

YOU are the defender: Have students explore the role of a court appointed defense attorney either individually or in pairs, using the hypothetical scenario provided below. This exercise is designed to have students consider the questions a defense attorney in this situation would face and to explore possible options. Depending upon instructor goals, the scenario can be left sketchy so students can add relevant details to the case as they work on it, or you can add specific details to enhance the realism of the case. How was the murder committed? Was the murder weapon found? Is this case occurring in a small town or a large city? Is there a possible connection between Johnny Begood and the victim or were they total strangers? Does Johnny Begood have a significant record of prior crimes or not? Is there a plausible alternative suspect the police have considered? Why is the eyewitness identification "tenuous"? If students are asked to flesh out the case by adding details, you might consider having each student/pair compare their versions of Johnny Begood's case and their decisions as defense attorneys as part of the conclusion of this class exercise.

You're it!

You have been assigned by the court to defend Johnny Begood, who is accused of murdering a well-loved person in the community. You have 99 other clients; you would like to hire an investigator to try and locate a potential witness in this case, but there is no budget for it. The public is clamoring for "justice" in this case, and every TV station in the state has plastered images of your client (in all his tattooed glory) all over the screen. People refer to your client as a loser with a criminal past, almost undoubtedly guilty of the murder. Since you began representing this client, you have received several anonymous nasty phone calls and messages condemning you for defending "that scum of the earth" and some even threatening you with dire consequences if your client is acquitted. You would like to spend more time on the case, but you cannot because you have many other clients charged with serious crimes. On top of all this, Johnny Begood has an intimidating glare that would not be helpful to his cause if he were to be tried in front of a jury. On the other hand, the state does not appear to have much in the way of hard evidence against your client, other than a tenuous eyewitness identification. What would you do in this situation? How are you going to handle Johnny's case?