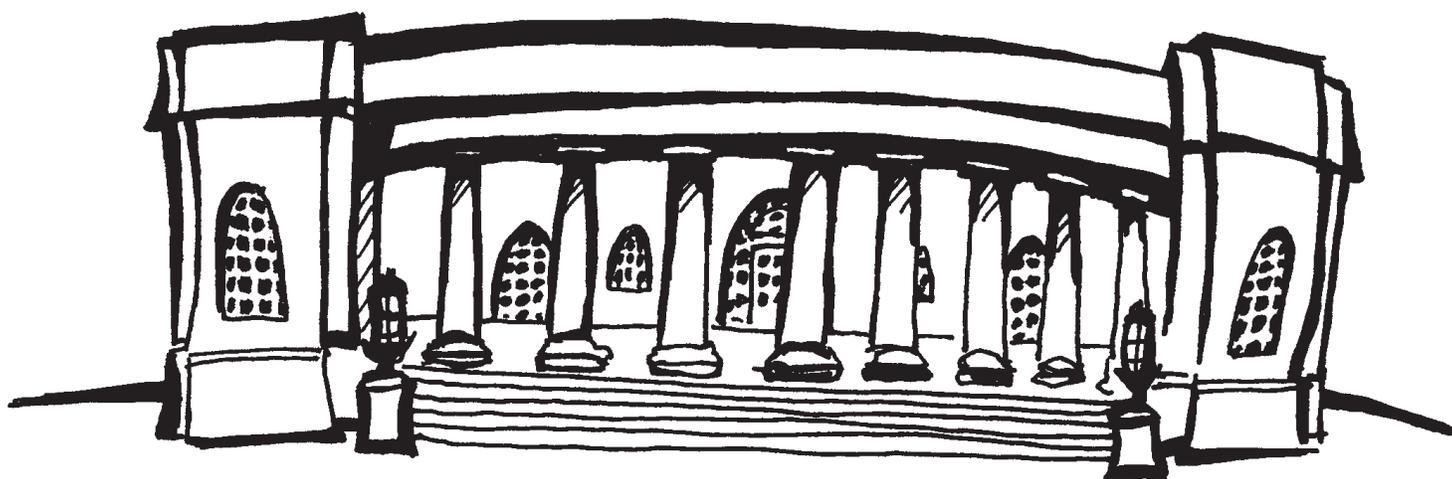
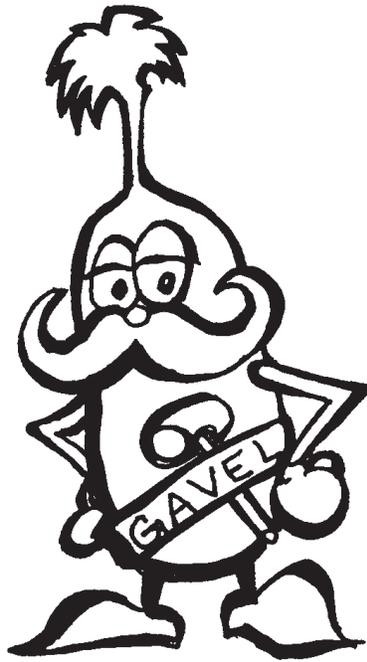


