

**Access to Justice: Class in the Courtroom
Webb County Court-at-Law II
Judge Victor Villarreal, Presiding**

**Cluck E. Chicken versus East R. Bunny: A civil mock trial script
appropriate for 3rd grade students**

Claims: Theft of property, trespassing; damages of \$500

Participants in Trial

Presiding Judge	Judge Victor Villarreal
Plaintiff: Cluck E. Chicken	INSERT
Defendant: East R. Bunny	INSERT
Attorney for Cluck E. Chicken	INSERT
Attorney for East R. Bunny	INSERT
Witness: Little Joey (male or female)	INSERT
Witness: Hopp E. Frog (male or female)	INSERT
Witness: Santa Claus	INSERT
Two goats in audience (male or female)	INSERT, INSERT
Bailiff	INSERT

Props

Dozen eggs from the grocery store

Easter basket filled with cascarones and bags of chocolate eggs

SCENE

12 student jurors are seated in the jury box in Webb County Court-at-Law II.

Deputy court officers are seated at appropriate stations.

Students comprising the Court of Public Opinion are seated on benches with teachers.

BAILIFF: All rise.

(Judge enters and sits at his bench.)

BAILIFF: Webb County Court-at-Law II of the State of Texas is now in session.
Judge Victor Villarreal presiding.

JUDGE: Welcome to Webb County Court-at-Law II. *(Bangs gavel)*

Please be seated.

(Judge names each school represented and asks its students and teachers to stand and be recognized.)

JUDGE: Today we have some very special guests from (INSERT) School. Would the students and their teachers and sponsors please stand and be recognized?

(APPLAUSE)

(Judge introduces elected and appointed officials and sponsors who are present. He introduces others throughout the trial as they arrive.)

JUDGE: We are joined by X honor guests who also are mock trial sponsors,
(INSERT).

Other honor guests are (INSERT).

JUDGE: Other sponsors who made this mock trial possible are (INSERT).

We also acknowledge the assistance and inspiration of former Federal Appellate Judge Ed Prado, now the United States Ambassador to Argentina; and Webb County's Patty Tijerina San Miguel.

Thank you all for your generous support.

JUDGE: Bailiff!

BAILIFF: The case of Cluck E. Chicken versus East R. Bunny is now ready for trial.

(Judge calls the plaintiff and her attorney, the defendant and her attorney, the plaintiff's witnesses, and the defendant's witnesses. As they are called, they enter from the door opposite the judge's bench, stand before him to be sworn-in, and then sit at their assigned places before the next group is introduced and sworn-in.)

JUDGE: The plaintiff, Cluck E. Chicken, is represented by her attorney, (NAME).

(The plaintiff walks in, led by her attorney. They stand before the judge so she can be sworn-in, and then they take their seats at the plaintiff's table.)

JUDGE: Please raise your right wing. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

CHICKEN: I do.

(Chicken and her attorney sit at the plaintiff's table.)

JUDGE: The defendant, East R. Bunny, is represented by her attorney, (NAME).

(The defendant walks in, led by her attorney. They stand before the judge so she can be sworn in, and then they take their seats at the defendant's table.)

JUDGE: Please raise your right paw. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

BUNNY: I do.

(Bunny and her attorney sit at the defense table.)

JUDGE: The witnesses for the plaintiff are Little Joey and Hopp E. Frog.

(Little Joey walks in, and Hopp E. Frog hops in. They stand before the judge to be sworn-in, and then sit at their assigned places. If preferred, they can enter and be sworn-in individually, rather than together.)

JUDGE: Please raise your right hand, Little Joey, and Mr./Ms. Frog, raise your manus. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

WITNESSES: *(Each answers with the appropriate own version of "I do.")*

(Witnesses sit at assigned seats in front of judge's bench, facing the courtroom.)

JUDGE: I understand the claims against East R. Bunny are trespassing and theft of property. Is everyone ready to proceed?

ATTORNEYS: Yes, Your Honor.

JUDGE: Will the bailiff please swear-in the jury?

(After the 12 jurors are chosen, the bailiff needs to tell them what they will do during the trial and how they will answer during their swearing-in. If they don't stand, raise their right hands, or respond, the bailiff needs to prompt them.)

(Bailiff should give the deputy bailiff an opportunity to read lines, if he or she is willing and able.)

BAILIFF: Will the jurors please stand and raise your right hands?

(Jurors stand and raise their right hands.)

BAILIFF OR DEPUTY BAILIFF: Do you solemnly swear that you will listen to all the testimony today and decide the issues fairly?

JURORS: I do.

BAILIFF OR DEPUTY BAILIFF: Do you swear that you will not discuss this case with anyone until after you have reached a verdict?

JURORS: I do.

BAILIFF OR DEPUTY BAILIFF: You may be seated.

(Jurors sit.)

JUDGE: Does the prosecution have an opening statement?

ATTY FOR PLAINTIFF: Yes, Your Honor. In this case we will show that last spring, the defendant, East R. Bunny, trespassed into the hen house of Cluck E. Chicken under the cover of darkness, and she heartlessly stole many of her eggs. Ms. Bunny then disguised the stolen eggs, by dyeing them in different colors and decorating them with different patterns so they could not be recognized by their rightful owner.

