

Access to Justice: Class in the Courtroom
(HOSTING COURT)
(NAME OF JUDGE)

Cruel Elia di Abla versus Pancho Clos: A criminal mock trial script
appropriate for 3rd grade students

Charges: Impersonation, trespassing, and breaking and entering

Participants in Trial

Presiding Judge	INSERT
Star Witness: Cruel Elia di Abla	INSERT
Defendant: Pancho Clos	INSERT
Witness: Mashita	INSERT
Witness: Blue Santa	INSERT
Prosecutor	INSERT
Attorney for Defense	INSERT
Bailiff	INSERT

(Surprise Witnesses will not be introduced at this time: Santa Claus; Soup R. Mann and Wunder Woman—wearing Santa caps. Bebe Bear is a member of the audience.)

PROPS

Christmas maracas
Santa caps for Soup R. Mann and Wunder Woman
Red and green rock sugar popsicles
Large teddy bear for Mashita to carry
Bear mask or headpiece for Bebe Bear (student or teacher in the audience)
Entry music: “Who Let the Dogs Out?” for Cruel Elia; “Feliz Navidad” for Pancho Clos; “The People’s Court,” Mashita; “Santa Claus is Coming to Town,” Blue Santa

SCENE

12 student jurors are seated in the jury box in (INSERT NAME OF COURT).

Junior court officers are seated or stand at appropriate stations.

Students comprising the Court of Public Opinion sit on benches with their teachers.

BAILIFF OR DEPUTY BAILIFF: All rise.

(Judge enters and sits at his bench.)

BAILIFF OR DEPUTY BAILIFF: (NAME OF COURT) of the State of Texas is now in session. Judge (NAME OF JUDGE) presiding.

JUDGE: Welcome to (NAME OF COURT). Please be seated.

(Judge names each school and university represented and asks its students and teachers to stand and be recognized. They are likely to remain standing until asked to be seated, so be sure to ask them to sit.)

JUDGE: Today we have some very special guests, students from (INSERT NAMES OF DIFFERENT SCHOOLS AND COLLEGE/UNIVERSITY, ONE AT A TIME). Would you please stand and be recognized? (APPLAUSE) *(Repeat as necessary)*

JUDGE: Please be seated. *(Repeat as necessary)*

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

JUDGE: Three of our sponsors who make this mock trial possible also are honor guests: (INSERT).

Other honor guests with us today are (INSERT).

Other sponsors who join us are (INSERT).

We also acknowledge the assistance and inspiration of (INSERT).

JUDGE: Bailiff!

BAILIFF OR DEPUTY BAILIFF: The case of Cruel Elia di Abila *(Pronounced in Spanish, eh-lee-ah)* *(Pronounced in English, dee-ab-lah)* versus Pancho Clos is now ready for trial.

(Witnesses enter to appropriate theme music, but Mashita enters to theme from “The People’s Court.” Volume is lowered for their introduction and swearing-in.) Judge calls the prosecutor and his/her star witness, the defendant and his attorney, the prosecution’s witness, and the defendant’s witness. 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 as the next group is introduced and sworn-in.)

JUDGE: The prosecutor is (NAME), and his/her star witness is Cruel Elia di Abila. *(Pronounced in Spanish, eh-lee-ah) (Pronounced in English, dee-ab-lah)*

(Prosecutor and star witness walk in to "Who Let the Dogs In?" She is glamorous, haughty, and ridiculous, but likable, not hateful or angry, always engaging the jury and the students and making a running commentary throughout. They stand before the judge so witness can be sworn-in, and then they sit at the prosecutor's table.)

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?

CRUEL ELIA: *(Elated)* I do. Thank you for inviting me. I bought this new outfit just for today! *(Twirling, modeling with exaggeration for the jury and students.)*

JUDGE: Madam, this is a courtroom, not a fashion show. Please be seated.

CRUEL ELIA: *(Charmingly)* Don't mind if I do. Thank you, Judgie-Wudgie!

JUDGE: Please be seated, and please be more respectful.

(Cruel Elia acts surprised, but sits at the prosecutor's table with the prosecutor.)

JUDGE: The defendant, Pancho Clos, is represented by his attorney, (NAME).

(Defendant walks/dances in to "Feliz Navidad" or other appropriate music, beginning with the lyrics for "Feliz Navidad,"

https://video.search.yahoo.com/yhs/search;_ylt=AwrC3RtZZOdbHUIAWmQPxQt.;_ylu=X3oDMTByMjB0aG5zBGNvbG8DYmYxBHBvcwMxBHZ0aWQDBHNlYwNzYw--?p=feliz+navidad+music&fr=yhs-Lkry-SF01&hspart=Lkry&hsimp=yhs-SF01#id=2&vid=76168bd083d947795184d56985b0d7ab&action=view), playing his maracas, and led by his attorney. The volume is lowered for his introduction and swearing-in. They stand before the judge so the defendant can be sworn in, and then they take their seats at the defendant's table.)

PANCHO: *(Greeting children as he enters)* Ho! Ho! Ho! ¡Hola! ¡Feliz Navidad! *(Pronounced in Spanish, ho, ho, ho; owh-lah, feh-leez, nah-vee-dad; preferably*

singing “Feliz Navidad” while dancing in and playing his maracas) Merry Christmas!

JUDGE: Sir, this is a courtroom, not a partyroom. Please observe the required decorum.

PANCHO: Of course, señor Judge!

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?

PANCHO: I do. Santa never lies, Your Honor, and neither do I. All the children know that. *(Shakes his maracas and dances a few steps) ¡Cha-cha-cha!*

JUDGE: I’m sure that’s true. Please be seated at the defense table.

(Defendant and his attorney sit at the defendant’s table.)

JUDGE: Another witness for the prosecution is Mashita.

(Witness skips in, cute and friendly, carrying her teddy bear lovingly. She stands before the judge to be sworn-in, and then sits at assigned place.)

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?

MASHITA: Yes, sir. I do.

JUDGE: Please be seated.

(Witness sits at assigned seat in front of judge’s bench, facing the courtroom.)

JUDGE: The witness for the defense is Blue Santa.

(Witness walks in to Christmas music, either “Santa Claus Is Coming to Town” or another one. <https://www.youtube.com/watch?v=PJ2CuKgyNW0>. Volume is lowered for his introduction and swearing-in. He stands before the judge to be sworn-in, and then sits at assigned place.)

BLUE: *(Greeting children as he enters)* Ho, ho, ho! Merry Christmas, boys and girls!

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?

BLUE: I do. All the time—but especially at Christmas!

JUDGE: Please be seated.

(Witness sits at assigned seat in front of judge's bench, facing the courtroom.)

