

## Tribal Court



**Goal:** Students will become familiar with what it means for a tribe to be sovereign, as well as how tribal courts work.

### **Oregon Common Core Standards:**

- 6-8.RH.2 Determine the central ideas or information of a primary or secondary sources; provide an accurate summary of the source distinct from prior knowledge or opinions.

### **Oregon Social Sciences Academic Content Standards:**

- Historical Knowledge 8.1 Evaluate continuity and change over the course of United States history by analyzing examples of conflict, cooperation, and interdependence amount groups, societies, or nations.
- Civics and Government 8.14 Explain rights and responsibilities of citizens.
- Civics and Government 8.15 Contrast the impact of the Articles of Confederation as a form of government to the U.S. Constitution.

### **Objectives:**

- Students will be able to define the term sovereignty and how it relates to federally recognized tribes.
- Students will be able to explain how tribal courts are different from state courts.

# LESSON PLAN

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**Unit:** Grand Ronde Tribal History

**Lesson Title:** Tribal Court

**Rational:** The Confederated Tribes of Grand Ronde is a sovereign nation. Because of its sovereignty the Tribe has the power to govern itself, as well as make its own laws and uphold those laws. The Tribe also has a Tribal Court, which carries its own jurisdiction and is a part of the legal system in Oregon.

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- Students will be able to explain how tribal courts are different from state courts.

**Materials Needed:**

- ✓ Laptop or computer
- ✓ Grand Ronde Constitution
- ✓ Vocabulary sheet
- ✓ Tribal Court PowerPoint
- ✓ Script for mock trial
- ✓ Courtroom diagram
- ✓ Exit slip

**Time:** Two 50 minute periods

**Anticipatory Set:** Display the word "Sovereign" on the board. Allow for students to brainstorm ideas for what sovereign means. This can be done individually, in groups or with a partner. To help students read the quote, "We, the Indians of the Confederated Tribes of Grand Ronde



# LESSON PLAN

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Community of Oregon...hereby adopt this Constitution...to secure the rights and powers inherent in our sovereign status and guaranteed to us by Federal Law..."

➤ **Lesson Steps: Day 1**

1. Once students have a definition for sovereignty and understand that The Confederated Tribes of Grand Ronde is a sovereign nation introduce the term tribal government.
2. Review the vocabulary sheet. This can be done as a whole class or individually.
3. Start the PowerPoint.
4. Once students have become familiarized with Tribal Government, inform students that they will be participating in a mock trial that will simulate a trial that could happen in a tribal court.
5. Assign students to their rolls for the mock trial.
6. Allow for students to read over their scripts for the remainder of the class.

➤ **Lesson Steps: Day 2**

7. **Preparation for mock trial:** Set classroom up like a courtroom. Refer to courtroom diagram.
8. Proceed with mock trial.
9. At the end of the mock trial ask students to fill out the exit slip.

**Differentiation:** This lesson can be spread out over an extended amount of time depending on how much the teacher would like to go in depth on the subject.

**Early Finisher Activity:** If students finish early on day 1 allow for more time to practice reading their roles.

**Assessment:**

	Yes	No	Notes
Student was able to explain what sovereignty is and how it relates to federally recognized tribes.			
Student was able to actively participate in the mock trial.			

**Notes/Other:** This lesson can be taught over several days depending on the amount of time the teacher has to dedicate to the lesson.



# LESSON PLAN

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## Attachments:

- ✓ Grand Ronde Constitution
- ✓ Vocabulary sheet
- ✓ Tribal Court PowerPoint
- ✓ Script for mock trial
- ✓ Courtroom diagram
- ✓ Exit slip





# Vocabulary

## Tribal Courts

**Sovereignty**

**Tribal Court**

**Federal Court**

**State Court**

**Constitution**

**Jurisdiction**

**Time immemorial**

### Definitions:

**Sovereignty-** the act of having independent power, political, social and economic, or being free.

**Tribal Court-** Tribal courts are part of the Tribal Government system and are created by the governing body of the Tribal nations.