Then she hid them in various places, undoubtedly so the authorities could not discover the stolen loot. Thankfully, some enterprising children found the pilfered eggs on Sunday morning—otherwise this crime might never have come to light, “sunny side up.”

Your Honor, we believe this trial will be “over easy.”

JUDGE: Thank you. Does the attorney for the defendant have an opening statement?

ATTY FOR BUNNY: Yes, Your Honor. Ladies and gentlemen of the jury, the prosecutor has “scrambled” the facts in this case beyond all recognition. They cannot even say with any certainty which came first, the chicken or the egg.

First of all, there is no evidence that Ms. Bunny was ever in the hen house. There are no reliable witnesses who can say eggs-actly, without a doubt, they saw her there.

Second, while Ms. Bunny admits to having some eggs, the prosecution cannot show that these particular eggs were the same eggs that Ms. Chicken claims were stolen from her.

And, finally, East R. Bunny intends to present some eggs-ellent evidence that her eggs were decorated eggs-quisitely and hidden eggs-ertly for legitimate purposes having nothing whatsoever to do with the cover-up of a crime. Indeed, the only fact not in dispute in this trial is that some eggs might be missing from Ms. Chicken’s hen house, but beyond that, prosecutors have no idea what happened to those eggs, and they are clearly “scapegoating” the defendant!

(Two “goats” bay in audience.)

ATTY FOR PLAINTIFF: Objection, Your honor! There are no goats involved in this trial!

(Two goats bay.)

JUDGE: Sustained. *(Bangs gavel)*

BAILIFF: Order in the court!

ATTY FOR PLAINTIFF: Thank you, Your Honor. May I proceed?

JUDGE: Very well, omelet you continue. The plaintiffs may call their first witness.

ATTY FOR PLAINTIFF: The plaintiffs call Cluck E. Chicken to the stand.

(Ms. Chicken goes to the witness stand.)

ATTY FOR PLAINTIFF: Please state your name.

CLUCK E.: (*Making chicken sounds.*) Cluck E. Chicken.

ATTY FOR PLAINTIFF: Where do you live, Ms. Chicken?

CLUCK E.: I live in my chicken coop on a ranchito by the Rio Grande. I love it there, and always felt safe and secure until the night my eggs were stolen by East R. Bunny. I lay the biggest eggs in town—Tegg-as size. (*Ending with a chicken sound.*)

ATTY FOR BUNNY: Objection, Your honor! The plaintiff has in no way established whether eggs were stolen at all, much less who might have stolen them! There are absolutely no facts in evidence to support this egg-omaniac's argument.

JUDGE: Sustained. (*Bangs gavel*)

The jury will disregard the witness' accusation.

ATTY FOR PLAINTIFF: Ms. Chicken, why do you believe your eggs were stolen?

CLUCK E.: “Brawck”! Well I went to sleep the night before, egg-hausted, but with “great eggs-pectations” for the 12 eggs I was laying on. I woke up early the next morning before dawn, because that rooster just wouldn't let anyone sleep. But when I went to lay on my eggs again, they had disappeared!

ATTY FOR CHICKEN: So when you noticed your eggs were missing, how did you come to believe that East R. Bunny had stolen them?

CLUCK E.: I went around the ranchito and asked all the other animals I could find, including the horse, pigs, frog, gato, y coyote, and one of them told me she saw la coneja take them. The bunny was supposedly egg-static about her find, took the first eggs-it out of there, and ran down the eggs-press lane.

I looked everywhere for East R. Bunny, but she was mysteriously missing all day. No doubt about it: She “poached” my eggs. I prayed she would be kind to them and not “beat” or “whip” them.

ATTY FOR PLAINTIFF: What are you seeking in damages from East R. Bunny?

CLUCK E. Well, I spent a lot of time keeping them warm and lost a lot of sleep after they were stolen. She should pay at least \$500. That should teach her a lesson.

ATTY FOR PLAINTIFF: Thank you Ms. Chicken. I have no further questions for this witness.

JUDGE: Does the defense wish to cross-examine this witness?

ATTY FOR BUNNY: Yes, Your Honor. Ms. Chicken, I am truly sorry for the loss of your eggs. May I ask how eggs you were laying on came to be stolen without your noticing?

CLUCK E.: I briefly got up when the *gallo* started crowing, and when I returned, they were gone! I was “terri-fried”!

ATTY FOR BUNNY: Where did you go?

CLUCK E.: I went to cross the road.

ATTY FOR BUNNY: Why did you cross the road?

CLUCK E.: I have no idea. Nobody knows. It’s just something chickens do, and everyone asks, “Why did the chicken cross the road?”

ATTY FOR BUNNY: So you are saying, that the rooster’s crowing woke you, and, for no apparent reason, you got up from laying on your eggs and left your coop, leaving the eggs alone, to cross the road?

CLUCK E.: Yes. *(Pause)* I did.

ATTY FOR BUNNY: Ms. Chicken, what is on the other side of the road?

CLUCK E.: I don’t know, but everyone says, “The grass is always greener on the other side of the road.”

ATTY FOR PLAINTIFF: Objection, Your honor. What is on the other side of the road has nothing to do with this case. It is irrelevant and immaterial.

JUDGE: That is correct. Objection sustained. *(Bangs gavel)*

ATTY FOR BUNNY: You claim that another animal on the farm informed you that he/she saw who took your eggs, and that it was Ms. Bunny?