JUDGE: I understand the charges against Pancho Clos are impersonation, trespassing, and breaking and entering. Is everyone ready to proceed?

ATTORNEYS: *(Rising)* Yes, Your Honor.

JUDGE: Will the bailiff and deputy 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 OR DEPUTY 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.

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 are seated.)

JUDGE: Does the prosecution have an opening statement?

PROSECUTOR: Yes, Your Honor. The prosecution will show that Pancho Clos is guilty of impersonation, which means pretending to be someone else to gain an

advantage; guilty of trespassing, which means entering someone's home or property without permission; and guilty of breaking and entering, which means entering someone's home or property by force to steal.

We will show that every year on Christmas Eve—and even before—Pancho Clos acts like Santa. He trespasses onto the property of persons in any neighborhood he chooses, and he breaks and enters into their homes whenever he wants to—and he comes down their chimneys without their invitation or permission.

He looks like Santa because his belly shakes like jelly. But just because he's out looking for cookies, doesn't give him the right to come down my chimney.

Ladies and gentlemen of the jury, when you hear the evidence, you most certainly will agree that Pancho Clos is guilty of impersonation, guilty of trespassing, and guilty of breaking and entering.

Thank you.

JUDGE: Counsel for the defense?

ATTY FOR DEFENSE: Yes, Your Honor.

Ladies and gentlemen of the jury, last year, (*Preferably singing the lyrics from "Pancho Claus," and, if desired, add more of the lyrics and add to script.*)

<https://www.youtube.com/watch?v=iuL8KlKgLAc> OR

https://www.youtube.com/watch?v=RTMeWsBQ1_w&list=OLAK5uy_mQeTtXKkZPNs8d7dDgS33nAY8pDi2CXys) (Alternatively, use English version of "Twas the Night Before Christmas." <https://www.youtube.com/watch?v=NF6gMctT3XI>)

"Twas the night before Christmas, and all through the casa, (*Pronounced in Spanish, cah-sah*) not a creature was stirring, ¡Caramba! ¡Que pasa?" (*Pronounced in Spanish, kah-rahm-bah, keh, pah-sah*) (*Quoting lyrics from Pancho Claus*)

"Outside in the yard, there arose such a grito, (*Pronounced in Spanish, gree-toh*) that I jumped to my feet...like a frightened cabrito! (*Pronounced in Spanish, kah-bree-toh*)

"I went to the window and looked out afuera, (*Pronounced in Spanish, ah-fweh-rah*) and who in the world, do you think que era?" (*Pronounced in Spanish, keh, eh-rah*)

Pancho Clos—wearing a sarape and “a big red sombrero,” (*Pronounced in Spanish, sohm-bre^h-roh*) with his eight little burros, “dashing along” like a local bombero! (*Pronounced in Spanish, bom-be^h-roh*) Like a firefighter!

That’s when I first met Pancho Clos. Did he pretend to be Santa? No, he did not.

Did I email or text him an invitation? No, I did not.

(Touching his heart) But in our hearts, we wanted Pancho Clos to come. We hoped he would come. We prayed he would come. and he did!

Ladies and gentlemen of the jury, you most certainly will disappoint the prosecution after you hear the evidence in defense of Pancho Clos. He is innocent of all charges!

Thank you.

JUDGE: Thank you. The prosecution may call its first witness.

PROSECUTOR: Thank you, Your Honor.

The prosecution calls Cruel Elia di Ablá. (*Pronounced in Spanish, eh-lee-ah*) (*Pronounced in English, dee-ab-lah*)

(Star witness takes the witness stand.)

PROSECUTOR: State your name for the record, please.

CRUEL ELIA: *(Sauntering up, glamorously—so cute and funny!)* Cruel Elia di Ablá. (*Pronounced in Spanish, eh-lee-ah*) (*Pronounced in English, dee-ab-lah*)

PROSECUTOR: Do you know the defendant, Pancho Clos?

CRUEL ELIA: Heavens, no! Nor do I want to! Why would I?

PROSECUTOR: Why did you file charges against him?

CRUEL ELIA: Well, here I am, visiting (INSERT NAME OF CITY), and here comes a fake Santa, a real clown, in his Mexican shawl and sombrero. What a clown! At first I thought Santa was on vacation and had dyed his beard brown to blend-in with the locals. But then I called my daughter, Maldita di Ablá, (*Pronounced in Spanish, mahl-dee-tah*) in New York, and she had just seen Santa at Macy’s.

That's when I realized I had run across this, this, this (*Sighs, as if at a loss for words*) impersonation of Ho-Ho-Ho himself.

PROSECUTOR: So you saw Pancho Clos impersonating Santa Claus?

CRUEL ELIA: (*Proudly, with flourish*) ¡Sí! ¡Olé!

(*Smugly*) Those are two Spanish words I learned last time I visited Mexico!

PROSECUTOR: ¡Bravo! Why did you accuse Pancho Clos of trespassing and breaking and entering?

CRUEL ELIA: Well, I went to (INSERT LOCAL HOTEL) and there he was at the (INSERT NAME OF CLUB OR RESTAURANT AT THAT CLUB)! He was playing his maracas (*Pronounced in Spanish, mah-rah-kahs*) and dancing the cha-cha-cha.

PROSECUTOR: Why did you accuse him of breaking and entering?

CRUEL ELIA: I saw him stuffing his face with milk and cookies—so that means he entered without permission and stole food. And I'm sure those Christmas treats were intended for the children, not for that silly chubbette.

PROSECUTOR: How do you know he wasn't a guest?

CRUEL ELIA: (*Evil-ly*) Cruel Elia knows everything, baby!

PROSECUTOR: No further questions.

JUDGE: Does the defense wish to cross-examine?

ATTY FOR DEFENSE: Yes, Your Honor.

Ma'am...

CRUEL ELIA: (*Interrupting; haughtily*) Don't you dare call me that, young man/woman. "Ma'am" is my mother. How old do you think I look?

ATTY FOR DEFENSE: Yes, ma'am. (*Hurriedly*) I mean, yes, certainly.

With your permission, I won't answer your question.

Could you repeat your two last names, quickly, please?

CRUEL ELIA: (*Pronounced in English, dee-ab-lah*) Diabla.

ATTY FOR DEFENSE: ¿Diabla? (*Pronounced in Spanish, dee-ah-blah*) That's Spanish for Devil?

CRUEL ELIA: (*Smiling, acting sexy*) I can be a little evil sometimes. That's when they call me "Evil Elia."

ATTY FOR DEFENSE: Any relation to Cruella Deville of "101 Dalmations' fame?"

CRUEL ELIA: That would be me, young man/woman. That's my stage name in traditional fairytale land.