MY COURT NOTEBOOK



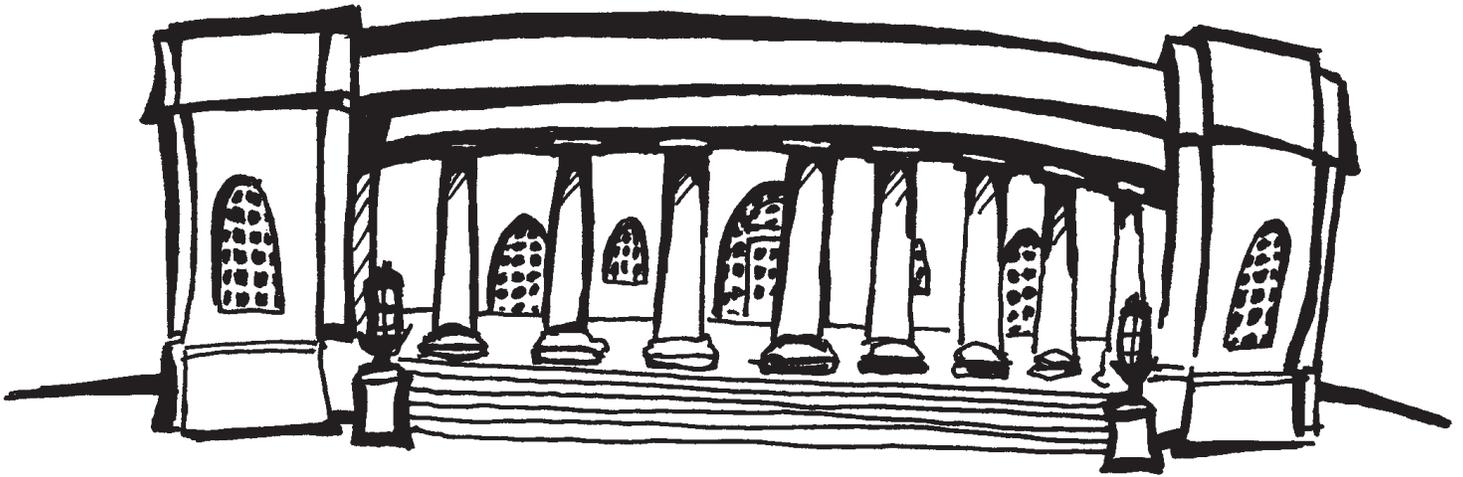
WELCOME TO GENERAL SESSIONS COURT



This is a book to help you when you go to court. Many boys and girls go to court. Some go to Family Court, some go to **General Sessions Court** and some go to both.

This notebook is to help you learn what happens in *General Sessions Court*. You can write or draw in it. It is yours to keep.

WHAT IS GENERAL SESSIONS COURT?



There are different kinds of court. One kind is called **Family Court**. Another kind of court is called **General Sessions Court**. When an adult is arrested and charged with a crime, they may go to General Sessions Court. This is sometimes called **Criminal Court**.

A crime is when someone breaks the law. You are going to court because you are an important witness to a crime that has been reported. A **witness** is someone who has seen or know about a crime.

A **victim** is someone who has had a crime or something bad happen to him or her. In court, the victim is also a witness because he or she knows about what happened.

WHY ARE YOU GOING TO COURT?

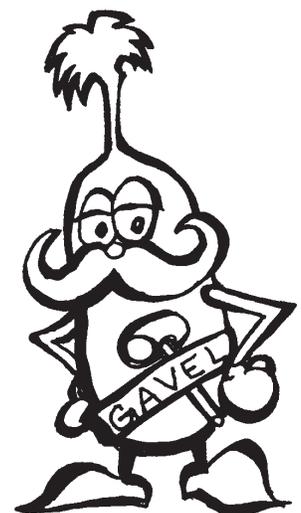
There are many different kinds of crimes. Some of the crimes that may be committed are:

Physical abuse is when a child is hit too hard or too much. Also, when someone burns, chokes, or cuts a child, it is physical abuse.

Sexual abuse is when an older person touches or tries to look at a child's private parts for no good reason, or tries to get a child to look at or to touch the older person's private parts.

Kidnapping is when a person is taken or held by another person and not allowed to leave.

What kind of crime did you witness?





When a person is *arrested* by a police officer, there are special rules that must be followed. A very important rule is that a person arrested for a crime is **innocent until proven guilty**. This means that he or she has certain rights and does not have to prove that he didn't do the crime.

WHAT HAPPENS BEFORE GOING TO COURT?

A police officer learns about a crime and looks into it. This is called an investigation.

Someone is arrested.

Then they go to court.

Witnesses go to court to tell what they know about a crime.

When will you go to court?

How do you feel about going to court?

WHO WILL BE THERE?