CLUCK E.: He/she certainly did tell me that. His/her stories are convincing because of their eggs-actness. No matter how many times he/she repeated herself, she never changed a word.

ATTY FOR BUNNY: Which of the animals told you that Ms. Bunny had taken the eggs?

CLUCK E.: The rana that lives at the bank of the Rio Grande next to the hen house.

ATTY FOR BUNNY: What specific question did you ask the frog?

CLUCK E.: I asked, “Did you see who took my eggs?” She said the rabbit did.

ATTY FOR BUNNY: What were her eggs-act words?

CLUCK E.: She said, “Rabbit!”

ATTY FOR BUNNY: Thank you.

ATTY FOR BUNNY: Ms. Chicken, how much does a dozen eggs cost at the grocery store or on eggBay?

CLUCK E.: Anywhere from \$1.75 to \$3, depending on their size, source, and freshness. If they’re organic and come from range-free chickens like me, they cost more. Maybe \$5.

ATTY FOR BUNNY: And how much do you get paid for laying eggs or for laying on them?

CLUCK E.: Paid? I don’t get paid. I live at the ranch and get all the free chicken feed I want.

ATTY FOR BUNNY: How much rent do you pay for your hen house?

CLUCK E.: Seriously? I don’t. I live there rent-free—just so long as I lay eggs!

ATTY FOR BUNNY: No further questions.

JUDGE: You are eggs-cused, Ms. Chicken.

(Ms. Chicken returns to the plaintiff’s table.)

JUDGE: Does the prosecution have any more witnesses?

ATTY FOR PLAINTIFF: Yes, Your Honor. We'd like to call Little Joey, who, along with her friends, found the eggs.

(Little Joey goes to the witness stand.)

ATTY FOR CHICKEN: Please state your name, and tell the court how old you are.

JOEY: (TEXT VARIES, BASED ON WHETHER CHARACTER IS MALE OR FEMALE.)

(IF FEMALE:) My name is Josefina Eliza-begg Re-begg-ah, but everyone calls me Little Joey, and I'm 8 years old.

(IF MALE:) My name is Joseph Egg-ward Egg-bert, but everyone calls me Little Joey, and I'm 8 years old.

ATTY FOR PLAINTIFF: Little Joey, is there any place you go with your family every week?

JOEY: Yes, we egg-ercise together every Saturday and go to church together every Sunday.

ATTY FOR PLAINTIFF: That's nice. Was there a time last spring when, after church services, you and your friends were encouraged by your parents to go out on the church lawn with pretty baskets and search for anything egg-citing?

JOEY: Oh, yes! They gave us baskets, and we looked, and we looked, and soon we began to find some very pretty eggs. They were eggs-travagently painted up and decorated with different colors and patterns! It was great fun! I found four of them! My friend, Esteban, found two, and his sister, María, found several more! All together we found 12 very pretty eggs! They were egg-ceptional!

ATTY FOR PLAINTIFF: Your honor, we would like to show for the record that this incident happened the morning after the eggs went missing.

ATTY FOR BUNNY: We have no objection to that, Your Honor. This fact is not in dispute.

JUDGE: Very well. So stipulated. You may continue.

ATTY FOR PLAINTIFF: Thank you, Your Honor.

Joey, do you know where the eggs you found came from?

JOEY: Yes. Our parents said that East R. Bunny hid them there for us. Even Padre Héctor said so, and he never lies or eggs-agerates!

ATTY FOR PLAINTIFF: Was there anything else you or your friends found that was also hidden?

JOEY: We also found cascarones and little chocolate eggs. We filled our baskets.

ATTY FOR PLAINTIFF: Thank you, Little Joey. I have nothing further for this witness.

JUDGE: Does the defense wish to cross-examine this witness?

ATTY FOR BUNNY: Yes, Your Honor, thank you.

Hi, Joey.

JOEY: Hi.

ATTY FOR BUNNY: Do you and your family follow the tradition of making *cascarones* at Easter?

JOEY: Yes, we do. It is so much fun!

ATTY FOR BUNNY: How do you make them?

JOEY: Well, my mom is a real eggs-pert. She makes a small hole in the eggs before pouring-out the yolks and whites and scrambling them for breakfast or cakes or something.

Then she washes and dries them, and we paint them in all different colors and draw all kinds of different patterns on them. When they dry, we fill them with confetti and cover the hole. It's eggs-tremely easy—and a lot of fun!

ATTY FOR BUNNY: Thank you. That's a really fun fact we all appreciate.

Now I am going to show you some eggs I bought at the store this morning, and I want you to tell us if you can see any difference between these eggs and the ones you found or the ones you paint for cascarones.

JOEY: OK.

(Attorney hands the dozen eggs to Joey, and he examines them.)

ATTY FOR BUNNY: Well, Joey, do you see any difference other than these that are not painted?

JOEY: No. I guess when you put all your eggs in one basket, you just can't tell them apart. I don't see any eggs-treme differences. They all look eggs-actly alike!

ATTY FOR BUNNY: Eggs-cuse me? Did you say they all look eggs-actly alike?

JOEY: Yes.

ATTY FOR BUNNY: Do you know if Ms. Chicken lays white eggs or brown eggs, large eggs or small eggs?

JOEY: No. I do not.