**Federal Court-** Federal courts are reserved for questions of Federal Law and cases in controversy over \$75,000.

**State Court-** State courts are of general jurisdiction within state boundaries.

**Constitution-** A plan which is developed and written for a government that represents the rights and responsibilities of the government to the people.

**Jurisdiction-** the extent of the power to make legal decisions and judgments.

**Time immemorial-** a phrase referring to people, tribes living since the beginning – beyond memory or record, usually used in reference to the time in which Indigenous people have lived within their lands.



# Vocabulary

## Court Case

**Small Claims Court**

**Countersuing**

**Plaintiff**

**Defendant**

**Jury**

**Docket**

**Verdict**

**Testimony**

**Hearsay**

**Sustained**

**Evidence**

**Invoice**

### Definitions:

**Small Claims Court:** This is used for the cases involving claims of less than \$10,000 (in Oregon). It can only be used on claims for money or the recovery of personal property.

**Countersuing:** Bringing a civil action against the complaint of another person.

**Plaintiff:** A person who brings a case, against another person, to a court of law.

**Defendant:** A person who is having a case filed against them by the plaintiff.

**Jury:** A group of people who are trusted to make a verdict in court based on the evidence given to them.

**Docket:** A calendar of cases up for trial.

**Verdict:** A decision made by the jury which states who is responsible for the action being tried

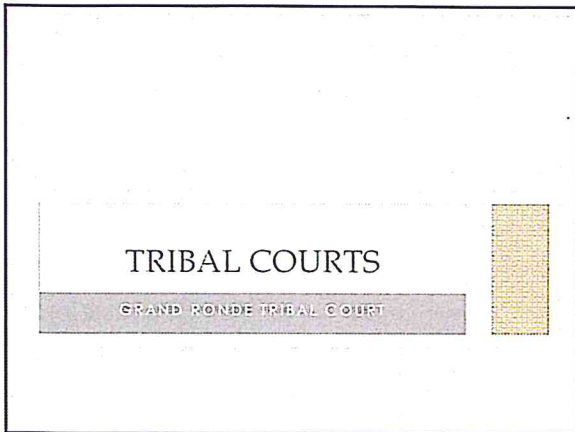
**Testimony:** A sworn statement of facts

**Hearsay:** Information received from other people, not from their own experience (a rumor).

**Sustained:** A statement meaning that the objection is valid and the person talking must change their course of questioning

**Evidence:** Facts or information

**Invoice:** A statement saying how much something costs



### SOVEREIGNTY

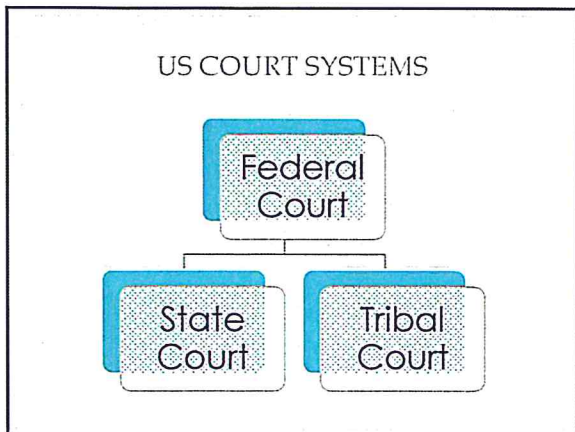
- Federally recognized Tribes are sovereign nations.
- Tribal sovereignty means federally recognized tribes have independent power politically, socially and economically and are able to govern themselves and make their own laws.

### SOVEREIGNTY

- Essentially, federally recognized tribes are nations within a nation.
- Think of it as if another country, such as Canada, were to be dropped in the middle of the US. Canada is still its own country and still runs according to its own laws and membership, but now it's a nation within a nation. The same thing applies to federally recognized tribes and their reservations.

### HISTORY OF TRIBAL COURTS

- Tribal Courts have existed since time immemorial
- Tribes have been keeping the peace and administering justice in their homelands through the use of ancient laws, traditions, and customs.
- Historically, the US had recognized the inherent sovereignty of Indian nations to "make their own laws and to be ruled by them."