There will be many people in court.

JUDGE

The Judge is not on anyone's side. The Judge is in charge of the courtroom. His job is to make sure that the rules are followed. The Judge wears a long black robe and is sometimes called "Your Honor." Everyone stands up when the Judge comes into the courtroom. The Judge sits in a special seat where he can see everything in the courtroom. Some judges use a little hammer called a gavel to tap the desk. This is a sign for everyone to be quiet.

Who will the judge be in your case?

COURT REPORTER

The court reporter records everything that happens in court. This is done by talking into a funny machine or typing on a little typewriter.



CLERK OF COURT

The clerk swears in the witnesses. The clerk sits in front of the Judge and helps to keep all of the court papers straight. The Clerk will be the one who swears you in. There may be more than one clerk.



SOLICITOR

The solicitor is the lawyer who works for you and all the people in the state. The solicitor tries to prove that a crime was committed and who did it. This helps keep all the people safe. You and the solicitor will sit on the same side of the courtroom.

Who will the solicitor be when you go to court?

Phone

Something about this person

POLICE OFFICER

The police officer working on this case may be a witness. The police will tell about the things he did after the crime was reported.

Who is the police officer working on this case?

Where does he work?

Phone?

Something about this person



DEFENDANT

The defendant is a person who has been arrested for a crime. The defendant will be sitting at the table on the other side of the courtroom with a lawyer. The defendant is allowed to be in the courtroom and hear everything. When someone is arrested for a crime, he does not have to prove he did not do it. In court the defendant may or may not be a witness.

Who is the defendant in this case?
Something about this person?

DEFENDANT'S LAWYER

The defendant has a lawyer to help make sure that the trial is fair to the defendant. His job is to help the defendant in court. He may question any witness. Some questions may be hard or confusing. He must do his best for the defendant.

Who is the defendant's lawyer
Something about this person





WITNESSES

Witnesses are people who talk in court after promising to tell the truth about what happened. This is called testifying.

JURY

The jury is a group of twelve men and women. Their job is to listen very carefully. Then they decide whether there is enough proof that the defendant did the crime. This is a very hard job.

There may be other people in the courtroom too, such as:

bailiff

other police officers

other lawyers

people waiting for other cases

newspaper reporters.

You can also have some people in the courtroom like friends and family that will help you to feel better. This may include a Rape Crisis Counselor, Victim/Witness advocate, or a Guardian ad Litem.



HOW DO YOU BEHAVE IN COURT?



Court is so important that everyone must follow rules for behaving.

1. Everyone is very quiet.
2. It is best to dress up.
3. Don't eat or chew gum.
4. Be very still in your seat.
5. Be polite.

What are the special rules in your courtroom?

WHAT WILL YOU HAVE TO DO IN COURT?