ATTY FOR BUNNY: Because you've never actually seen any of the eggs that Cluck E. Chicken lays, have you?

JOEY: No. I have not.

ATTY FOR BUNNY: So you cannot testify whether the eggs you found that morning are the same, or different from, the eggs she laid the night before, can you?

JOEY: No, I have no idea what her eggs look like, or whether they're brown or white, or whether I could tell the difference between her eggs and any other chicken's eggs. I've never seen them—but I sure love Huevos Rancheros and Egg Salad! Yum!

ATTY FOR BUNNY: So, Joey, if 12 eggs were indeed stolen from Cluck E. Chicken, and you and your friends found 12 decorated eggs the next day, you cannot say with any certainty that this was anything more than a coincidence, can you?

JOEY: I have no idea who laid the eggs we found or where they came from. All I know is that it was an egg-citing egg hunt on the church lawn because we found the eggs and cascarones and candy! And I sure love cascarones and candy!

Later my mom scrambled some more eggs, and they were delicious. We hit an Easter egg piñata, and it eggs-ploded with lots of candy. We cracked cascarones on each other's heads. There was confetti everywhere. It was awesome!

ATTY FOR BUNNY: Thank you, Joey. I have nothing further for this witness.

JUDGE: Thank you, Little Joey. You may step down.

(Little Joey returns to his assigned seat.)

JUDGE: Does the prosecution have any more witnesses?

ATTY FOR PLAINTIFF: Yes, Your Honor. We call Hopp E. Frog to the stand.

(Frog hops to the witness stand, making croaking sounds.)

ATTY FOR PLAINTIFF: Please state your name and where you reside.

FROG: *(Making croaking sounds.)* Ribbit....Ribbit.

ATTY FOR PLAINTIFF: Was there a morning last spring when Ms. Chicken approached you and asked if you saw who stole her eggs?

FROG: *(Making croaking sound.)* Ribbit.

ATTY FOR PLAINTIFF: And what did you answer?

FROG: *(Making croaking sound.)* Ribbit.

ATTY FOR PLAINTIFF: And there's no doubt in your mind whom you saw steal those eggs?

FROG: *(Making croaking sound.)* Rib-bit!

ATTY FOR PLAINTIFF: Thank you. I have nothing further.

JUDGE: Cross-examination by the defense?

ATTY FOR BUNNY: Yes, Your Honor.

Mr./Ms. Frog, did you see Ms. Bunny take the eggs with your own eyes?

FROG: *(In croaking sound)* Rib-bit.

ATTY FOR BUNNY: I didn't ask you whom you think took the eggs, I asked you if you saw who took them with your very own eyes. Did you see it yourself?

FROG: *(Making croaking sound)* Ribbit.

ATTY FOR BUNNY: Objection, Your Honor, this witness is being non-responsive to my question. I ask that you require him/her to answer the question!

JUDGE: *(Addressing the witness.)* Mr./Ms. Frog, let me ask the question in a different way—if, and only if—you saw with your own eyes who took the eggs, please name that person.

FROG: *(Making croaking sound.)* Rib-bit!!!!

ATTY FOR BUNNY: *(Clearly upset.)* Your honor, this witness is clearly unreliable. He/she definitely is no egghead and no eggs-pert witness. The plaintiff clearly egged him/her on to be here. I have nothing further for him/her.

ATTY FOR PLAINTIFF: Objection, Your Honor! Whether the witness is reliable is a question for the jury!

JUDGE: Objection sustained. *(Bangs gavel)*

The jury will disregard this outburst from the defense, and the witness may step down.

(Frog hops back to his/her assigned seat.)

JUDGE: Does the prosecution have any further witnesses?

ATTY FOR PLAINTIFF: No, Your Honor. The prosecution rests.

JUDGE: Very well. Defense, you have no witnesses?

ATTY FOR BUNNY: Actually, Your Honor, we do. We have a last-minute witness. We finally were able to locate a special friend of East R. Bunny's who is on vacation, but agreed to come to court today.

We wish to call Santa Claus to the stand.

ATTY FOR PLAINTIFF: Objection, Your Honor. We claim surprise. Mr. Claus wasn't on the witness list, and, besides, if he was on vacation, he couldn't even have

been at the ranchito at the time the eggs went missing. He has no eggs-clusive knowledge about what happened.

ATTY FOR BUNNY: Your Honor, Mr. Claus will be testifying only to Ms. Bunny's character. We couldn't find him any earlier, and whether he was at the ranch makes no difference.

JUDGE: Objection overruled. *(Bangs gavel)*

You may call Mr. Claus as a character witness.

ATTY FOR BUNNY: Thank you, Your Honor. The defense calls Santa Claus.

(Goats bay as Santa enters.)

(Santa Claus walks in boisterously, wearing a colorful shirt and shorts, and greeting everyone with a "Ho, ho, ho!" He stands before judge's bench to be sworn-in.)

JUDGE: Please raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

SANTA: I certainly do.

(Santa takes witness stand.)

ATTY FOR BUNNY: Please state your full name or names and occupation for the court.

