

9

Court process

Get ready!

1 Before you read the passage, talk about these questions.

- 1 What are some things that happen before a case goes to court?
- 2 Why might a jury not be able to agree on a verdict?



1 pre-trial hearing



2 hung jury

3 arraignment

4 defendant



5 plea bargain

6 sentenced

Reading

2 Listen and read this email between an attorney and his colleague. Circle the correct answers.

- 1 What is the email about?
 - a recent case which has been tried
 - the proceedings leading up to a trial
 - a new client who has been sentenced.
 - a court case that ended in a mistrial
- 2 Which of the following has NOT yet happened?
 - an arraignment
 - a request for discovery
 - a pre-trial hearing
 - a plea bargain
- 3 What can you infer about the defendant?
 - He will be charged with a crime.
 - He was acquitted in a previous trial.
 - He successfully suppressed evidence before.
 - He was offered a lesser sentence to avoid a trial.

Fiona,

I'm writing to update you on the Trindle case. At the **arraignment** last month, the defendant was **charged**. However, he rejected the **plea bargain**. So he will be **sentenced** or **acquitted** at the trial. Since then, his lawyer has requested **discovery**. So there will probably be a **pre-trial hearing** where the defendant's lawyer tries to **suppress** evidence.

You will handle the discovery process and pre-trial hearing. I need you to make sure all of the evidence is accepted. I don't want a **hung jury** and **mistrial** because evidence isn't shown.

I know we can count on you.

David Wallace, Assistant Prosecutor, City of Los Angeles

David Wallace, Assistant Prosecutor, City of Los Angeles

Vocabulary

3 Write a word that is similar in meaning to the underlined part.

- 1 The woman was proven not guilty of shoplifting charge.
a - - - - - d
- 2 The defense lawyer wants to prevent being shown some of the evidence.
- u - - - - -
- 3 The prosecutor offered Mr. Tilney a chance to say he was guilty in return for a lesser sentence.
- - - a - - r - - -
- 4 The defendant's lawyer has requested information from the other side concerning the case.
- - s - - - - -

4 Read the sentence pairs. Choose where the words best fit in the blanks.

1 sentenced / charged

The woman was found guilty and was _____ to two years in prison.

The man was arrested and _____ with theft.

2 trial / arraignment

At the _____, the man was formally charged with the crime.

At the end of the _____, the man was found guilty.

3 mistrial / pre-trial hearing

The case resulted in a _____ because some of the evidence was false.

The lawyers hope they can solve the problem at a _____.

Listening

5 Listen to an attorney speaking to a colleague on the phone. Mark the following statements as true (T) or false (F).

- 1 ___ The man is pleased with the results from the pre-trial hearing.
- 2 ___ The judge will not allow all of the evidence to be shown at the trial.
- 3 ___ The woman hopes to prosecute the case against the defendant.

6 Listen again and complete the conversation.

A 1: Hello, Fiona Barksdale speaking.

A 2: Fiona, it's David. I'm calling about the 1 _____ yesterday. How did it go?

A 1: It went really well. The judge didn't 2 _____ any evidence.

A 2: That's good. I was worried when the defense attorney requested 3 _____. When is the 4 _____ scheduled for?

A 1: November. We still have some time to prepare.

A 2: Good. I really don't want this to end in a 5 _____.

A 1: Me neither. In fact, I'd like to 6 _____ it myself.

A 2: Good. I think you can win it.

Speaking

7 With a partner, act out the roles below based on Task 6. Then, switch roles.

USE LANGUAGE SUCH AS:

I'm calling about ...

The judge didn't ...

When is the trial scheduled for?

Student A: You are an attorney talking to a colleague. Talk to Student B about:

- the pre-trial hearing
- trial date
- who will try the case

Student B: You are an attorney talking to a colleague. Answer Student A's questions.

Writing

8 Use the conversation from Task 7 to fill out notes about the pre-trial hearing.

Trindle Case – Pre-trial Hearing

Date of Hearing: _____

Judge's decision on evidence: _____

Trial scheduled for: _____

Who will handle case: _____