### FEDERAL AND STATE COURTS

- Federal and State Courts are established and given authority as a result of the U.S. and various state constitutions.
- State Courts are Courts of general jurisdiction within their state boundary lines.
- Federal Courts are reserved for questions of Federal Law, cases in controversy over \$75,000.
- Essentially, Federal Courts oversee the country, while State Courts oversee their specific states.

## LIMITATIONS OF TRIBAL COURTS

- Criminal Jurisdiction:
  - Cannot prosecute non-Indians even if crime is committed on their reservation
  - Cannot impose sentences for more than one year for any one crime committed.

## LIMITATIONS OF TRIBAL COURTS

- Civil Jurisdiction:
  - Can exercise jurisdiction on non-Indians if they have entered into a consensual relationship with the Tribe or Tribal member.
  - Examples: Divorces, contracts, Child Welfare
  - Can also impose public safety code

## GRAND RONDE TRIBAL COURT

- Established in 1984 by the CTGR Constitution.
- First cases were transferred to the Court in 1990.
- Filed over 700 cases have been filed in the Tribal Court
- Conduct approximately 125 hearings a year



## GRAND RONDE TRIBAL COURT

One Chief Judge  
3 Court of Appeals Judges  
Court Administrator  
Court Clerk  
Court Program's Specialist

## FAMILY LAW CASES

- Child Abuse and Neglect
- Non-Contested Divorces
- Name Changes
  - - Minors and Adults
- Adoptions
- Emancipations
- Guardianships



## ADMINISTRATIVE REVIEW

- Employment
- Ethics
- Enrollment
- Hunting/Fishing License Revocations
- Gaming Commission License Denials
- Appeals under Minor Forest Products Ordinance
- Appeals under Tobacco Ordinance



## Instructions

- Allow for one whole class period.
- Set up classroom like a court room. Refer to courtroom diagram if needed.
- Materials Needed:
  - Name tags for each person with their name and role.
  - Scripts for each person with a talking role
  - Evidence included with the case

FRONT OF THE ROOM

JUDICIAL  
ASSISTANT

JUDGE

WITNESS  
STAND

BAILIFF

DEFENDANT'S  
TABLE

PLAINTIFF'S  
TABLE

JURY

AUDIENCE/COURT REPORTERS

## ROLES

Judge: \_\_\_\_\_

Judicial Assistant: \_\_\_\_\_

Bailiff: \_\_\_\_\_

Court Reporter: \_\_\_\_\_

Plaintiff, Morgan Smith: \_\_\_\_\_

Plaintiff's Attorney: \_\_\_\_\_

Plaintiff's Witness, Jessica Moore: \_\_\_\_\_

Defendant, Candy Green: \_\_\_\_\_

Defendant's Attorney: \_\_\_\_\_

Defendant's Witness, Jackson Morris: \_\_\_\_\_

Jury: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## What is Your Role?

**JUDGE:** You read the “Judge” part in the script. You are in charge of keeping the trial moving and keeping the courtroom in order.

**JUDICIAL ASSISTANT:** You read the “Judicial Assistant” part in the script. You are in charge of introducing the judge, swearing in, and entering objects and materials into evidence.

**BAILIFF:** You are in charge of controlling the courtroom. You are essentially a police officer who steps in if things get out of hand.

**COURT REPORTER:** You keep track of important details throughout the trial so that you can report them back at the end.


**PLAINTIFF, MORGAN SMITH:** You read the part of “Morgan Smith” throughout the script. You are the owner of Betty and are trying to sue Candy Green for Betty’s physical and mental injuries.

**PLAINTIFF’S ATTORNEY:** You read the part of the “Plaintiff’s Attorney” in the script. You are Morgan Smith’s lawyer and are trying to help him/her in winning their case against Candy Green.

**PLAINTIFF’S WITNESS, JESSICA MOORE:** You read the part of “Jessica Moore” in the script. You are Morgan Smith’s sister and are trying to help him win his case against Candy Green.

**DEFENDANT, CANDY GREEN:** You read the part of “Candy Green” throughout the script. You are countersuing Morgan Smith because you believe that his dog, Betty, attacked your dog, Pickles and that he should be responsible for Pickle’s injuries.