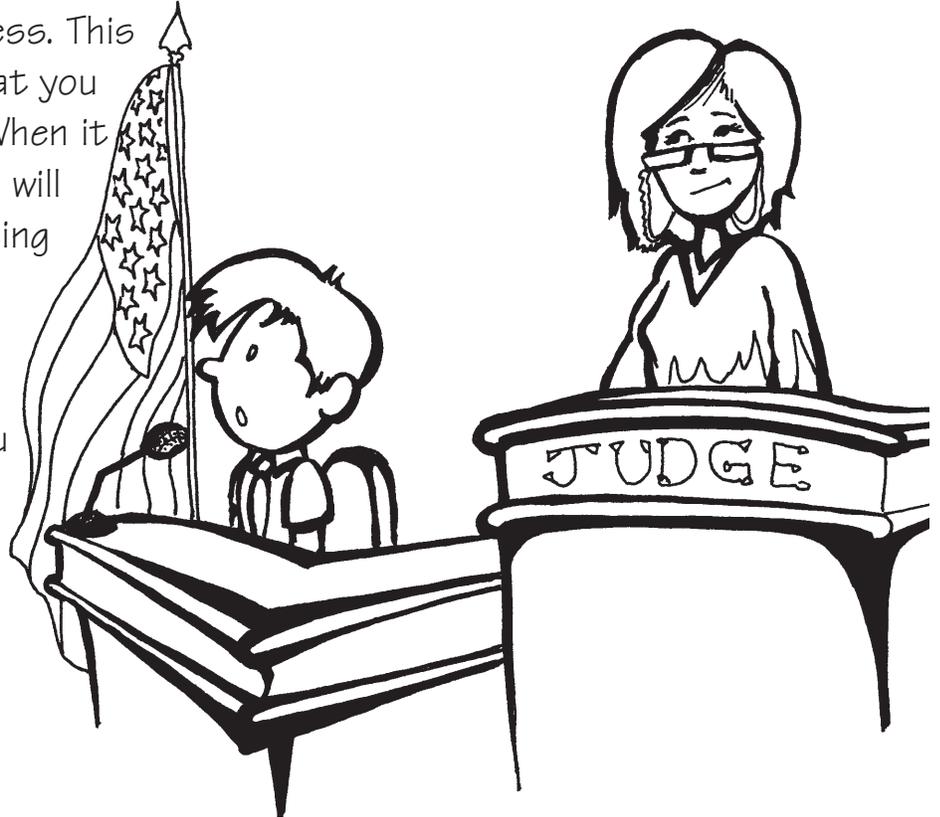
Your job is to be a witness. This means that you tell what you know about the crime. When it is your turn to talk, you will sit in a special seat facing the courtroom.

Since you know something about a crime, you will go to court and tell, as best you can remember:

- who committed the crime
- what happened
- where you were
- anything else you remember

If you saw someone rob a bank, you would go to court and tell everything you could remember:

- what the person looked like
- which way he or she came from
- if he or she had a gun
- which way he or she went
- if he or she said anything.



SOME THINGS TO REMEMBER ABOUT BEING A WITNESS ARE:

