

**Directions:** Complete the blanks below with information from the trial in the novel.

**The Criminal Trial Court Procedure**

1. Bailiff introduces the case: The State of Alabama vs. **Tom Robinson**\_ (The Defendant)
2. Prosecution (the accuser) says Opening Statement: Prosecuting Attorney = **Mr. Gilmer**\_\_\_\_\_.
3. Defense (represents the Defendant) says Opening Statement: Defense Attorney = **Mr. Finch**\_\_\_\_\_
4. Prosecution calls their witnesses and does direct-examination questions (they are sworn in by Bailiff).

Three witnesses for the Prosecution:

- a. **Mayella Ewell**\_\_\_\_\_
  - b. **Bob Ewell**\_\_\_\_\_
  - c. **Sheriff Heck Tate**\_\_\_\_\_
5. Defense cross-examines these prosecution witness. (Defense Attorney) asks questions of the above witnesses in #4. List three “holes” he found in their testimony:
    - a. **Bob Ewell -- writes with his left hand (clear evidence that he could have caused Mayella’s back eye and beating to the right side of her face)** \_\_\_\_\_
    - b. **Mayella Ewell -- admits that her father “does tollable” except when he is drinking, is asked “how” Tom Robinson raped her when he has a shriveled left arm**
    - c. **Sheriff Heck Tate -- no one called a doctor, Mayella’s right eye was blackened, she had finger marks all around her neck**\_\_\_\_\_
  6. Defense calls their witnesses and does direct-examination questions (sworn in by Bailiff) Witness for the Defense: **Tom Robinson**\_\_\_\_\_

7. Prosecution cross-examines Defense witness, and asks questions of the witnesses listed in #6. What discrepancies or problems does he identify in the witnesses' testimony?

served 30 days for disorderly conduct, "strong enough" to choke a woman, makes Tom admit he felt sorry for Mayella

8. Prosecuting Attorney says Closing Argument. Identify/list a dramatic quote from the prosecution's closing argument:

"But there is one way in this country in which all men are created equal—there is one human institution that makes a pauper the equal of a Rockefeller, the stupid man the equal of an Einstein, and the ignorant man the equal of any college president. That institution, gentlemen, is a court..."

"And so a quiet, respectable, humble Negro who had the unmitigated temerity to 'feel sorry' for a white woman has had to put his word against two white people's. I need not remind you of their appearance and conduct on the stand—you saw them for yourselves. The witnesses... have presented themselves to you gentlemen, to this court, in the cynical confidence that their testimony would not be doubted, confident that you gentlemen would go along with them on the assumption—the evil assumption—that all Negroes lie, that all Negroes are basically immoral beings, that all Negro men are not to be trusted around our women, an assumption one associates with minds of their caliber..."

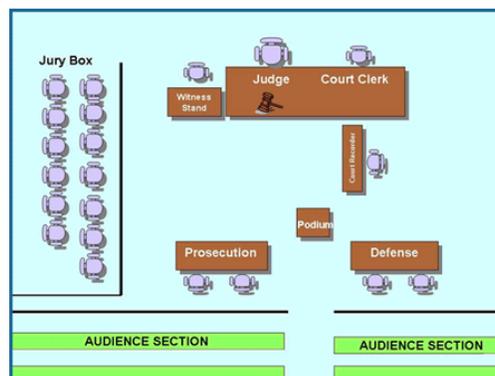
9. Defense Attorney says Closing Argument Identify/list a dramatic quote from the defense's closing argument: N/A

10. Jury deliberates (decides) on Verdict privately. Describe the jury deliberation process:

trial ends at supertime, verdict at 11 pm

11. In a separate trial, the sentencing is determined if the Defendant is found guilty. Also, the Prosecution can appeal to a higher court.

### Typical Courtroom Layout



*...in this country our courts are the great levelers, and in our courts all men are created equal.*

---Atticus Finch