**DEFENDANT’S ATTORNEY:** You read the part of “Defendant’s Attorney” in the script. You are Candy Green’s lawyer and are helping him/her win their case against Morgan Smith.



**DEFENDANT'S WITNESS, JACKSON MORRIS:** You read the part of "Jackson Morris" in the script. You live across the street from Candy Green and you saw a portion of the dog fight occur.

**JURY:** You are in charge of determining who is at fault for the dog attack. You will listen to all the facts and view the evidence to make an educated decision. At the end of the trial you will all meet and decide as a group who is responsible.



# Mock Trial

## Morgan v. Green

### Case Summary:

Morgan Smith and his dog, Betty, and Candy Green and her dog, Pickle, all reside in Tribal Housing. On June 2, 2013, Betty and Pickle got into a scuffle. Morgan Smith has filed a Small Claims Case in Tribal Court against Candy Green claiming that Pickle attacked Betty and caused her injuries, both physically and mentally. Candy Green is countersuing Morgan Smith and claiming that Betty attacked Pickle and that Pickle suffered injuries.

### Begin:

Judicial Assistant: All rise. The Confederated Tribes of Grand Ronde Tribal Court is now in session. The honorable Judge \_\_\_\_\_ presiding in the matter of Morgan versus Green, case number C-13-007.

Judge: Please be seated. Good afternoon, ladies and gentlemen. The first case on the docket this afternoon is Morgan v. Green. Mr. or Mrs. \_\_\_\_\_ (Plaintiff Attorney) are you ready to proceed?

Plaintiff Attorney: Yes your honor.

Judge: Mr. or Mrs. \_\_\_\_\_ (Defendant Attorney) are you ready to proceed?

Defendant Attorney: Yes your honor.

Judge: Mr. or Ms. \_\_\_\_\_, will you please swear in the jury?

Judicial Assistant: Will the jury please stand and raise your right hand? Do each of you swear that you will fairly try the case before this Court, and that you will return a true verdict according to the evidence and the instructions of the Court?

Jury: "I do".

Judge: You may be seated. Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney), you may begin with your opening statement.

Plaintiff Attorney: Ladies and gentleman of the jury, Tribal housing should be a safe place for my client to allow his dog to roam freely. Instead on this particular day after he let his dog out, the dog was attacked by the defendant's dog. I feel that you should hold the defendant accountable for the actions of her dog.

Judge: Mr./Mrs. \_\_\_\_\_ (Defendant Attorney), you may begin with your opening statement.

Defendant Attorney: Ladies and gentleman of the jury, the plaintiff is right, Tribal housing should be a place where a dog should roam freely but where they are wrong is whose dog got attacked. The defendant's dog was attacked by the plaintiff's dog and that is why she is counter suing for the plaintiff to be held responsible.

Judge: Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) you may call your first witness.

Plaintiff Attorney: We would like to call Jessica Moore to the stand.

Judicial Assistant: Please stand and raise your right hand. Do you promise that the testimony you shall give in the matter is the truth, the whole truth, and nothing but the truth?

Jessica: I do.

Judicial Assistant: Please state your full name and spell your last name for the record.

Jessica: Jessica Moore, M-O-O-R-E.

Judge: You may begin.

Plaintiff Attorney: How do you know my client Morgan Smith?

Jessica: I am his sister.

Plaintiff Attorney: Are you familiar with his dog, Betty?

Jessica: Yes, I have seen Betty at his house and he brings her camping when we go on trips.

Plaintiff: And what is your impression of Betty?

Jessica: She has a really good temperament and is never too hyper or out of control. I have never heard her growl or even bark.

Plaintiff Attorney: Do you know about the incident that occurred between Betty and the defendant's dog?

Jessica: Yeah my brother told me at dinner the next day...

Defense attorney: Objection, hearsay!

Judge: Sustained.

Plaintiff Attorney: Do you, with your experiences and interactions with Betty, feel she was capable of attacking another dog?

Jessica: Not at all. She is always so friendly to me and the rest of the family and we have never had any problems with her.

Plaintiff Attorney: Thank you, no further questions.