1. Always tell the truth. Never lie.

2. If you don't know the answer to a question or you don't remember, just say so. Don't try to make up an answer.

3. Never say "I don't know" just to keep from answering a hard question.

4. Listen to the whole question and think about it for a minute before you start your answer.

5. If you don't understand a question, say "I don't understand the question."

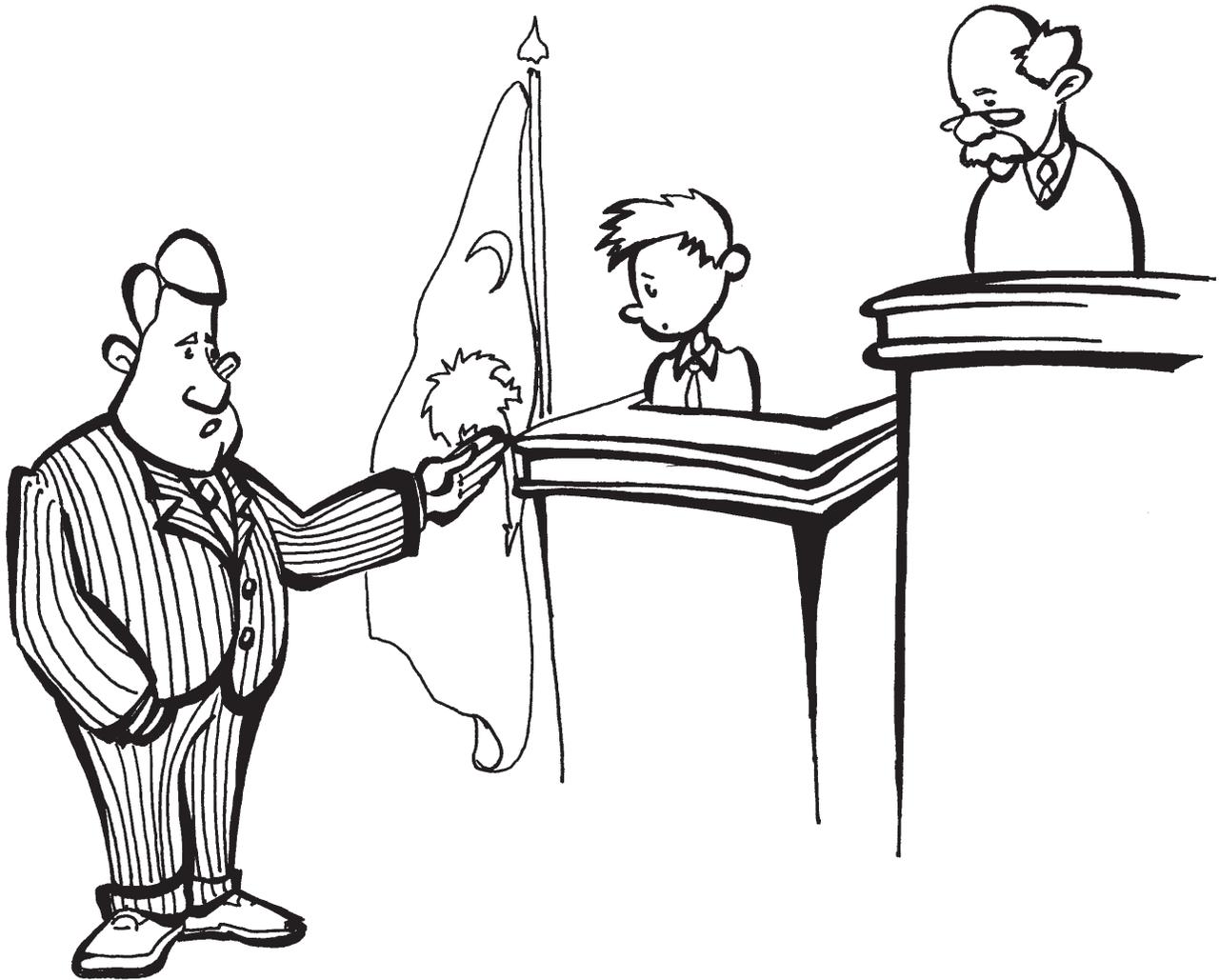
6. Try to speak a little slower and a little louder than you usually do. It is OK to take your time.

7. Answer each question out loud. Don't just shake your head or mumble. Try to keep your hands away from your face while being a witness.

8. Always be polite.

9. Some of the questions may cause you to feel upset or embarrassed. It is okay to feel upset and embarrassed. Just remember to talk loudly enough to be heard.





10. If a lawyer says “Objection,” stop talking. Wait for the Judge to tell you whether to answer the question.

11. Some questions may be very hard. It may sound like you are being asked over and over. Give the best answer that you can to each question. Remember to tell the truth.

It is hard for children to go to court and talk about being abused or neglected.

Who will go to court with you?