ATTY FOR DEFENSE: What is your real name?

CRUEL ELIA: Countess De Ville, but not in this fractured fairy tale.

ATTY FOR DEFENSE: Why did you change your name?

CRUEL ELIA: To build my own fame, not be known simply as the count's wife.

ATTY FOR DEFENSE: Which count is that?

CRUEL ELIA: The love of my life, Count Dracula De Ville.

ATTY FOR DEFENSE: Oh, my! Do you still live with Dracula?

CRUEL ELIA: I will not put up with your continued rudeness, young man/woman. That's Count Dracula to you.

Yes. What with all those vampire movies so popular with young people these days, he didn't want to be just another vampire. Now he makes fur coats and leather boots and hats in New York City.

(*Menacingly*) And don't go ask me where he gets his furs and skins. But they're real, that's for sure!

ATTY FOR DEFENSE: Did he make your coat from the fur of 101 Dalmatian puppies?

CRUEL ELIA: Yes. It's gorgeous, but my it's too hot to wear here. And Count Dracula is making me a new one for Christmas. He should have come to (INSERT

NAME OF CITY) with me. He would have taken care of Pancho Clos with one bite!
(Miming a bite and touching her neck, acting sexy again) And what a bite he has!

ATTY FOR DEFENSE: Objection, Your Honor! The witness is badgering and threatening the defendant.

JUDGE: Objection sustained. *(Bangs gavel)*

The witness is directed not to make any more vampire or other threats.

ATTY FOR DEFENSE: What brings you to the (INSERT NAME OF REGION)?

CRUEL ELIA: Oh! We heard the (INSERT NAME OF CITY) Animal Shelter has 101 chihuahueño puppies up for adoption. Those little babies have the softest fur! They'd make a darling new coat! Although they are so tiny, I think I'll need 202!

PROSECUTOR: Objection, Your Honor! That is irrelevant and immaterial.

ATTY FOR DEFENSE: Not to mention disgusting.

JUDGE: Objection sustained. *(Bangs gavel)*

Let's move on.

ATTY FOR DEFENSE: So you are the villain in the Walt Disney song, "Cruella de Ville; If she doesn't scare you, no evil thing will?" *(Quoting the song, or, preferably, singing it)*

CRUEL ELIA: *(Smirking proudly)* Yes, indeedy! And it goes on: "This vampire bat, This inhuman beast, She ought to be locked up, and never released!" *(Quoting the lyrics, or, if possible, singing them)*

Isn't that grand? That reminds everyone I'm the bride of Dracula!

PROSECUTOR: Objection, Your Honor? What does all this have to do with Pancho Clos? It is irrelevant and immaterial.

ATTY FOR DEFENSE: This is cross-examination, Your Honor. The defense has the right to show what the accuser is really like.

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

ATTY FOR DEFENSE: Do you have any evidence of Pancho Clos breaking and entering?

CRUEL ELIA: Certainly. While I was at the animal shelter, he showed up again! He brought puppy treats for the abandoned baby chihuahuēñitos (*Pronounced in Spanish, chee-wah-weh-nee-tohs*). One of his burros kick-opened their kennel, and they ran away before I could adopt them.

That's breaking and entering by force. And he stole my future puppy fur coat!

ATTY FOR DEFENSE: So that's what made you so mad. Pancho Clos saved the 101 chihuahuēñitos (*Pronounced in Spanish, chee-wah-weh-nee-tohs*) from becoming your new baby puppy fur coat, so you filed charges against him.

CRUEL ELIA: (*Fiercely*) Exactly!

ATTY FOR DEFENSE: By the way, just curious, what do you do with all those puppy bodies after you skin them for their fur?

CRUEL ELIA: (*Sinisterly*) What do you think? We're not vegetarians. A puppy may be a member of the family in Texas, but is a delicious snack in vampire land! Yum!

ATTY FOR DEFENSE: Excuse me, I'm going to be sick. No more questions for Cruel Elia Diabla, (*Pronounced in Spanish, eh-lee-ah, dee-ah-blah*) proud and loving wife of Count Dracula!

JUDGE: You may step down.

(Witness sashays dramatically back to her seat at prosecutor's table.)

JUDGE: The prosecution may call your next witness.

PROSECUTOR: The prosecution calls Mashita.

(Witness takes the stand, carrying her teddy bear.)

PROSECUTOR: State your name, please.

MASHITA: Mashita. (*Pronounced in English, Mah-shee-tah*)

PROSECUTOR: I see you brought your little bear with you. Are you the little Russian girl who stars in the children's television program, "Masha and the Bear"?

MASHITA: Well, Masha lives in traditional fairytale land with her cousin, Dasha. I'm Mashita and live in this fractured fairytale land with my cousin, Dashita. But Bebe (*Pronounced in Spanish, beh-beh*) Bear is with me today, for moral support (*Points, smiles, and waves at Bear in audience. This can be a regular student or anyone else who agrees to wear Bebe Bear's mask.*)

(Bebe Bear rises, bows, and waves to Mashita, the jury, and the audience. The two interact long enough for the entire audience to see Bebe Bear.)

PROSECUTOR: Did you see Pancho Clos impersonating Santa Claus?

MASHITA: Yes, sir/ma'am.

PROSECUTOR: Where?

MASHITA: (*Counting on her fingers*) At (INSERT NAME OF LOCAL MALL), at the (INSERT NAME OF OTHER SHOPPING CENTER)—and even at my school.

PROSECUTOR: And did that upset you?

MASHITA: (*Nodding*) Da! That means “yes” in Russian. He was pretending to be Santa, giving gifts to children. I got so confused. I couldn't sleep.

PROSECUTOR: Did you see him trespassing or breaking and entering anywhere?

MASHITA: (*Nodding*) Double Da! All over town. I went back and asked the managers if that meant Santa wasn't coming on Christmas. They all said no, but I didn't believe them.

PROSECUTOR: Did Pancho Clos do anything else that upset you?

MASHITA: (*Nodding*) Triple Da! Wherever he went, he had his burros pulling his sleigh, and one of them had a red nose. I wanted to charge him with animal abuse, but then my friend, Bebe Bear, told me someone had already filed charges, so I agreed to be a witness.

PROSECUTOR: No more questions.

JUDGE: Does the defense wish to cross-examine?

ATTY FOR DEFENSE: Yes, Your Honor.

Mashita, does Santa visit your home every year?

MASHITA: (*Beaming, acting cute*) Yes, sir/ma'am. I'm never on his naughty list and always on his nice!

He even visited me when I lived in Russia, where we call him Grandfather Frost. There I left him Russian teacakes and vodka. In (INSERT NAME OF CITY), we leave Santa hot Chocolate and snickerdoodles. He loves his cocoa and pastries!