Judge: Mr./Mrs. \_\_\_\_\_ (Defendant Attorney) do you have any questions of this witness?

Defendant Attorney: Yes your honor.

Jessica, you say that you know the plaintiff's dog well?

Jessica: Yes

Defendant Attorney: Have you ever seen the dog around any other dogs?

Jessica: No

Defendant Attorney: So you really don't know how she may act with other dogs or what she is capable of with them?

Jessica: I guess not.

Defendant Attorney: No further questions your honor.

Judge: Witness is excused. Does the Plaintiff wish to call any further witnesses?

Plaintiff Attorney: Yes your honor, we wish to call Morgan Smith as our next witness.

Judicial Assistant: Please stand and raise your right hand. Do you promise that the testimony you shall give in the matter is the truth, the whole truth, and nothing but the truth?

Morgan: I do.

Judicial Assistant: Please state your full name and spell your last name for the record.

Morgan: Morgan Smith, S-M-I-T-H

Plaintiff Attorney: Mr. Smith, how long have you owned Betty?

Morgan: 3 Years



Plaintiff Attorney: What kind of dog is she?

Morgan: She is a mini pinscher.

(Plaintiff's attorney hands witness a photograph.)

Plaintiff Attorney: Can you tell us who is in the photograph?

Morgan: It is a picture I took of Betty.

Plaintiff Attorney: Your Honor I would like to offer into evidence a photograph of Betty.

Judge: Mr./Mrs. \_\_\_\_\_ (Defendant Attorney) have you seen this photograph?

Defendant Attorney: Yes your honor.

Judge: Do you have any objection to the photograph being entered into evidence?

Defendant Attorney: No your honor.

Judge: Mr./Ms. \_\_\_\_\_ (Judicial Assistant) will you mark the photograph as Plaintiff's exhibit #1 and have Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) pass the photograph to the jury.

You may proceed with questioning.

Plaintiff Attorney: What is Betty's temperament usually?

Morgan: She is very calm; I have never had any kind of issue with her being aggressive.

Plaintiff Attorney: What happened on the day of the attack?

Morgan: I let her outside to use the restroom like any other normal day. She usually just goes in the front yard and then comes back and waits by the door. She had been outside for about five minutes when I heard a loud yelp and ran out the door. I saw Betty and the defendant's dog down the road and Betty was being attacked in the middle of the road. I ran down to grab her and as soon as I got her into my arms I noticed the defendant picking up her dog as well.

Plaintiff Attorney: What happened next?

Morgan: Candy began yelling at me and telling me Betty was the one that had attacked her dog. I was shocked she would make such an accusation.

Plaintiff Attorney: What injuries did Betty have as a result of the fight?

Morgan: Well after I had taken her home I noticed she was limping and saw a cut on her paw so I took her into the vet. The vet sad she suffered from a cut on her paw and she might also have some PTSD from the whole incident.

(Plaintiff's attorney hands witness a photograph.)

Plaintiff Attorney: Can you tell us what is in the photograph?

Morgan: It is a picture I took of Betty with her injuries.

Plaintiff Attorney: Your Honor I would like to offer into evidence a photograph of Betty's injured paw.

Judge: Mr./Mrs. \_\_\_\_\_ (Defendant Attorney) have you seen this photograph?

Defendant Attorney: Yes your honor.

Judge: Do you have any objection to the photograph being entered into evidence?

Defendant Attorney: No your honor.

Judge: Mr./Ms. \_\_\_\_\_ (Judicial Assistant) will you mark the photograph as Plaintiff's exhibit #2 and have Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) pass the photograph to the jury.

(Plaintiff's attorney hands jury the photograph.)

(Plaintiff's attorney hands witness an invoice.)

Plaintiff Attorney: Can you tell us what this document is?

Morgan: It is a bill from the vet for medical treatment.

Plaintiff Attorney: Your Honor I would like to offer into evidence this invoice from Furry Friends.

Judge: Mr./Mrs. \_\_\_\_\_ have you seen this invoice?

Defendant Attorney: Yes your honor.

Judge: Do you have any objection to the invoice being entered into evidence?

