



# Mock Trials: Giving Homeless Kids a Feel for the Law

By Josh Chetwynd

Anthony sits in the jurors' box at the Securities and Exchange Commission in Chicago along with 11 other teenagers ranging in age from 14 to 18. They watch closely as a woman, charged with shooting a boy she thought was a gang member, is grilled by a prosecuting attorney.

Anthony, 14, is familiar with courtrooms. He was convicted of auto theft a year ago, and this past year was charged with possession of illegal drugs after being caught with 54 bags of crack cocaine. Now he's on the other side in a courtroom, as a juror in the Neon Street Center's annual mock trial. For the first time, Anthony has a say in how the law works for someone else.

It is only make-believe, but every teenager in the courtroom—from the bailiff to the lawyers—takes his or her

job seriously. And it shows.

Following closing arguments from the teenage lawyers for the prosecution and defense, Anthony and his fellow jurors embark on a heated debate about the woman's fate. They conclude she's guilty because, as Anthony puts it, "the bottom line is—she shot him."

Capturing the interest of youngsters such as Anthony and increasing their understanding of the law is the goal of the mock trial program sponsored by Chicago's Neon Street Center, an organization that provides shelter and counseling for homeless youths. The program is open to youths age 14 to 21.

**Ask a teenage runaway to place** trust in the hands of the law and expect an angry scowl in reply. Many of these kids have been physically abused or

abandoned and have little faith in the court's ability to protect their rights. Often their only contact with the court is adversarial. They either are being told where to go or are being sentenced for a crime. But given the chance to look at the law from the role of prosecutor, defense attorney, or member of the jury, they have a different attitude, says program coordinator Nancy Smith.

"For the kids who act as the lawyers and the witnesses, mock trial gives them a chance to work on their ability to speak in front of their peers," she says. "For the members of the jury, the kids have to work with each other to come to a decision."

The Neon Street mock trial program uses volunteers from the Chicago Bar Association's Young Lawyers Section. "A lot of these kids have a really bad

impression of the courts and lawyers," says YLS volunteer Michael McCormick. "The mock trial shows them that lawyers are something else other than the people who send their friends to jail."

In its fourth year, the mock trial program is an outgrowth of weekly legal seminars offered by a YLS committee for runaway and homeless youth.

"At the weekly meetings we were doing a lot of role playing and they really liked that," says Smith. "They were also intrigued by our cases and TV shows like 'L.A. Law.' So I came up with the idea for mock trial."

**Preparation for the mock trial**, which is held in March, begins in January. Three Neon Street residents take on the jobs of defense lawyers and three take on the jobs of prosecutors. Each team is assigned two or three volunteer YLS lawyers, who help them learn the procedural rules and courtroom jargon for the trial. The participants then divide the case into sections. Typically, one member will do the opening argument and present one witness, the second member will present three or four witnesses, and the third teammate will do the closing arguments.

The bailiff and members of the jury are also members of the Neon Street program. According to McCormick, they try to keep the jury size at 12 to make the proceedings as authentic as possible, but it sometimes expands to 15 or more to accommodate interested participants.

The judge is played by a volunteer lawyer and the defendant is usually a staff member at Neon Street. In order to maximize participation, lawyers, staff members, and the youngsters all play the part of witnesses.

"The first year, the kids indicted the director of Neon Street and they really liked that," says Smith, who is a staff attorney at the Securities and Exchange Commission. "They enjoyed the chance to put an authority figure in the defendant's seat."

The cases are taken from the previous year's Chicago-area high school mock trial competition. Trials generally involve criminal cases and focus on controversial issues. This year, for example, they will tackle a police brutality case that closely resembles the Rodney King case.

**While high school students** compete for scholarships and internships in their mock trials, the members of the Neon Street program do it simply out of pride.

"The kids do a lot of work on their

own to prepare for this and they really get into it," McCormick says. "Last year, one of the kids, who was on the team for the prosecution, put together some money and bought a suit."

Although the teens take the cases seriously, they also try to add a light-hearted touch. "We expected the kid who bought the suit to come in with something conservative, but he showed up in a bright purple double-breasted outfit," McCormick says. "But it must have worked because he won."

While the high school competition may have more resources, says Smith, who works on that program as well, the Neon Street participants are often more persuasive.