ATTY FOR DEFENSE: Thank you for that fun fact.

Have you ever sent Grandfather Frost or Santa Claus a letter, or an email, or a text message inviting him?

MASHITA: I don't have to. He just shows up wherever we go.

ATTY FOR DEFENSE: So that's not trespassing or breaking and entering?

MASHITA: Oh, no! Children all over the world expect him. I don't know anyone who doesn't. And it's not trespassing if he has permission or is expected.

ATTY FOR DEFENSE: And how does he travel all over the world?

MASHITA: In his sleigh!

ATTY FOR DEFENSE: And who pulls his sleigh?

MASHITA: (*Delighted*) Rudolph the Red Nosed Reindeer! And Dasher and Dancer! And Prancer and Vixen! And Comet and Cupid, and Donner and Blitzen! Nine in all!

ATTY FOR DEFENSE: Sooooo, reindeer pull Santa's sleigh, and one of them has a red nose, just like Pancho Clos's burros. Would you accuse Santa of animal abuse too?

MASHITA: No! Santa loves his reindeer, and they love him!

ATTY FOR DEFENSE: So why wouldn't you think Pancho Clos loves his burros, and they love him?

MASHITA: (*Perplexed*) Oh! I hadn't thought of it that way. Maybe they do. Yes. You're right. I guess they do!

ATTY FOR DEFENSE: And why would you think it's OK for Santa to go places without a written invitation, but not OK for Pancho Clos—when they're both leaving gifts for children?

MASHITA: Oh, my! I guess, I guess....I'm getting confused all over again. I'll have to talk to Bebe Bear.

ATTY FOR DEFENSE: Maybe you were wrong?

MASHITA: Maybe....Probably....I guess so. Yes. I got my wires crossed.

ATTY FOR DEFENSE: Who asked you to come here today?

MASHITA: *(Pointing to Cruel Elia)* That lady. She said she would give me a puppy if I came.

ATTY FOR DEFENSE: Is that what you asked Santa for this Christmas?

MASHITA: No! (Preferably singing lyrics: <https://www.youtube.com/watch?v=7oOzszFIBcE>) "I want a hippopotamus for Christmas, only a hippopotamus will do. Don't want a doll, no dinky Tinker Toy. I want a hippopotamus to play with and enjoy." Uh-huh!

ATTY FOR DEFENSE: Well, I certainly hope you get it.

Do you wish you hadn't come?

MASHITA: *(Looking ashamed)* Sí, señor/señorita.

ATTY FOR DEFENSE: No more questions for this witness.

JUDGE: You are excused, Mashita.

MASHITA: *(On the way back to her designated seat)* I love you Pancho Clos! Please come to my house—and bring me a puppy!

PROSECUTOR: Objection, Your Honor! The witness should only answer the questions asked.

JUDGE: She's a child, Counselor, and she's your witness. Let's move on. *(Bangs gavel)*

PROSECUTOR: The prosecution rests, Your Honor.

JUDGE: The defense may call its first witness.

ATTY FOR DEFENSE: The defense calls Pancho Clos.

(Witness takes the witness stand.)

ATTY FOR DEFENSE: Please state your name.

PANCHO: *(Singing lyrics from “Pancho Claus” by Lalo Guerrero.*

<https://www.youtube.com/watch?v=iuL8KlKgLAc> OR) “I am Santa’s cousin, from south of the border. My name’s Pancho (Clos), and I brought what you ordered.”

ATTY FOR DEFENSE: Do you live at the North Pole with Santa Claus?

PANCHO: No, sir/ma’am. I live at the South Pole with my little burritos.

ATTY FOR DEFENSE: What are the names of your burritos?

PANCHO: *(Preferably singing to same music as above or to*

https://www.youtube.com/watch?v=RTMeWsBQI_w&list=OLAK5uy_mQeTtXKkZPNs8d7dDgS33nAY8pDi2CXys) Sancho and “Pepe, and Cuca and Beto. Chato and Chopo, and Maruca and Nieto.” My Capitán is Memito. You may know him as the Rojo-Nosed Burrito. *(Rhyming Memito/Burrito)*

ATTY FOR DEFENSE: Have you ever impersonated Santa Claus?

PANCHO: Of course not. I am Pancho Clos, why would I want to be anyone else?

ATTY FOR DEFENSE: But you give gifts to children like he does. Isn’t that impersonating him, at least with the little ones?

PANCHO: *(Leaning toward the microphone)* Can I tell you a secret? Santa can’t be everywhere, and he gets tired! I, for one, work out, and I’m happy to help our jolly fat man. I especially like going to the schools in (INSERT NAME OF CITY).

ATTY FOR DEFENSE: Is that why you’re here?

PANCHO: ¡O, sí! As my song says, I fill their stockings “with lovely regalos, *(Pronounced in Spanish, reh-gah-lohs)* for none of the children” have “been very

malos.” *(Pronounced in Spanish, mah-lohs) (Quoting the lyrics, or, if possible, singing them to the same tune)*

That means the children who behave so well certainly deserve nice gifts.

ATTY FOR DEFENSE: Have you ever trespassed or broken and entered into a home or place of business?

PANCHO: No, señor/señorita. ¡That would be loco! And definitely naughty, not nice.

ATTY FOR DEFENSE: Have you ever taken anything from anywhere?

PANCHO: I am a giver, not a taker, señor/señorita.

ATTY FOR DEFENSE: Thank you, Pancho Clos. I have no more questions.

JUDGE: Does the prosecution wish to cross-examine?

PROSECUTOR: Yes, Your Honor.

Pancho, don't you deliberately dress like Santa Claus so innocent little children who don't know any better will think you are him and give you lots of freebie treats?

(Looking into witness stand at his belly) By the way, looks like you've been enjoying lots of free milk and cookies.

PANCHO: ¿Yo? You think I look like Santa Claus? Have you ever seen Santa Claus were a sarape and a sombrero? Does he have a brown beard?

And I wouldn't be caught dead in that hot, fuzzy red suit in (INSERT NAME OF CITY). *(Fanning himself)* So hot! I would die.

PROSECUTOR: But when (INSERT NAME OF CITY) children see you, don't they think you're Santa?

PANCHO: No way, José! Do you think they're dumb and can't tell the difference?

(Touching his beard) Do my hair and beard look white like his? I don't think so!

PROSECUTOR: Objection, Your Honor! He's a witness and can only answer questions. He can't ask them.

JUDGE: You are correct. Only the attorneys can ask the questions, Pancho Clos.
Objection sustained (*Bangs gavel*)

PANCHO: These children are smart.

