

STORYTELLING: Group Opening Statements & Graded Individual Paper

Purpose: To allow you to practice, and then be formally assessed, on your ability to brainstorm possibilities and then to craft a plausible, sufficient and faithful story out of a mound of evidence.

Assignment: As a group, prepare and present Opening Statements in your case. As an individual, prepare a written version of your own best Opening Statement.

Details:

1. The trial days will proceed as follows:

- 2:10 Wyatt Accuser story (will begin precisely on time).
- 2:20 Wyatt Defender prep time.
- 2:22 Wyatt Defender story.
- 2:32 Statements end; jury open discussion; advocates remain silent.
- 2:42 Jury verdict on case; assessment of advocacy.
- 2:50 Delaney Accuser story.
- 3:00 Delaney Defender prep time.
- 3:02 Delaney Defender story.
- 3:12 Statements end; jury open discussion; advocates remain silent.
- 3:22 Jury verdict on case; assessment of advocacy.
- 3:30 Court dismissed.

2. On the day of the trial, each group will hand in to me a statement of their theory of the case and at least three other theories of the case that they seriously considered but rejected. Include also the names of all group members "actively participating."

3. Advocate groups can distribute responsibilities in any manner they deem fit.

4. No objections will be allowed on the days of the trials. However, any member of an opposing advocate group can submit an objection by email within 24 hours of the trial, for extra credit. The objection should identify what the opposing advocate said, and argue why it was impermissible under the rules.

5. Your individual paper should represent *your own best efforts*. Do not simply repeat the story you told the jury: you should aim to learn from both the successes and failures your group encountered in preparing its joint Opening Statement. You may use the same theory of the case, or you may switch; up to you. At the top of your paper, state the theory of the case you are trying to support, and the theme you are trying to express. If it would help my assessment of your work, add remarks about why you selected this theory and/or theme and what alternatives you considered.

Rules:

Rule 1. In the opening statement, the advocate may not argue.

Rule 2. In the opening statement, the advocate may not assert facts that cannot be shown by the evidence available in the case.

Assessment: We'll be developing assessment standards for stories over the next two class days; they'll be formalized at the end of class on Thursday.

Deadlines: Trials in class, Tuesday, 31 January. Individual papers are due in class, Tuesday, 7 February.