SANTA: My name is Santa Claus, but in Germany I am known as Kris Kringle. In England, I'm Father Christmas. In Italy, I am Babbo Natale. *(Pronounced in Italian, bah-boh, nah-tah-leh)* In Mexico, Niño Jesús. *(Pronounced in Spanish, knee-knee-oh, heh-soos)* In Spain, they call me Papa Noel, *(Pronounced in Spanish, pah-pah, noh-el)* and in France, Père Noël. *(Pronounced in French, pehr, noh-el)*

I have many other names in many different parts of the world. That's because my occupation is to travel the globe leaving gifts for good boys and girls.

ATTY FOR BUNNY: Your having all those names is a really fun fact for boys and girls to know.

How would you like to be addressed? Mr. Claus, Mr. Kringle, Mr. Santa?

SANTA: “Santa” will do.

ATTY FOR BUNNY: Santa, how long have you been leaving gifts for children?

SANTA: For a very long time. I’m older than I look. Ho-Ho-Ho!

ATTY FOR BUNNY: How long have you known East R. Bunny?

SANTA: Oh, for as long as I have been leaving gifts for children. We often get together for a cup of eggs-presso.

ATTY FOR BUNNY: And what can you tell us about Ms. Bunny?

SANTA: East R. Bunny is a very fine and honest rabbit. She’s always happy, always egg-reable—and never does anything egg-ravating.

When it comes to Easter, she is a real egg-oholic. But she would never think of stealing any eggs—or anything else, for that matter. She is a giver, not a taker.

ATTY FOR PLAINTIFF: Objection your honor. Mr. Claus can’t tell us what Ms. Bunny thinks or does. Only Ms. Bunny can.

JUDGE: That is correct. Sustained. (*Bangs gavel*)

The jury will disregard Santa's last statement.

ATTY FOR BUNNY: Your Honor, allow me to ask the question another way.

JUDGE: You may proceed.

ATTY FOR BUNNY: Santa, you and Ms. Bunny seem to be in the same line of work. Have you ever worked with her?

SANTA: As a matter of fact, I have. We began rehearsing together for the blockbuster movie, “Rise of the Guardians.” It’s a 2012 computer-animated fantasy about how the Tooth Fairy, the Sandman, the Easter Bunny, and I recruited Jack Frost to help us stop Pitch Black from engulfing the world in darkness. You can read about it in Wikipedia.

ATTY FOR BUNNY: I see. That’s the third fun fact we hear today.

Do you consider Ms. Bunny to be an honest rabbit?

SANTA: Yes. I would never eggs-pect her to steal eggs from any chicken. She is very honest. She is my comadre.

ATTY FOR BUNNY: Thank you, Santa, for your eggs-elent testimony. All the children know how truthful and honest you are.

I have no further questions.

ATTY FOR PLAINTIFF: Objection, Your Honor! Only the jury can determine whether a witness is truthful and seems honest.

JUDGE: Objection sustained. (*Bangs gavel*)

Does the prosecution wish to cross-examine?

ATTY FOR PLAINTIFF: Yes, Your Honor. Good afternoon, Mr. Claus....

SANTA: Just call me "Santa," please!

ATTY FOR PLAINTIFF: Santa, may I ask: Why aren't you wearing your usual red and white outfit?

SANTA: I needed a little sun, so I took a little vacation and came down to Laredo. Ho-Ho-Ho! But I wanted to take time off and let everyone know how I feel about my comadre.

ATTY FOR PLAINTIFF: Santa, you said you began working with Ms. Bunny, but did you finish?

SANTA: Well, the movie big shots decided they wanted a male bunny instead of a female, so they replaced her.

ATTY FOR PLAINTIFF: Do you know why they wanted the change?

SANTA: Something about wanting a more macho look, and I think they thought her ears were too long and her tail too puffy or fluffy. They mentioned they wanted someone younger and stronger who could work longer hours. I'm not sure.

ATTY FOR PLAINTIFF: Did Ms. Bunny go quietly?

SANTA: I recall her complaining about not getting paid as much as the male bunnies. She and I agree everyone should get equal pay for equal work.

(Laughing) The “yolk” was on them, however. The younger male bunny couldn’t work half as hard or as long as Ms. Bunny without whining and getting tired. He wasn’t everything they thought he was “cracked-up” to be, even though he was getting paid more!

East R. Bunny is the real deal: an Energizer Bunny!

ATTY FOR PLAINTIFF: So the producers thought Ms. Bunny had a dishonest look?

ATTY FOR BUNNY: Objection your honor! Santa was not the producer and therefore is not qualified to answer that question. And he didn’t say anything about her looking dishonest.

JUDGE: Objection sustained. *(Bangs gavel)*

The jury will disregard the question, and the witness will not answer it.

ATTY FOR PLAINTIFF: Have you and Ms. Bunny ever worked together anywhere else?

SANTA: Actually, yes. She is one of my helpers. Whenever there are good boys and girls who deserve toys and live in an area I may not be familiar with, she lets me know.

ATTY FOR PLAINTIFF: One of your helpers? Who are the others?

SANTA: Pancho Clos, Blue Santa, Soup R. Mann, Wunder Woman, Blue Santa, Pancho Clos *(Pronounced in Spanish, pawn-cho, clowhs)*...anyone who gets around. They are my eyes and ears around the world. And everyone knows the Easter Bunny has big ears!

ATTY FOR PLAINTIFF: No more questions, Your Honor.

JUDGE: Thank you, Santa. You may step down.

(Santa returns to his assigned seat.)