Defendant Attorney: No your honor.

Judge: Mr./Ms. \_\_\_\_\_ (Judicial Assistant) will you mark the invoice as Plaintiff's exhibit #3 and have Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) pass the invoice to the jury.

Plaintiff Attorney: Why do you think the defendant should be held responsible for what happened to poor Betty?

Morgan: I know Betty would never attack another dog and so I think her and her dog should be held responsible for Betty and her injuries she sustained from the fight as well as future treatment for her anxiety.

Plaintiff Attorney: Thank you, I have no further questions your honor.

Judge: Does the defense have any questions for this witness?

Defense Attorney: Yes your honor.

Mr. Smith, had you ever brought your dog around other dogs before?

Morgan: Yes, plenty of times.

Defense Attorney: Without being on a leash?

Morgan: Well, no she just interacted around other dogs being walked around the park.

Defense Attorney: So you have never really seen how she is around other dogs when she is not on a leash right?

Morgan: Yes.

Defense Attorney: Mr. Smith, did you see when the dogs began fighting?

Morgan: No

Defense Attorney: Then you really cannot be one hundred percent about which dog started the fight, correct?

Morgan: I guess not.

Defense Attorney: I have no further questions your honor.

Judge: Mr. Smith you are excused. Does the Plaintiff wish to call any further witnesses?

Plaintiff Attorney: No, your honor.

Judge: Defense, are you ready to present your case?

Defense Attorney: Yes your honor. Defense calls Jackson Morris to the stand.

Judicial Assistant: Please stand and raise your right hand. Do you promise that the testimony you shall give in the matter is the truth, the whole truth, and nothing but the truth?

Jackson: I do.

Judicial Assistant: Please state your full name and spell your last name for the record.

Jackson: Jackson Morris, M-O-R-R-I-S

Clerk: You may be seated.

Defense Attorney: How do you know my client?

Jackson: I live across the street from her.

Defense Attorney: Do you know the plaintiff, Morgan Smith?

Jackson: Yes, he lives three houses down from me in Tribal Housing.

Defense Attorney: Were you home on the day of the incident?

Jackson: Yes.

Defense Attorney: And what did you witness that day?

Jackson: Well I was at my housing cleaning up and all of the sudden I hear two dogs barking and growling at each other. I ran out my front door and saw a little black dog running at my neighbor's dog barking.

Defense Attorney: By your neighbor, do you mean my client?

Jackson: Yes.

Defense Attorney: What happened after that?

Jackson: My neighbor's dog was in her yard and the other dog kept barking. My neighbor's dog then began barking as well and then the black dog ran into my neighbor's yard and her dog then ran at the black dog and that is when they began actually fighting.

Defense Attorney: What happened after the dogs began fighting?

Jackson: Both owners came out at about the same time and got their dogs. They were yelling at each other about whose dog was at fault.

Defense Attorney: In your opinion, whose dog was a fault?

Jackson: I feel it was the little black dogs fault because she ran into my neighbors yard.

Defense Attorney: Thank you, no further questions.

Judge: Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) do you have any questions for this witness?

Plaintiff Attorney: Yes your honor.

Mr. Morris, you say you saw my clients dog run into your neighbor's yard?

Jackson: Yes.

Plaintiff Attorney: But then the defendant's dog ran after my client's dog?

Jackson: Yes

Plaintiff Attorney: And where were the dogs when they began actually physically fighting?

Jackson: They were on the sidewalk in front of my neighbor's house.

Plaintiff Attorney: So they were in fact on public property when the dogs were fighting?

Jackson: I guess.

Plaintiff Attorney: So in fact Pickle ran after my Betty and a fight began on public property? I'd say the defendant's dog is at fault.

Defense Attorney: Objection, he's testifying your honor.

Judge: Sustained.

Plaintiff Attorney: No further questions.

Judge: Mr. Morris you are excused. Does the Defendant wish to call any further witnesses?

Defense Attorney: Yes your honor, the defense calls Candy Green to the stand.

Judicial Assistant: Please stand and raise your right hand. Do you promise that the testimony you shall give in the matter is the truth, the whole truth, and nothing but the truth?