Name Phone

Name Phone

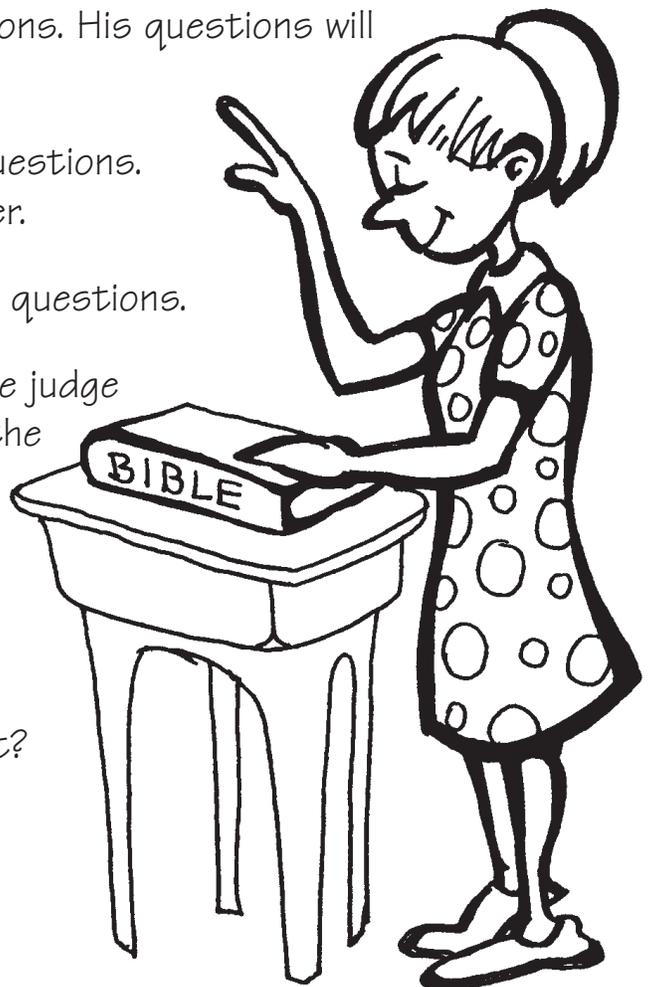
Name Phone

WHEN IT IS YOUR TURN TO BE A WITNESS:

1. The solicitor will say, “We call _____”
2. You will stand up and start to walk to the witness chair.
3. You will stop to “swear in”. You will raise your right hand and promise to tell the truth.
4. You will sit in the witness chair.
5. You may be asked if you know the difference between the truth and a lie. This is called **COMPETENCY REVIEW**. If the Judge believes that you understand, then the Judge will allow the lawyers to ask you questions.
6. Then the solicitor will ask you questions. His questions will help you tell about what happened.
7. The defendant’s lawyer will ask you questions. These questions may seem a little harder.
8. The solicitor may ask you a few more questions.
9. After answering all the questions, the judge will ask you to step down. You will leave the witness chair.

How do you feel about being a witness?

What questions do you have about court?



WHAT HAPPENS IN COURT?



A person arrested for a crime has a choice of **pleading guilty** (saying that she committed the crime) or **pleading not guilty** (saying that she did not commit the crime).

The defendant pleads guilty by telling the Judge that he did the crime. If that happens there will not be a trial and you will not be called to the witness chair.

However, you may be in court when the defendant pleads guilty, and the Judge gives his punishment or sentence.

In many cases we do not know ahead of time whether the defendant will plead guilty or not guilty. It is best to be ready to go to trial.

If the defendant pleads not guilty then there will be a trial.

WHAT HAPPENS IN A TRIAL:

1. The people for the jury are chosen by the lawyers.
2. Opening arguments: This is not really an argument. The solicitor and the defendant's lawyer will each talk to the jury about the case.
3. The solicitor will call witnesses. This may be you, the police officer and others. Each witness will be asked questions first by the solicitor and then by the defendant's lawyer.
4. The defendant's lawyer may call witnesses. Each of these witnesses will be asked questions first by the defendant's lawyer and then by the solicitor.
5. Closing arguments:

The solicitor and the defendant's lawyer will take turns talking to the jury. Each will remind the jury what they heard from the witness. The solicitors will try to get the jury to see that there was enough proof that the defendant did the crime. The defendant's lawyer will try to get the jury to believe that there was not enough proof.