JUDGE: Does the defense have any other witnesses?

ATTY FOR BUNNY: Yes, Your Honor. We call East R. Bunny to the stand.

(Bunny hops to the stand, carrying her basket with cascarones and bags of chocolate eggs.)

ATTY FOR BUNNY: Please state your full name for the record and your occupation.

BUNNY: My name is East R. Bunny. I decorate eggs and cascarones, then hide them for children to find during Easter egg hunts. It brings great joy to the children, and I'm very committed to my job.

ATTY FOR BUNNY: Do you hide anything else besides decorated eggs?

BUNNY: Sometimes I even hide candy eggs. In fact, today I brought a dozen chocolate eggs for you, Judge, and for each member of the jury.

(Holding up bag of chocolate eggs from her basket so judge, jury, and audience can see it.) This is what they look like. I'm going to hide them outside as I normally do so you all can have fun finding them.

ATTY FOR PLAINTIFF: Objection, Your Honor! East R. Bunny is out of order! She is deliberately trying to bribe you and the jury with candy.

JUDGE: Sustained. *(Bangs gavel)*

(Addressing Bunny:) Ms. Bunny, you are not allowed to give any gifts to the jury or to try to influence jurors in any way, other than through your testimony.

BUNNY: *(Innocently)* But I just want to hide them outside so the jurors can have a fun hunt when they leave. It's what I do for a living!

ATTY FOR PLAINTIFF: Your Honor!

JUDGE: *(Bangs gavel)*

(Addressing Bunny:) Ms. Bunny, you are out of order again. I know you mean well, but giving the judge and the jury gifts is improper. If you try it again, I will have to hold you in contempt of court.

BUNNY: *(Apologetically)* I'm sorry, Your Honor. I didn't know. I meant no harm—and certainly not bribery. I never met anyone who didn't want my Easter eggs.

JUDGE: Let's move on, please.

ATTY FOR BUNNY: Let me ask you point-blank: Did you trespass onto Ms. Chicken's hen house that night her eggs went missing, or at any other time?

BUNNY: I most certainly did not!

ATTY FOR BUNNY: And at any point, have you ever stolen Cluck E. Chicken's or any other chicken's eggs?

BUNNY: No! I most certainly have not! Never.

ATTY FOR BUNNY: Have you ever stolen anything from anyone at anytime?

BUNNY: Never. Stealing is wrong!

ATTY FOR BUNNY: Thank you. Pass the witness.

JUDGE: The plaintiff may cross-examine.

ATTY FOR PLAINTIFF: Ms. Bunny, let me remind you that you are under oath. If you do not steal eggs, why do you disguise them?

BUNNY: I don't disguise eggs. I decorate them to make them pretty and fun so the kids will be more egg-cited! Some families help out and do a few of their own, but I always hide one or two just from me. They even post pictures on Insteggram.

ATTY FOR PLAINTIFF: I see. And if you're not in the egg-stealing business, why do you hide them? Honest people don't hide things unless they're ashamed or don't want to be caught with a stolen stash!

BUNNY: I don't hide them to conceal a crime. I hide them to make it more challenging and fun for the children to find them!

ATTY FOR PLAINTIFF: But what good is there in hiding eggs?

(Laughing) Some people say eggs hide themselves because they're a "little chicken." I often wonder how many eggs I've saved from the Eggs-Terminator—from being fried, scrambled, poached, beaten, or boiled! I prevent egg-ocide!

ATTY FOR PLAINTIFF: Ms. Bunny, do you really expect this court to believe that after 12 eggs went missing, and after a witness named you as the perpetrator of this

crime, and after it was established that the very next morning you hid the exact same number of eggs, that you didn't steal Cluck E. Chicken's eggs?

BUNNY: I know it looks bad, but I promise you. I did not steal those eggs. I confess eggs are hard to come by, but, with a little faith and magic, East R. Bunny can get enough eggs for all the children. Actually, I always do!

ATTY FOR PLAINTIFF: Hmmph! I have nothing further for this thief.

ATTY FOR BUNNY: Objection. Your Honor!

JUDGE: Objection sustained. (*Bangs gavel*)

The jury will disregard that statement. It's up to the jury to determine whether Ms. Bunny is a thief.

Ms. Bunny, please step down.

(*Bunny hops back to her assigned seat.*)

JUDGE: Please call your next witness.

ATTY FOR BUNNY: The defense rests, Your Honor.

JUDGE: Very well. We will now hear closing arguments.

ATTY FOR PLAINTIFF: Ladies and gentlemen of the jury, a terrible tragedy has occurred. An innocent chicken was deprived of her 12 eggs. A witness, Hopp E. Frog, said he/she saw the rabbit take them. Sweet Little Joey then testified he/she and his/her friends found the same number of eggs, which by then had been disguised, the very next morning!

The defense tried to convince you that this is all just coincidence, but think about it: 12 eggs go missing late one night, and 12 eggs admittedly disguised and hidden by East R. Bunny appear early the very next morning. How can anybody not see the connection? How can any reasonable person not think that East R. Bunny stole Cluck E. Chicken's eggs and then disguised and hid them so the children could find them on Easter morning?

At no time during this trial did East R. Bunny say where she got the 12 eggs she decorated and hid, if, indeed, she didn't steal them.