(Addressing jury) I know. I've been checking your grades. Good job! Keep it up.

(Addressing prosecutor) They can tell their Santa from their Pancho.

PROSECUTOR: Do you think that giving gifts to children gives you the right to trespass onto anybody's property and to break and enter into their homes?

PANCHO: No, sir/ma'am. I go only where I'm wanted and needed.

PROSECUTOR: Give us some examples of places you go.

PANCHO: Back to my song: Sometimes I go where "Los niños are (asleep) in their camas, *(Pronounced in Spanish, cah-mahs)* some in vestidos and some in piyamas. *(Pronounced in Spanish, pee-yah-mahs)* While Mama (makes masa) *(Pronounced in Spanish, mah-sah)* in her little cocina," *(Pronounced in Spanish, coh-see-nah)* and papi, we hope, is not at the cantina. *(Pronounced in Spanish, kahn-tee-nah)* *(Quoting the lyrics, or, if possible, singing them)*

PROSECUTOR: Can you please translate that?

PANCHO: ¡Claro que sí! *(Pronounced in Spanish, klah-roh, keh, see)* Basically, I said I visit when the children are "nestled all snug in their beds," while their mother is in the kitchen, hoping their dad's not out...well, you know!

PROSECUTOR: Do you get oral or written invitations to go where you go?

PANCHO: I go only where our hearts connect—corazón a corazón. That's "heart to heart" if you don't speak Spanish.

PROSECUTOR: How long do you plan to stay in (INSERT NAME OF CITY)?

PANCHO: To quote my happy mood from my song again, soon after Christmas, I'll be muy contento. *(Pronounced in Spanish, cohn-tehn-toh)* I'll turn "like a flash and (be) gone like the viento." *(Pronounced in Spanish, vee-ehn-toh)* Or like the wind, in English. *(Quoting the lyrics, or, if possible, singing them)*

PROSECUTOR: *(Shaking his head)* No more questions, Your Honor.

JUDGE: You may step down, Pancho Clos.

PANCHO: Thank you, Judge.

(Addressing the jury and audience) I hope on Christmas Eve you'll *(Singing*
https://www.youtube.com/watch?v=RTMeWsBQ1_w&list=OLAK5uy_mQeTtXKkZPNs8d7dDgS33nAY8pDi2CXys) hear me exclaim, as I drive “past the porches,
‘Merry Christmas to all, and to all buenas noches.’ *(Bowing, hat in hand)*

¡Feliz Navidad! Ho! Ho! Ho! *(Waving to all as he returns to his designated seat)*

JUDGE: The defense may call its next witness.

(Witness returns to the defense table.)

ATTY FOR THE DEFENSE: The defense calls Blue Santa.

(Witness takes the stand.)

ATTY FOR DEFENSE: State your name, please.

BLUE: Blue Santa.

ATTY FOR DEFENSE: Do you know Pancho Clos?

BLUE: Sure! He's my compadre.

ATTY FOR DEFENSE: What do you two have in common?

BLUE: We both help Santa. He can't be everywhere, so he has helpers all over the world.

ATTY FOR DEFENSE: What brings you both to (INSERT NAME OF CITY)?

BLUE: We love (INSERT NAME OF CITY) kids—and the taquitos, tamales, tripitas....¡Deliciosos! *(Pronounced in Spanish, tah-kee-tohs, tah-mah-les, tree-pee-tahs; deh-lee-see-ohw-sohs)* We especially love those grilled intestines!

Besides, the weather here is great. So we get to hang-out at one carne asada after another....Machitos, cabritos, cerditos. *(Pronounced in Spanish, mah-chee-tohs, cah-bre-tohs, sehr-dee-tohs)* We really love pork!

ATTY FOR DEFENSE: Call me anytime you need company!

Did you ever see Pancho Clos impersonating Santa Claus?

BLUE: I'd more likely see Santa impersonating Pancho! I'm sure he loves the weather down here much more than at the North Pole. And he adores the children, especially those who speak English and Spanish. He thinks everybody should! He speaks lots of languages, you know.

Actually, Santa vacations in (INSERT NAME OF CITY) every summer. He looks great in his flip-flops with his little red shorts and guayabera.

ATTY FOR DEFENSE: Did you ever see Pancho Clos trespass or break and enter into anybody's property?

BLUE: Are you kidding? He has the longest list of places to go. Why would he go where he's not wanted or needed?

ATTY FOR DEFENSE: Thank you, Blue Santa. You've been very helpful. No more questions.

JUDGE: Does the prosecution wish to cross-examine?

PROSECUTOR: Yes, Your Honor.

What is a "Blue Santa"? I thought Santa always wore red.

BLUE: Santa Claus himself always wears red when he delivers gifts around the world on Christmas Eve. But lots of other Santas help him before his special night. We all dress a little differently, so as not to confuse the children.

PROSECUTOR: So why are you blue?

BLUE: I'm Blue Santa because I work with (INSERT NAME OF CITY) police officers, who wear blue uniforms. We take gifts to boys and girls who might not otherwise get a gift on Christmas. We make sure they do. And if they get another one from Santa later—Great!

PROSECUTOR: You don't think you and Pancho Clos are impersonating Santa?

BLUE: We are helping Santa, not impersonating him.

PROSECUTOR: Is it your testimony that Pancho Clos has never trespassed or broken and entered private property?

BLUE: *(Controlling his anger)* Listen carefully, señor/señorita: Sometimes children—and even their parents and grandparents—cry with joy when they see Pancho Clos. He loves them—and they love him.

Nobody, but nobody, in (INSERT NAME OF CITY) would ever file these charges against him. I work with police officers, so I know.

The only reason we're here is because of *(Pointing to Cruel Elia)* this evil wife of Dracula, from New York City!

PROSECUTOR: Objection, Your Honor! The witness is badgering the plaintiff.

JUDGE: Objection sustained. *(Bangs gavel)*

The jury will disregard that statement.

BLUE: I apologize. Santa would say that was naughty, not nice.

PROSECUTOR: Is it your testimony that neither you nor Pancho Clos has ever trespassed or broken and entered into someone's home?

BLUE: The police wouldn't allow it. Besides, everybody knows that breaking and entering happens only when the entry is by force and something is stolen. That didn't happen.

PROSECUTOR: Another fun fact! Are you an attorney?

BLUE: No, but I work with the (INSERT NAME OF CITY) Police Department. And, besides, I watch a lot of "Law and Order"!

PROSECUTOR: *(Shaking his head)* No further questions, Your Honor.

JUDGE: You may step down.

(Witness returns to designated seat.)

