

## Civil Trial Procedure

Recently we discussed the steps in a civil trial. With this assignment, you are going to explain how a civil trial works by using a fabricated story. You are to use any “tort” in chapter 4, and make up a story about a civil case. You will take me all the way through the trial procedure, explaining along the way what is happening.

Make sure you include:

- A plaintiff (party suing) and a defendant (party being sued) – give them names. (2 points)
- Attorneys for the plaintiff and defendant and a judge – also give them names. (3 points)
- Describe the nature of the disagreement. What happened? (This is where you will use a “tort” from chapter 4). Use the names of the plaintiff and defendant. (5 points)
- Describe what happens in each step of the entire trial procedure: (3 points each)
  - Pleadings
    - What is this?
    - Who gave the *complaint*, and who gave the *answer*?
  - Methods of Discovery
    - Why is this used?
  - Pretrial Hearing (We are going to assume the case could not be settled at this point, and will move on to trial.)
    - What is this?
    - Why couldn't the matter be settled?
  - Selecting the Jury
    - Who chose the jury? What does the jury decide?
  - Opening Statements
    - What happens here? Who goes first?
  - Introduction of Evidence
    - What types of evidence were brought to court? Were there any cross-examinations?
  - Closing Arguments
    - What is this?
    - What were the closing arguments of the attorneys?
  - Instructions to the Jury
    - What happens at this point?
  - Verdict and Judgment
    - What is the verdict and judgment of the case?
  - Remedy Chosen
    - What is the remedy chosen for the party who lost the case?
  - Execution of Judgment
    - Was one needed? Why or why not?

Name:

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Write this in paragraph/story form. Do not just list the steps and write the descriptions. Remember to use the names you made up! Don't just say "the judge" or "his attorney." I want to be reading stories when you turn in these assignments!

40 points possible