And at no time during this trial did she explain why Mr./Ms. Frog would lie about seeing her steal the eggs.

Finally, at no time during this trial did the defense answer the important question: If Ms. Bunny didn't steal those eggs, who did?

Yes, ladies and gentlemen of the jury, you cannot egg-nore the fact that East R. Bunny stole those eggs. And when you conclude that she stole the eggs, you must also find that she trespassed into the hen house, because there would have been no other way for her to get access to them.

Ms. Bunny said with a little magic she would get the eggs. As we all know, magic is an illusion. She is a talented illusionist and should have taken her act to "America's Got Talent" instead of stealing eggs from an innocent chicken.

I ask you to find that East R. Bunny indeed is guilty of trespassing into Cluck E. Chicken's hen house and guilty of stealing her property. To punish her, you should make her pay Ms. Chicken \$500.

(Pointing to Ms. Bunny) In my opinion, that rabbit deserves to be fried—or at least hard-boiled!

Thank you.

JUDGE: Attorney for the defense?

ATTY FOR BUNNY: Thank you, Your Honor.

Ladies and gentlemen of the jury, East R. Bunny is innocent of these claims. The plaintiff's attorney has not proven his entirely circumstantial case.

Cluck E. Chicken said her eggs were stolen, but her own testimony suggests that the noisy and annoying rooster also had access to the hen house, as did other animals, including el coyote. Any one of them could have stolen the eggs. In fact, maybe Hopp E. Frog, or even the chupacabra took them!

The plaintiff presented testimony from a single witness who pins this theft on Ms. Bunny, but you have to agree that the testimony of Mr./Ms. Frog was, at best, unreliable. Think about it: Whatever the question, all that rana sonsa/sonso answered

was, “Rib-bit!” And he/she didn’t even say “rabbit.” He/she said, “rib-bit!” That’s just the way frogs talk. That doesn’t prove anything.

Most important, you heard testimony from Santa Claus that Ms. Bunny is a giver, not a taker. She tries to make people happy. East R. Bunny is Santa’s comadre. Do you think Santa would have a thief for a comadre? I don’t think so! And Santa always tells the truth.

Year after year, East R. Bunny has decorated and hidden eggs for Easter egg hunts. Never before has anyone questioned her or accused her of stealing them. Why should she be questioned and accused now?

In fact, this morning I showed up in this very courtroom with a dozen eggs that I bought at the grocery store, and nobody asked me where I got them or accused me of stealing them. I paid \$1.75 for them. Why in the world would Cluck E. Chicken ask to be paid \$500? For a dozen missing eggs? That’s a joke. It’s also highway robbery.

Ms. Chicken herself said she doesn’t get paid for laying eggs, and she gets all the free food she wants at the ranch where she lives rent-free. What would she do with \$500? Frankly, maybe she filed this lawsuit against an innocent, lovable, huggable bunny, just to get money she doesn’t need.

Clearly, the plaintiff failed to prove that East R. Bunny stole Cluck E. Chicken’s eggs or that she deserves any money.

If you cannot conclude beyond a reasonable doubt that East R. Bunny stole those eggs, you must find her not guilty. If so, you must also find that she did not trespass, for there would be no other reason to enter the hen house.

Ask yourselves, members of the jury: All the years you’ve loved and waited for the Easter Bunny, did you ever think she stole the eggs she hid for you? Would the Easter Bunny you’ve loved and cared for all your lives, steal eggs from Cluck E. Chicken or any other chicken?

More important, if East R. Bunny is found guilty of these charges, who will hide the eggs for all those children who depend on her? *(Pause)* Will Easter be cancelled?

After your fair and honest deliberation, I am confident you will agree that East R. Bunny did not steal Cluck E. Chicken’s eggs and did not trespass into the hen house!

Thank you.

JUDGE: Ladies and gentlemen of the jury, you heard the evidence in this case. Now it is up to you to decide if East R. Bunny is guilty or not guilty of the claims made against her and whether she should pay any damages.

I am handing the bailiff the form on which you will answer the questions related to the three claims.

Please use your 10 minutes to consider all of the evidence you heard.

Bailiff, please escort the jury to the jury room to consider the verdict.

All rise for the jury, please.

(Bailiff leads the jury to the jury room to vote on the verdict. An attorney is with jury in jury room to answer any questions. Upon arriving at a consensus, they return to the courtroom to announce the verdict.)

(During the 10 minutes allowed for the jury to deliberate, the judge convenes the non-juror students as a Court of Public Opinion. If there is time, he invites them to ask him questions.)

JUDGE: You may be seated.

After we hear the verdict and the trial is adjourned, our elected officials will be invited to join the groups of students who will be photographed with the cast at the bench.

First, however, it is my pleasure to convene the students as a Court of Public Opinion.
(Bangs gavel)

The purpose of our Court of Public Opinion is to ask how you, the public, represented by students here today, feel about the claims made against East R. Bunny.

So I will ask you the same questions that the jury will answer. We will have a voice vote, but if I can't tell how the majority feels, then we will have a standing vote. Are you ready? *(Pause)* Let's get started.