(An excited aide, perhaps a designated/recruited student from the audience, runs in, or the sergeant-at-arm hurries in from the back door and hands the defense attorney

a note. The defense attorney reads it silently, acting surprised, but pleased.) (Be sure the bailiff expects this so he/she won't be caught off-guard.)

ATTY FOR DEFENSE: *(Very excited)* Your Honor, my apologies. I am thrilled to report my staff has located some character witnesses we've been trying to reach. They apparently arrived at the courthouse minutes ago.

(The back door opens, and Santa music and bells are heard. Music could be "Here Comes Santa Claus," https://www.youtube.com/watch?v=XK60Cwwp_EI or "Santa Clause Is Coming to Town" <https://www.youtube.com/watch?v=PJ2CuKgyNW0>—or something else. Santa enters boisterously, happily, and walks toward the judge's bench and turns to face the audience.)

SANTA: Ho, ho, ho! Merrrry Christmas! Merrrry Christmas! Ho, ho, ho!

PROSECUTOR: Objection, Your Honor!

(The back door opens again, and Superman music is heard as Soup R. Mann enters and walks toward the judge's bench and turns to face the audience. He's wearing a Santa Cap. https://www.youtube.com/watch?v=e9vrfEoc8_g&t=69s)

PROSECUTOR: Objection, Your Honor!

(The back door opens again, and Wonder Woman theme song is heard as Wunder Woman enters and walks toward the judge's bench, crossing her wrists at her bracelets repeatedly. She turns to face the audience and is wearing a Santa cap. https://www.youtube.com/watch?v=Gw_o7XUX3fg)

(Santa, Soup R. Mann, and Wunder Woman stand in a line, facing the audience.)

PROSECUTOR: Objection, Your Honor! The defense attorney is pulling a fast one. These witnesses were not on the witness list, and they are a surprise. This is no way to run a courtroom.

ATTY FOR DEFENSE: Your Honor, a man's reputation and freedom are at stake. And the Christmas happiness of thousands of boys and girls depends on what happens here today. How could you not hear from these witnesses? They came here from throughout the world to testify for Pancho Clos.

PROSECUTOR: Besides, Your Honor, it's late, and we're running out of time. I have to go to my office Christmas party. Let's follow tradition. No surprise witnesses.

JUDGE: In the spirit of Christmas, I'll allow it. Objection overruled. *(Bangs gavel)*

Sometimes justice requires more than traditional procedures.

ATTY FOR DEFENSE: Thank you, Your Honor.

The defense calls Santa Claus, Soup R. Mann, and Wunder Woman.

(Witnesses start walking to witness stand, but stop when prosecutor objects.)

PROSECUTOR: Objection, Your Honor. The rules require calling one witness at a time. This is a witness stand, not a superhero playdate.

ATTY FOR DEFENSE: Your Honor, I'm simply trying to accommodate the prosecutor. He needs to get to his office party, and we'll save time by calling all three witnesses at once. Besides, I'm guessing they are all likely to have the same testimony.

JUDGE: To save time, I'll allow it. Objection overruled. *(Bangs gavel)*

(Addressing witnesses) Please raise your right hands. Do you swear to tell the truth, the whole truth, and nothing but the truth?

(Witnesses turn to face Santa as they are sworn-in, and then walk to the witness stand.)

WITNESSES: I do.

WUNDER WOMAN: *(Addressing judge; holding up her lasso of truth so judge, jury, and audience can see it)* Would you like me to put my "lasso of truth" around us?

JUDGE: Thank you, but it's not necessary. We know you will tell the truth, and you are under oath.

ATTY FOR DEFENSE: For the record, please state your names and where you came from today.

SANTA: Santa Claus. I came from the North Pole. Ho, ho, ho!

WUNDER: Wunder Woman. I came from (INSERT NAME OF LOCAL LAKE OR PARK).

SOUP: Soup R. Mann. *(Pointing at prosecutor)* That same prosecutor put me on trial in this courtroom recently for impersonation, public indecency, using performance-enhancing drugs, and endangering the public.

Wunder Woman testified on my behalf. We fell in love with (INSERT NAME OF CITY) and have been hanging out at (INSERT SAME NAME OF LOCAL LAKE OR PARK), incognito. That means “in disguise.” This morning when we heard about Pancho being on trial, we called Santa and came over.

ATTY FOR DEFENSE: Very nice! Santa Claus, let me begin with you. How do you feel about Pancho Clos being charged with impersonating you, with trespassing, and with breaking and entering?

SANTA: *(Shaking his finger)* I want to know who filed those charges so I can put them on my naughty list. I leave my headquarters to visit children with Rudolph and my other reindeer every Christmas Eve. But Pancho Clos and lots of other Santas and superheroes are my helpers throughout the year and around the world. We want to make sure no child is left without a gift.

ATTY FOR DEFENSE: Have you or has any of your helpers ever trespassed or broken and entered into homes or other properties?

SANTA: I’m sure you already heard. We barely have time to go where we’re wanted. Why would we go where we’re not?

I am, however, going to double-check that no one visits Cruel Elia Di Abila, though I doubt she has any nice children in her home.

PROSECUTOR: Objection, Your Honor. Speculation.

JUDGE: Objection sustained. *(Bangs gavel)*

The jury will disregard the statement about Cruel Elia Diabla not having any nice children in her home.

(Witnesses all look at each other, chuckling and agreeing.)

ATTY FOR DEFENSE: Soup R. Mann and Wunder Woman, why did you come today?

WUNDER: We're Santa's helpers too. Wherever we are, we communicate with him and his elves by mental telepathy, satellite, and our other power communication tools. We tell them which boys and girls deserve toys, candy, and other gifts, no matter where they are. Sometimes we rely on Pancho Clos, Blue Santa, and lots of other helpers to make deliveries, especially in the (INSERT NAME OF CITY) area.

SOUP: Lots of times we do it ourselves. That's why we have our own caps. But no one ever accused us of impersonating Santa.

By the way, Batman, Spiderman, Superwoman, and other members of our Justice League are trying to get here too. The longer we stay, the more likely they are to show up! They're going to love (INSERT NAME OF CITY)!

PROSECUTOR: Objection, Your Honor! That is irrelevant. It is highly improper for these witnesses to bring-up others who aren't here.

JUDGE: Objection sustained. *(Bangs gavel)*

The jury will disregard that statement.

ATTY FOR DEFENSE: Santa, were you about to say something?

