUARY 5, 2011 AT JACKSONVILLE, FLORIDA, YOU _____
_____, THE DEFENDANT, BY FORCE, VIOLENCE AND INTIMIDATION,
TOOK FROM SALLY JONES, A BANK TELLER, APPROXIMATELY
\$47,500.00 IN MONEY BELONGING TO THE FIRST CITY BANK OF
JACKSONVILLE, FLORIDA AND THAT IN DOING SO, YOU DID
ASSAULT AND PUT IN JEOPARDY THE LIVES OF SALLY JONES AND
OTHERS BY USING A DANGEROUS WEAPON, THAT IS, A HAND GUN.

THIS WAS IN VIOLATION OF 18 UNITED STATES CODE,
SECTION 2113, WHICH IS THE LAW AGAINST ARMED BANK
ROBBERY.

IF YOU ARE CONVICTED OF THIS CRIME, YOU COULD BE SENT
TO JAIL FOR UP TO 20 YEARS AND HAVE TO PAY A FINE OF
\$500,000.00 OR BOTH.