

CHAPTER**6****Trial Procedures****Legal Terms**

In the Answer column, write the identifying letter of the term in Column I that best matches each phrase in Column II.

Column I	Column II	Answer
a. answer	1. Decision of a jury.	1. _____
b. arraignment	2. Written accusation issued by a grand jury.	2. _____
c. complaint	3. Procedure in which accused pleads to the charge.	3. _____
d. arrest	4. Formal written reply denying or admitting allegations of the complaint.	4. _____
e. bail	5. Jury of inquiry that conducts a preliminary hearing.	5. _____
f. grand jury	6. Court's decision or determination in a case.	6. _____
g. indictment	7. Depriving a person of his or her freedom.	7. _____
h. judgment	8. Proceeding to decide whether or not to keep a minor in custody.	8. _____
i. detention hearing	9. Statement of plaintiff's claim against the defendant.	9. _____
j. petit jury	10. Money or other property left with the court to assure the defendant's return to court.	10. _____
k. pleadings		
l. summons		
m. verdict		

Key Points in Your Reading

Indicate whether each of the following statements is true or false by circling T or F in the Answer column.

	Answer
1. Civil and criminal trials begin the same way.	1. T F
2. A grand jury is a jury of inquiry that carries on its own investigations.	2. T F
3. Failure to answer a complaint on time can result in the loss of the case.	3. T F
4. Juries are made up of people who are experts in the law.	4. T F
5. Criminal trials begin with the use of pleadings.	5. T F
6. Documentary evidence includes objects such as weapons.	6. T F
7. The final charge to the jury is given by the defendant's lawyer.	7. T F
8. In a civil case, the decision of the jury must be unanimous.	8. T F
9. School officials are allowed to search students without a search warrant if they have reasonable grounds.	9. T F
10. When an indictment is issued, it means that the named person is guilty of a crime.	10. T F

You're the Judge

For each of the following cases, circle Yes or No to indicate your decision. Then, in your own words, state the legal principle or legal reason that applies to the facts in the case.

Answer

1. Melissa Stinson was called for jury duty. She was selected to serve as a juror in a case in which her cousin was the plaintiff. The attorney for the defendant challenged her selection as a juror and asked that she be removed. Later, Melissa told a friend that she was removed because of the attorney's prejudice against her. Was she correct?

1. Yes No

Legal Principle: _____

2. Ronald Borge was caught by a police officer inside a supermarket at night. The officer arrested him and, noticing a bulge in Borge's pocket, frisked him. Borge claims that he was illegally frisked. Do you agree with Borge?

2. Yes No

Legal Principle: _____

3. Angela Callaghan won a civil suit against Jonathan Smith and received a \$5,000 judgment. Smith had no money, was not employed, and owned no property. Smith told Callaghan that she would never be able to get the \$5,000 from him. Was Smith correct?

3. Yes No

Legal Principle: _____

4. Steven Ramos was named as the defendant in a lawsuit. A process server was directed to deliver a summons to Ramos. Not finding Ramos at home, the process server left the summons in Ramos's mailbox. Did Ramos receive proper notice of the lawsuit?

4. Yes No

Legal Principle: _____

Legal Application

Martha Hawken entered into an oral agreement to sell a vacant lot of land to William Parsons for \$50,000. Parsons agreed to buy it for that price. Later, Parsons changed his mind and decided not to buy it. After much effort in locating another buyer, Hawken sold the lot for \$35,000 to someone else. Seven years later, Hawken decided to sue Parsons for the damages she suffered as a result of the breach of contract. Parsons defended the suit by arguing that the action could not be brought because of the statute of frauds. He also argued that the statute of limitations had run out.

Assume that you work in the office of an attorney representing Martha Hawken. Using the complaint on page 75 of your textbook as a guide, write a complaint to begin a legal action against William Parsons. Then, assume that you work in the office of an attorney representing William Parsons. Write an answer using the defendant's answer on page 76 of your textbook as a guide. Fill in the appropriate name of the court and county for your particular area.