SANTA: Yes. We swore to tell the truth, the whole truth, and nothing but the truth, so let's admit it. We also came because Pancho Clos told us the best tamales, menudo, and buñuelos *(Pronounced in Spanish, tah-mah-les, meh-noo-doh, boo-ñueh-los)* (ALTERNATIVELY, INSERT NAMES OF OTHER LOCAL FAVORITE FOODS) are made in (INSERT NAME OF CITY)! And I can't wait to have some churros con cajeta! *(Pronounced in Spanish, chew-rohs, kohn, kah-heh-tah)* (ALTERNATIVELY, INSERT NAME OF FAVORITE PASTRY.)

You can tell from my belly, I love sweet treats—especially those with jelly!

(Witnesses smile, nodding, agreeing.)

ATTY FOR DEFENSE: *(Smiling)* He's right, of course.

How do you feel about Pancho Clos being charged with trespassing and breaking and entering?

SANTA: It makes no sense. No sense at all. Dumbest thing I ever heard. Fake News.

SOUP: Superheroes go where superheroes need to go. And everyone knows Santa and his Santa helpers are superheroes to boys and girls throughout our planet.

WUNDER: *(Holding up green and red rock sugar pops)* By the way, judge, we brought some Santa Sweets for the children here today.

(Motioning with a pop in each hand, moving one to her chest with her left hand and one away from it with her right hand) We're giving two to each: one to keep *(touches her heart with one pop in left hand)*, and one to give away *(extending right hand outward with the other pop)*. These are delicious!

PROSECUTOR: Objection, Your Honor! Wunder Woman is trying to ingratiate herself with the judge and jury.

JUDGE: She didn't say anything about bringing any Santa Sweets for the judge and jury, Counselor. That would be bribery. That's against the law. She knows better. Objection overruled. *(Bangs gavel)*

ATTY FOR DEFENSE: *(Addressing witnesses)* Your being here today will make many Laredo children very happy.

SANTA: Our pleasure! Now where can we get that great Laredo food?

SOUP: *(Poking Santa good-naturedly)* Don't be so greedy, Greedy!

WUNDER: Hey! What's wrong with a good appetite? Let's go get some food!

ATTY FOR DEFENSE: *(Motions for them to wait.)*

No more questions, Your Honor.

JUDGE: Does the prosecution wish to cross-examine?

PROSECUTOR: Yes, Your Honor.

(Addressing Santa) Santa, are you an American citizen?

SANTA: Well, the North Pole sits in international waters. It's not in any country, though it's close to Canada. That's another fun fact for you!

(Quoting the lyrics, or, preferably, singing them

<https://www.youtube.com/watch?v=Ps7xmW-9LXQ> and

https://www.elyrics.net/read/l/lee-greenwood-lyrics/i_m-proud-to-be-an-american-lyrics.html)

“But I’m proud to be an American, where at least I know I’m free....And I gladly stand up, next to you and defend her still today, ‘Cause there ain’t no doubt I love this land. God bless the USA!”

And I’m a registered voter.

PROSECUTOR: Superman and Wunder Woman, where were you born?

WUNDER: On the Paradise Islands of Greek mythology.

SOUP: On Krypton.

PROSECUTOR: Are you American citizens?

SOUP AND WUNDER: No.

PROSECUTOR: Are your passports in order, or are you here undocumented?

ATTY FOR DEFENSE: Objection, Your Honor! This is a county government proceeding. We are not in a United States immigration court, and Superman and Wunder Woman are not on trial.

The prosecutor is badgering the witnesses, only because he/she is trying hopelessly to discredit them.

PROSECUTOR: Your Honor, Santa may be an American, but if Soup R. Mann and Wunder Woman are undocumented, we need to call the Border Patrol and have them deported.

ATTY FOR DEFENSE: Your Honor!

JUDGE: Objection sustained. *(Bangs gavel)*

The jury will disregard the prosecutor's question, and the witnesses do not have to answer it. Regardless, the justice system serves everyone, documented or not.

PROSECUTOR: Why did you come to court today?

SANTA: To testify that Pancho Clos is one of my helpers, not an impersonator.

WUNDER: To show how many of us, including Pancho Clos, help Santa.

SOUP: To say that if Pancho Clos is guilty, the three of us—and lots of other Santa's helpers are guilty too. Besides, I'm seeking "truth, justice, and the American way!"

(Prosecutor pauses, looks at papers)

JUDGE: Mister prosecutor, do you have any more questions?

PROSECUTOR: *(Defeated)* No, Your Honor. Obviously, my goose is cooked. So is my Christmas turkey, and it's getting cold. I have to go to my office party.

JUDGE: Very well.

(Addressing witnesses) You may step down.

Bailiff, please get some chairs for them.

(Witnesses sit at designated places. Bailiff brings chairs for them and places them at prearranged place.)

ATTY FOR DEFENSE: Your Honor, we have no more witnesses. The defense rests.

JUDGE: Very well. We will now hear closing arguments. Is the prosecutor ready?

PROSECUTOR: Yes, Your Honor. Thank you.

Ladies and gentlemen of the jury, the law is the law, no matter who you are. We are all equal under the law. No one is above it. It applies to everyone—even to Santa Claus, Blue Santa, Soup R. Mann, Wunder Woman, and to the defendant before you today, Pancho Clos.

(Pointing to Soup R. Mann and Wunder Woman) These superheroes are known for enforcing the law. How dare they come into our territory and try to persuade you to ignore the law for one of their buddies? That is not right, and it is not fair.

You heard the evidence against Pancho Clos. He impersonated Santa Claus, letting children think he came from the North Pole, instead of from the South Pole. He trespassed and broke into and entered places where he wasn't invited. And he stole Santa's milk and cookies and even the 101 chihuahueño baby puppies for Cruel Elia di Abla's new chihuahueñito fur coat.

Pancho Clos said he knew in his in his heart where he was invited. Imagine!

Imagine if a burglar broke into your home and said, "In my heart, I thought I was invited!" We can't tolerate such flimsy excuses.

If you really love Santa Claus, then you shouldn't tolerate imitations like Pancho Clos. You should want only the best—the real thing—for your children and grandchildren.

And if you value your homes and businesses, you don't want this bad hombre in his sarape and his sombrero coming over without your inviting him. Imagine the mess his burros make? We should have charged him with property damage!

In fact, I should have asked him if his passport was in order!

ATTY FOR DEFENSE: Objection, Your Honor! The prosecutor knows better than to bring-up charges that aren't before this court, and Pancho Clos's passport is not an issue. Christmas is around the corner, and the prosecutor is being very naughty, not nice.

JUDGE: Objection sustained. *(Bangs gavel)*

Do be nice, Counselor. If it weren't so late in the trial, I would warn you about being held in contempt of court.

PROSECUTOR: Yes, Your Honor. My apologies.

(Addressing jury) Where was I, before I was so *(clears his throat)* interrupted?