"In the high schools, the students do the mock trial through their civics class and they have the chance to win jobs or scholarship money from the competition, so they have a lot of motivation," she says. "Still, the kids at Neon Street do a better job than most of the kids at

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## Teen Court Offers Jury of Peers

Every Tuesday evening, the three Ector County district courtrooms in Odessa, Texas, open their doors to the children. Teen Court, a nonprofit organization that offers youngsters, ages 10 to 18, the chance for a hands-on legal experience, also provides lawyers a chance to help youngsters understand and respect the law.

Though it is similar to mock trials, Teen Court, which was established in 1983, deals with real crime. Defendants are children who have been charged with misdemeanors and face paying a fine. Teen Court allows them to have a jury of their peers decide the sentence.

All the roles in the trial are played by teenagers with the exception of the judge; that position is handled by the real thing—a local judge or lawyer. The teen lawyers and jurors are either community volunteers or former defendants.

To become a Teen Court lawyer, a teen must be 16 to 18 years old and must have served on a minimum of three Teen Court juries. The prospective lawyer is then coached by a local volunteer lawyer on issues that range from proper attire to the correct methods of questioning.

According to Odessa Teen Court coordinator Tammy Hawkins, the court's goal is to teach both respect and procedural understanding for the law. "This program is good because a child is more likely to listen to one of their own, as opposed to an adult or the system. After all, as one defendant put it, 'Your peers are the ones who accept you,'" she says. "Also, the program helps make

kids responsible because they—not their parents—are forced to set up their community service."

Defendants who have been charged with either vehicular or criminal misdemeanors are given between 10 to 60 hours of community work and are required to return to the court for two to six jury duties.

Hawkins advises lawyers interested in creating a Teen Court in their communities to:

- seek support from a local judge;
- check the state Code of Criminal Procedure to ensure it provides for alternative sentencing;
- engage the support of local service agencies where the youngsters will do their community service;
- choose service agencies located throughout the region, so youngsters will have an agency accessible to them;
- locate an available courthouse;
- involve as many volunteers as possible, including nonlawyers;
- recruit student volunteers; look for those who can spare a lot of time;
- contact local government to see if it will help to fund the program; it also may be necessary to seek grants for funding;
- be prepared for lots of paperwork.

"Start out slow," Hawkins says. "Be adaptable, because once it starts, it will be hard to stop."

For more information on the Odessa Teen Court, call Tammy Hawkins at 915/335-3352 or write Teen Court, Municipal Court Building, Odessa, Texas 79761. A workbook is available for \$50.

—Josh Chetwynd

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the high schools do."

The trial, which is held at a Chicago courthouse to give the participants a genuine feel for their roles, is followed by jury deliberations that can be as intense as the trial. "The jurors take their jobs really seriously. They take between an hour and an hour-and-a-half to decide on the case," Smith says.

**Taking a cue from "Court TV,"** the group also videotapes the trial. "At the Wednesday meeting following the trial, we will sit around and watch the tape and do sentencing," Smith says. "It is good for the kids to see what they have accomplished."

McCormick cites another value of the video. "The video is useful because some of the kids are hard to reach," McCormick says. At the beginning of the project, "we show the kids the tape of the trial from the year before and it gets them interested. This way the video becomes a motivational tool."

The goal, of course, is to integrate as many youngsters back into society as soon as possible, says McCormick, who

hopes to see as few youths as possible pop up twice on the video. Repeat performers, though, are always welcomed back to the court.

McCormick believes that the trial also provides youngsters with the opportunity to see if they like the law and want to pursue a legal career.

"The mock trial sparks a lot of their in-

terest," he says. "These kids have more hurdles they must overcome than most other kids, but we try to instill in them that if they study hard they can do it."

—Josh Chetwynd

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## Neon Street Shares Its Success

With the success of the Neon Street mock trial program that involves about a dozen lawyers each year, Michael McCormick of the Chicago Bar Association's Young Lawyers Section says he was surprised when he discovered no other program like it in the country.

"I have called around to people in New York, Miami, and other major cities and it seems as if nobody else

is doing this," he notes. "I want to share what we have done in Chicago with other cities and get other people involved."

The program can run with as few as eight to 10 volunteer lawyers who are willing to contribute at least two to three hours a week.

For more information about the Chicago program, call McCormick at 312/782-9255.

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