Candy: I do.

Judicial Assistant: Please state your full name and spell your last name for the record.

Candy: Candy Green, G-R-E-E-N

Judicial Assistant: You may be seated.

Defense Attorney: Can you tell me about your dog?

Candy: He's a jack russle terrier mix who is about 3 years old. I have had him since he was a puppy and he always does well around other dogs. I always take him to the dog park in McMinnville and he has never had a problem with any of the other dogs.

(Defendant's attorney hands witness a photograph.)

Defendant Attorney: Can you tell us what is in the photograph?

Morgan: It is a picture I took of Pickle with his injuries.

Defendant Attorney: Your Honor I would like to offer into evidence a photograph of Pickle with a leg brace on his left back leg.

Judge: Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) have you seen this photograph?

Plaintiff Attorney: Yes your honor.

Judge: Do you have any objection to the photograph being entered into evidence?

Plaintiff Attorney: No your honor.

Judge: Mr./Ms. \_\_\_\_\_ (Judicial Assistant) will you mark the photograph as Defendant's exhibit #1 and have Mr./Mrs. \_\_\_\_\_ (Defendant Attorney) pass the photograph to the jury.

(Defendant's attorney hands jury the photograph.)

Defense Attorney: How often is Pickle around other dogs?

Candy: I take him to the park at least twice a month.

Defense Attorney: Can you tell me about the day that the incident took place?

Candy: Yes, I had let Pickle out to get some exercise like I usually do. He's pretty good about staying in the yard and he only barks when people come into the yard. He can be a bit

protective. I heard him barking and got up to look out the window and saw the other dog coming into my yard. I knew Pickle would get protective so I put on my shoes and ran out there as soon as I can. I then saw the two dogs fighting and knew the other dog must have come into my yard.

Defense Attorney: What happened next?

Candy: I went out and grabbed Pickle from the scuffle and saw Mr. Smith had grabbed his dog as well. He then began yelling at me about how I was going to pay.

Defense Attorney: Did Pickle have any injuries because of the fight?

Candy: Yes, I noticed he was babying his right back leg and so I took him into the vet. The vet said he had pulled a muscle and would have to do two weeks of physical therapy.

(Defendant's attorney hands witness a document.)

Defendant Attorney: Can you tell us what is in the document?

Morgan: It is an invoice for the Vet where I took Pickle.

Defendant Attorney: Your Honor I would like to offer into evidence the Furry Friends invoice for medical services for Pickle.

Judge: Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) have you seen this invoice?

Plaintiff Attorney: Yes your honor.

Judge: Do you have any objection to the invoice being entered into evidence?

Plaintiff Attorney: No your honor.

Judge: Judicial Assistant Mr./Mrs. \_\_\_\_\_ (Judicial Assistant) will you mark the photograph as Defendant's exhibit #2 and have Mr./Mrs. \_\_\_\_\_ (Defendant Attorney) pass the photograph to the jury.

(Defendant's attorney hands jury the invoice.)

Defense Attorney: Ultimately why do you think this fight happened?

Candy: I think Pickle was guarding and defending his territory and that is justified when another dog trespasses onto my property.

Defense Attorney: Thank you, no further questions.

Judge: Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) do you have any questions for this witness?

Plaintiff Attorney: Yes your honor.  
You say your dog is really protective?

Candy: Yes

Plaintiff Attorney: Do you think that's safe with living around so many people?

Candy: Yes, people shouldn't be on my property.

Plaintiff Attorney: Where were the dogs when you went outside?

Candy: They were on the sidewalk in front of my house.

Plaintiff Attorney: Are you aware that that is public property?

Candy: Yes, but it never would have happened if the other dog would have stayed out of my yard.

Plaintiff Attorney: No further questions.

Judge: Ms. Green, you are excused. Does the defense wish to call anymore witnesses?

Defense Attorney: No your honor.

Judge: Mr./Mrs. \_\_\_\_\_ (Plaintiff Attorney) you may proceed with closing arguments?

Plaintiff Attorney: Yes your honor.