First, remember that “theft” means stealing somebody’s property. If you agree that East R. Bunny did commit theft of property by stealing Cluck E. Chicken’s 12 eggs, say, “Yes!” (*Motion with your hands for students to respond.*)

(Pause)

If you disagree, say, “No!” (*Pause*)

The (Yeses) (Nos) prevail. (*Bangs gavel*)

(If outcome isn’t clear from voice vote, ask for the “yes” voters to stand, have staffers ready to count them, and ask them to be seated. Then ask the “no” voters to stand, have staffers count them, and ask them to be seated. Announce results.)

Second, “trespassing” means entering someone’s home or property without permission. If you agree that East R. Bunny trespassed into Cluck E. Chicken’s hen house, say, “Yes!” (*Pause*)

If you disagree, say, “No!” (*Pause*)

The (Yeses) (Nos) prevail. (*Bangs gavel*)

(If outcome isn’t clear from voice vote, ask for the “yes” voters to stand, have staffers ready to count them, and ask them to be seated. Then ask the “no” voters to stand, have staffers count them, and ask them to be seated. Announce results.)

Third, if you agree East R. Bunny should pay any money to Cluck E. Chicken, say, “Yes!” (*Pause*)

If you disagree, say, “No!” (*Pause*)

The (Yeses) (Nos) prevail. (*Bangs gavel*)

(If outcome isn’t clear from voice vote, ask for the “yes” voters to stand, have staffers ready to count them, and ask them to be seated. Then ask the “no” voters to stand, have staffers count them, and ask them to be seated. Announce results.)

So this Court of Public Opinion finds that East R. Bunny is liable of _____ claim(s) and not liable of _____ claim(s) and that she should _____ should not _____ pay damages. Now let’s see why the 12 jurors find.

(If jurors haven't returned, engage in Q&A, as follows.)

While we wait for them, we have time for a question or two. Who has a question?

(Q&A with students. Be sure to repeat each student's question before answering it.)

(Staff member hands the judge a note that the jury has reached a verdict.)

(Bailiff enters, interrupting the Q&A, if necessary.) BAILIFF: Your Honor, the jury has reached a verdict.

JUDGE: All rise for the jury.

(Jurors enter and return to the jury box.)

JUDGE: You may be seated.

Ms./Mr. Foreperson, have you reached a verdict?

JURY FOREPERSON: Yes, Your Honor, we have.

JUDGE: The defendant and her attorney will stand.

(East R. Bunny and her attorney stand.)

JURY FOREPERSON: We find the defendant, East R. Bunny,

DID ___ DID NOT ___ commit theft of property by stealing Cluck E. Chicken's eggs, and

DID ___ DID NOT ___ trespass into Cluck E. Chicken's hen house.

We also find that East R. Bunny should pay \$_____ in damages to Cluck E. Chicken.

(IF NOT LIABLE:)

JUDGE: The jury has spoken, and the defendant has been found not liable. *(Bangs gavel)*

Thank you, boys and girls, for listening carefully and making this important decision.

The defendant and her attorney may be seated.

(IF LIABLE:)

JUDGE: The jury has spoken, and the defendant has been found liable.

East R. Bunny, I sentence you to _____ hours of community service at the Laredo Boys and Girls Club. There you will spend your time teaching children how to paint and decorate eggs and hosting a giant Easter egg hunt for children of all ages. You also will hold reading and storytelling hours during which you will teach them about the importance of not stealing for any reason and the magic of giving, the way that your compadre, Santa Claus, and you have done for so many years. In addition, you are hereby ordered to pay \$_____ to Cluck E. Chicken. *(Bangs gavel)*

The defendant and her attorney may be seated.

(Star witness and defendants react appropriately, based on the jury's verdict. Judge may make an appropriate statement to the defendant, especially if she is found liable. If she is found liable of one claim, but not of another, the judge must respond accordingly. The punishment may remain the same.)

JUDGE: Boys and girls, thank you and your teachers for being with us today. We hope you have enjoyed this mock trial as much as you have learned from it.

(Judge introduces director, cast members, and author, and they stand to be recognized.)

We are grateful to the director of the mock trial, (INSERT NAME).

I know you enjoyed the outstanding performances of (INSERT).

And we also are grateful to the author of both our mock trial script and your handbook, Senator Judith Zaffirini.

East R. Bunny, Cluck E. Chicken, the cast, and our honor guests will be available to take pictures with you.

Boys and girls, we hope you have enjoyed seeing justice in action in today's Class in the Courtroom. You saw for yourselves the importance of obeying the law and what can happen when you do not obey the law.

Please come back to visit your Webb County Court-at-Law II, and invite your parents and family members to do the same.

This court is adjourned. *(Bangs gavel)*

(Judge rises and joins cast and students for photos.)

CAUSE NUMBER 2018-0427-L2

Cluck E. Chicken

§

IN COUNTY COURT-AT-LAW

VERSUS

§

§

II

East R. Bunny

§

§

WEBB COUNTY, TEXAS

VERDICT

DEFINITIONS:

Theft means stealing.

Trespassing means entering someone’s home or property without permission.

We, the jury, find the defendant, East R. Bunny, not guilty _____ or guilty _____ of the claim of **theft**.

We, the jury, find the defendant, East R. Bunny, not guilty _____ or guilty _____ of the claim of **trespassing**.

We, the jury, find the defendant, East R. Bunny, should pay Cluck E. Chicken \$_____ in damages.

SIGNED on the _____ day of _____, 2018.

FOREPERSON