Members of the jury, do your duty. Apply the rule of law fairly. Find Pancho Clos guilty of impersonation, guilty of trespassing, and guilty of breaking and entering.

Thank you.

JUDGE: Counsel for the defense?

ATTY FOR DEFENSE: Thank you, Your Honor.

Ladies and gentlemen of the jury, I can't imagine a bigger waste of time and money to taxpayers. Bringing charges against Pancho Clos! That's like suing Santa Claus!

And, by the way, if you convict Pancho Clos, who's next? Blue Santa? Santa Claus? Soup R. Mann? Wunder Woman?

Foey on the prosecutor and his witness! Their role models must be Ebenezer Scrooge and "The Grinch Who Stole Christmas." Now they're trying to steal Christmas from boys and girls who would get gifts from Pancho Clos!

Pancho Clos! The helper of Santa, especially along the border, who loves to come to (INSERT NAME OF CITY).

Impersonate? He doesn't need to impersonate Santa! We love him for who he is. Our own bilingual, bicultural Santa for Texas, who wears his sombrero and sarape proudly. (*Pancho is reacting appropriately.*)

Trespassing? Breaking and entering? ¡Caramba! (*Pronounced in Spanish, kah-rahm-bah*) These *killjoys* don't know what they're talking about. There was no forced entry. There was nothing stolen. So there was no breaking and entering.

The prosecutor could not provide one single credible witness against Pancho Clos. Miss Diabla, the wife of Dracula, from New York City? Who wanted to make a coat from our local baby chihuahueño puppies? Seriously?

And poor, sweet Mashita? They tricked her into testifying against Pancho Clos, and now she wants him to give her a puppy for Christmas.

But most important, imagine how good, how loved, how important, Pancho Clos must be for Santa Claus, Wunder Woman, and Soup R. Mann—to come here to help their buddy. Ladies and gentlemen of the jury, please, I implore you. Find Pancho Clos not guilty of impersonation, not guilty of trespassing, and not guilty of breaking and entering. Vote No!

If you don't, you will cancel Christmas for countless boys and girls in (INSERT NAME OF CITY).

Thank you.

JUDGE: Ladies and gentlemen of the jury, you have heard the evidence in this case. Now it is up to you to decide if Pancho Clos is guilty of any or all of these charges. 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. *(Everyone in the courtroom rises as the jury leaves.)*

(Bailiff and deputy bailiff lead the jury to the jury room to vote on the verdict. An attorney should be with them in the 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 other students in the Court of Public Opinion, asking them the same questions the jury will answer. If there is time afterward, he invites students to ask him questions.)

Please be seated.

After we hear the verdict and the trial is adjourned, our elected officials and honor guests 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 whether Pancho Clos is guilty or not guilty.

So I will ask you the same questions that the jury will answer. We will have a voice vote. If I can't tell how the majority feels, then we will have a standing vote.

Are you ready?

First, remember that "impersonation" means pretending to be someone else to gain an advantage. If you agree that Pancho Clos did impersonate Santa Claus for a personal benefit and gain, 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.)

Second, "trespassing" means entering someone's home or property without permission. If you agree that Pancho Clos is guilty of trespassing, 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, "breaking and entering" means entering someone's home or property by force to steal. If you agree that Pancho Clos did break and enter, 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.)

(Judge adapts this paragraph as necessary.) So this Court of Public Opinion finds

that Pancho Clos is guilty of _____ charges, namely,

_____ ; and not guilty of _____

charges, namely, _____.

Now let's see what 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. Keep answers short to allow more students to ask questions.)

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

(Bailiff and deputy bailiff enter. If necessary, they interrupt proceedings.)

BAILIFF OR DEPUTY BAILIFF: Your Honor, the jury has reached a verdict.

JUDGE: All rise for the jury. (Everyone in the courtroom rises as the jury returns to jury box.)

(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 his attorney will please rise.

JURY FOREPERSON: We find the defendant, Pancho Clos, _____ of the charge of impersonation, _____ of the charge of trespassing, and _____ of the charge of breaking and entering.

(IF NOT GUILTY:)

JUDGE: The jury has spoken, and the defendant has been found not guilty.

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

The defendant and his attorney may be seated.

(IF GUILTY:)

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

Pancho Clos, I sentence you to _____ hours of community service. Your task shall be to open Santa's Satellite Headquarters on the banks of the (INSERT NAME OF

LOCAL LAKE OR RIVER). There you will organize volunteers to make toys for boys and girls who otherwise won't get them. So no one will think you are impersonating Santa Claus, you will schedule a toy giveaway on the first of every month. Feel free to invite Blue Santa to help you. Please report your progress monthly to me, or you will be held in contempt of court.

The defendant and his attorney may be seated.

(Star witness and defendant react appropriately, based on the jury's verdict. Judge may make an appropriate statement to the defendant, especially if he/she is found guilty. If he is found guilty of one charge, but not of another, the judge must respond accordingly.)

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

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

We are especially grateful to the person who directed the mock trial, (INSERT NAME).

I know you enjoyed the outstanding performances of *(INSERT CHARACTERS AND THE NAMES OF ACTORS WHO PORTRAYED THEM.)*

And we are grateful to the person who wrote the mock trial script and your handbook, Senator Judith Zaffirini.

Cruel Elia Di Abila, Pancho Clos, and all the cast will be available to take pictures with you. The elected officials who are here also are invited to join us.

Boys and girls, we hope you enjoyed seeing justice in action in today's Access to Justice: 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 (INSERT NAME OF COURT), and tell your parents and family members to come visit us too.

This court is adjourned. (*Bangs gavel*)

(*Judge rises and joins cast, students, and elected officials for photos.*)

SANTA: Merry Christmas to all, and to all a good night!

BLUE: Ho, Ho, Ho!

PANCHO: Y ¡Feliz Navidad!

(Christmas music starts and continues during photo session.)

CAUSE NUMBER 2018-0427-L2

Cruel Elia	§	IN (INSERT NAME OF
	§	COURT)
VERSUS	§	
	§	
Pancho Clos	§	(INSERT NAME OF
		COUNTY), TEXAS

Definitions

Impersonation means pretending to be someone else to trick others and gain an advantage

Trespassing means entering someone's home or property without permission

Breaking and Entering means entering someone's home or property by force to steal

VERDICT

We, the Jury, find the defendant, Pancho Clos, not guilty _____ or guilty _____ of the offense of **impersonation**.

We, the Jury, find the defendant, Pancho Clos, not guilty _____ or guilty _____ of the offense of **trespassing**.

We, the Jury, find the defendant, Pancho Clos, not guilty _____ or guilty _____ of the offense of **breaking and entering**.

SIGNED on the _____ day of _____ 2018.

FOREPERSON