Ladies and gentleman of the jury, this is a matter of what is right and what is wrong. Pickle should have never run after Betty and his owner should have taken care of that problem a long time ago. The fight took place on public property and therefore Pickle couldn't have been defending anything. We are asking that the Court award \$750.00 to my client to cover the vet expenses and \$2000.00 for pain and suffering. Find in favor of Betty and allow my client to offer her the medical attention she needs to heal both physically and mentally.

Defense Attorney: Ladies and gentleman of the jury, you have heard the evidence and you have listened to the witness. My only question to you is, would this dogfight have taken place if Betty had not come into my client's yard? The answer to this question is no. It was instigated by Betty and Pickle felt the need to protect her owner and property. We are asking the Court to award \$900 to my client to cover the current vet bill and \$1000.00 to cover future medical treatment and physical therapy. Find in favor of my client and award her and her dog what they deserve. Thank you.



Judge: (to the Jury) Ladies and gentleman of the jury, you have heard the testimony and evidence today and now you must decide the case. The Judicial Assistant will take you to the jury room where you will be allowed 15 minutes to deliberate your decision.

You must first elect a jury spokesperson and then you must answer two questions:

1. Do you believe that the plaintiff has proven by clear and convincing evidence that defendant is at fault and responsible for the injuries to plaintiff's dog, and if so what amount?

2. Do you believe that the defendant has proven by clear and convincing evidence that the plaintiff is at fault and responsible for the injuries to defendant's dog, and if so what amount?

The verdict of the jury must be unanimous.

Our Judicial Assistant Mr./Ms. \_\_\_\_\_ (Judicial Assistant) will you escort the jury to the jury room for deliberations.

The Court is in recess.

(After jury reaches a decision.)

Judicial Assistant: All rise. The Court is back in session.

Judge: Members of the jury, have you reached a decision?

Furry Friends Pet Clinic  
3325 Grand Ronde Road  
Grand Ronde, OR  
97347

# INVOICE

Candy Green  
17 Raven Loop  
Grand Ronde, OR  
97347

Invoice # 2154793  
Invoice Date 06/02/2013  
Due Date 06/30/2013

Item	Description	Unit Price	Quantity	Amount
Product	Sm. Dog Back Leg Brace	300.00	1.00	300.00
Service	Full Pet Work-Up	20.00	15.00	300.00
Hours	Hours Spent in Clinic	20.00	2.00	40.00
<b>NOTES:</b> Pickles will need to return in 2 weeks for a check-up. During these two weeks, he needs physical therapy to keep the muscles moving.				
			<b>Subtotal</b>	640.00
			<b>Total</b>	640.00
			<b>Amount Paid</b>	0.00
			<b>Balance Due</b>	\$640.00

Furry Friends Pet Clinic  
3325 Grand Ronde Road  
Grand Ronde, OR  
97347

# INVOICE

Morgan Smith  
10 Raven Loop  
Grand Ronde, OR  
97347

**Invoice #** 2154789  
**Invoice Date** 06/02/2013  
**Due Date** 06/30/2013

Item	Description	Unit Price	Quantity	Amount
Product	Paw Dressings	15.00	1.00	15.00
Service	Stitches in Paw	20.00	15.00	300.00
Hours	Hours Spent in Clinic	20.00	5.00	100.00
<b>NOTES:</b> Betty will need to return in 10-14 days to get her stitches removed. Be very cautious with her around other dogs, as she may have suffered some PTSD from this incident.				
				<b>Subtotal</b> 415.00
				<b>Total</b> 415.00
				<b>Amount Paid</b> 0.00
				<b>Balance Due</b> \$415.00







## JURY DECISION

We, the jury, believe that the plaintiff/defendant (circle one) has proven by clear and convincing evidence that the plaintiff/defendant (opposite of one circled above) is responsible for the injuries to the plaintiff's/defendant's (circle the same as number one) for the amount of \$\_\_\_\_\_.

(Insert money amount)

Name: \_\_\_\_\_

## Mock Trial Exit Slip

List two things you learned by participating in the mock trial.

1.

2.

Name: \_\_\_\_\_

## Mock Trial Exit Slip

List two things you learned by participating in the mock trial.

1.

2.