

## 07 - Opening Statement

I am on the Defense/Prosecutions

### Opening Statements:

#### A. Steps to Opening Statement (4 mins)

- a. *Introduction* - Hook the Audience
  - i. This is where you can bring up your theme (catchphrase) that sticks with the audience
- b. *The Law*
  - i. What do you have to prove in today's case? Or what does the other side have to prove?
    1. Look at the charge and all the steps to that charge
      - a. Ex. Armed Robbery
        - i. The defendant, on August 9 and 11th of 2021, in Cascade County, Arizona, robbed the banks
        - ii. while armed with a **deadly weapon**,
        - iii. **took property** of another person
        - iv. from the other person's **immediate presence**,
        - v. **against** the other person's **will**,
        - vi. while using or threatening to **use force** against any person
- c. *What will the witnesses tell you?*
  - i. Focus on a few main points that each witness will say
  - ii. Be sure to describe who the witness is
  - iii. Make sure to say WILL say... the trial has not happened yet. You are just preparing the judge/jury
- d. *Banger*
  - i. End with telling the judge/jury what they will find by the end of the trial

#### B. What to do and not to do?

- a. *Do...*
  - i. Appeal to emotions - you are telling a story
  - ii. Be clear - you don't want them to be confused
  - iii. Explain who you are talking about with witnesses
- b. *Do NOT...*
  - i. Be overly argumentative

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- ii. Make promises you cannot keep
- iii. Saying too many legal sounding words that mean nothing to the jury
- iv. Striking an inappropriate tone

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Draft your opening statement in the space below. Try to follow the structure above.

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