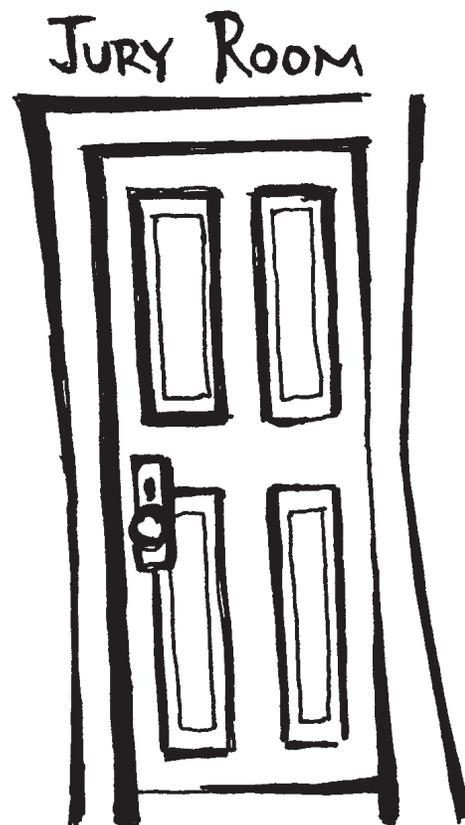




6. Charge to the jury: The judge will talk to the jury about the law and their job.

7. The jury will go to a special room to talk about the evidence and to decide a verdict. No one else is allowed to go with them. Sometimes this takes a long time.

8. The jury will come back and the verdict will be read in the courtroom.



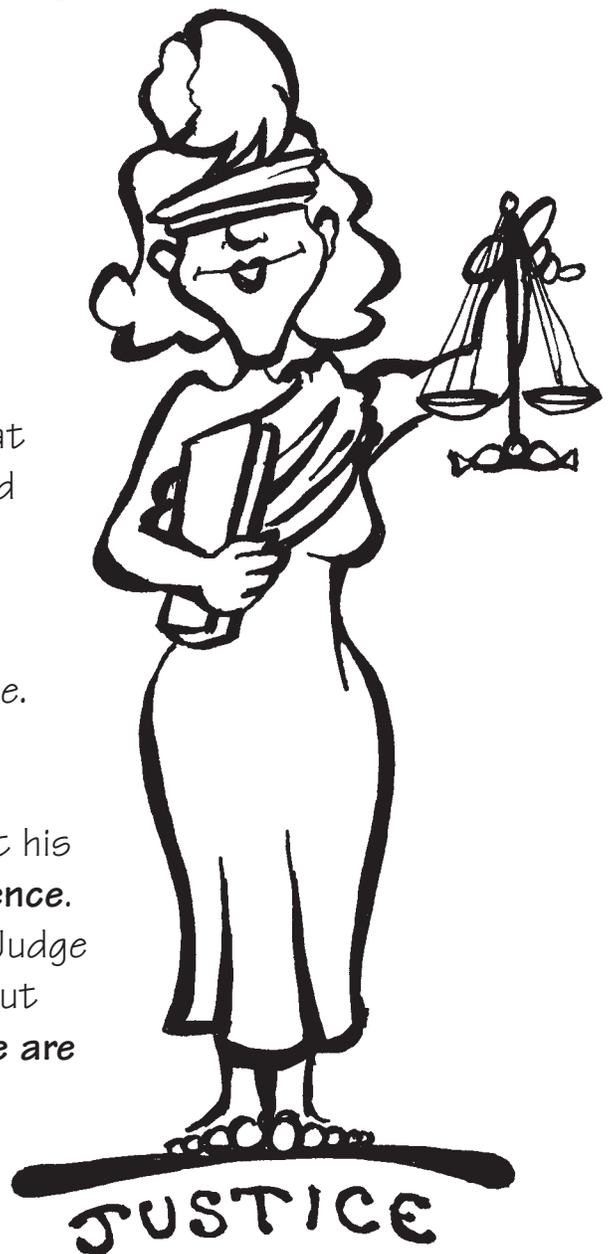
VERDICT AND SENTENCE

When the jury decides whether there is enough proof that the defendant committed the crime, it is called the **verdict**.

One very important rule is that a person cannot be punished for a crime unless he is proven guilty beyond a reasonable doubt. If the jury has a doubt for which they can give a reason, then they think there is not enough evidence to prove that the defendant did the crime. This is called a **not guilty verdict**.

If the jury finds there is enough evidence, the person is punished for doing the crime. This is called a **guilty verdict**.

When the Judge tells the defendant what his punishment will be~ this is called a **sentence**. Also, if the defendant pleads guilty, the Judge will give him a sentence after hearing about the case. **When the verdict and sentence are read, everyone must be quiet and still until they leave the courthouse.**



One of the things a Judge may look at is called a **Victim Impact Statement**. The Victim Impact Statement is a form you fill out telling the Judge how you feel about this crime. Tell the judge how this crime has affected you. You can also write the Judge a letter about how you feel.

Sometimes a person who is found guilty of a crime is punished by being sent to jail. Other times the punishment is called **probation**. Probation means that the person does not go to jail but must do certain things. Some of these things may be to check in with a probation officer and to keep a steady job.

If the defendant is punished, it is not because of anything you did.

I would like it best if this happened in court:

If the defendant is found guilty I may feel:

The most important thing to me is:

If the defendant is found not guilty I may feel:

WHAT HAPPENS AFTER COURT? If the defendant is found guilty, the sentence will begin immediately after court. If at anytime something worries you, you can tell your Victim/Witness advocate, Guardian ad Litem or someone you trust.

NOT GOING TO COURT

Sometimes plans about going to court may change. The case may be put off for weeks or months. Sometimes the solicitor will decide not to take a case to court.

How would you feel if you don't go to court?

WORD LIST

These are some words that will be used in the courtroom:

1. *Bailiff* A *bailiff* is a person who helps the judge keep order in the courtroom.
2. *Case* When a police officer investigates a crime, it may be called a *case*.
3. *Charge to Jury* The *charge* is when the judge talks to the jury about the law and rules they must follow in *deciding* a case.
4. *Competency* Knowing the difference between the truth and a lie and being able to tell the facts is called a *competency review*.
5. *Crime* When someone breaks the law it is called a *crime*.
6. *Criminal Court* Another name for *General Sessions*.
7. *Defendant* A person who has been arrested for a crime.
8. *Defendant's Lawyer* A lawyer whose job is to help the defendant in court.
9. *Defense* The "Defense" is used in court to mean the defendant's side of the case.
10. *Evidence* Proof that a person did a crime is called *evidence*. One kind of evidence you might know is fingerprints. Another kind of evidence is a witness telling about what happened. Sometimes that proves or shows that a person did or did

not do a crime.

11. *Family Court* A kind of court that tries to help families.
12. *General Sessions Court* The kind of court that people go to when an adult has broken the law.
13. *Judge* The person in charge of the courtroom and the referee.
14. *Jury* A group of twelve men and women whose job is to decide a verdict.
15. *Objection* When a lawyer thinks that someone has broken a court rule, he will say "Objection". Then he will wait for the Judge to decide who is right.
16. *Pleading Guilty* When a person says he did a crime.
17. *Pleading Not Guilty* When a person says he didn't do a crime.
18. *Probation* A kind of punishment which means there are special rules to follow. It is different from going to jail.
19. *Recess* When the Judge says that there will be a recess, it means that the trial will stop but will start again later. A recess could be a short break, lunch, or until the next day.
20. *Sentence* When someone pleads guilty or is proven guilty of doing a crime, the Judge will give him a sentence. The sentence is punishment for breaking the law.
21. *Solicitor* A lawyer who tries to prove that someone did a crime. Solicitor works for the people.

22. *State* The “State” is used in court to mean the solicitor’s side of the case.

23. *Testifying* What people say on the witness stand after promising to tell the truth.

24. *Trial* A trial happens when a crime has been reported but the person arrested says that he did not do it. A trial is to decide whether there is enough evidence to prove the person did the crime.

25. *Verdict* What the jury decides about the defendant. The verdict will be “guilty” or “not guilty”.

Guilty Verdict If the jury find that there is enough proof that a person did a crime, they will say he is “guilty”.

Not Guilty Verdict A person is called “not guilty” when it has not been proven that he did a crime. It may mean that he didn’t do a crime or that there is not enough proof that he did the crime.

26. *Victim* A person who has a crime happen to them.

27. *Victim Impact Statement* A form or a letter that tells the Judge how the victim feels about a crime.

28. *Witness* Someone who talks in court, after promising to tell the truth. They tell what they know about a case.

What are some other words that you might need to know?

What happened when you went to court?

How do you feel about it?

What questions do you have?

What questions would You like answered?

What are some questions you need to ask someone?

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