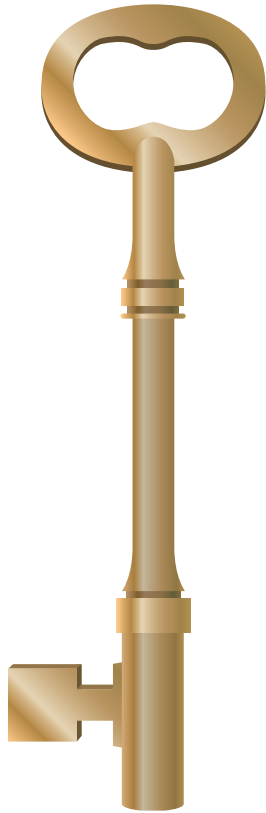


# Chapter Three: Activities Middle School



## Chapter Three: Vocabulary

**Justice**—the legal system, or the act of applying or upholding the law

**Jurisdiction**—area over which legal authority extends

**Subpoena**—written legal order summoning a witness or requiring evidence to be submitted to a court

**Civil**—law involving individual people or groups in legal action other than criminal proceedings

**Small claims**—an informal, uncomplicated proceeding to resolve small disputes which do not involve enough money to warrant the expense of formal litigation; the amount involved cannot exceed \$10,000 (taken from the State Bar of Texas)

**Probate**—to certify legally that a will is valid

**Misdemeanor**—crime less serious than a felony and resulting in a less severe punishment

**Litigation**—act or process of bringing about or contesting a lawsuit

**Felony**—a more serious crime

**Title**—a document giving the legal right to property

**Offense**—official crime or a crime against moral, social or other accepted standards

**Miranda rights**—rights read by an officer to a person in custody before he or she is interrogated; if rights are not read before interrogation of the person in custody, then the answers to the questions may be kept out of court

**Alleged**—believed to be true

**Attorney**—in law, any person (usually one with a law degree) authorized by another to represent him or her

**Prosecutor**—somebody who initiates a legal prosecution

**Defendant**—a person or company required to answer charges in a court

**Arraignment**—formal accusation

**Admonish**—advise

**Jury**—a group of people chosen to give a verdict on a legal case that is presented before them in a court of law

**Voir dire**—(from the French term which means literally “to see to speak”), process by which judges and attorneys determine which potential jurors will serve on a jury, while ensuring that the jury will be an impartial cross-section of the community

**Indictment**—a formal accusation of a serious crime, presented to a grand jury

**Object**—to be opposed to something, or express opposition to it

## Chapter Three: Notes and Review

1. The duties of a sheriff include operating the county \_\_\_\_\_, \_\_\_\_\_ crimes, making \_\_\_\_\_, enforcing \_\_\_\_\_ regulations on county roads, serving writs and seizing property after judgment.
2. A court order to appear in court to give testimony is called a \_\_\_\_\_.
3. A constable is the executive officer of the \_\_\_\_\_ court since he or she subpoenas witnesses, acts as bailiff, executes judgments and serves papers.
4. At the base of the judicial pyramid are the \_\_\_\_\_, with authority to adjudicate minor civil cases, impose small fines for misdemeanors, and hold preliminary hearings.
5. A justice of the peace can/cannot perform marriages.
6. A district court handles major \_\_\_\_\_ like felony cases, divorce proceedings and civil matters involving claims for more than \$1,000.
7. A juror must be a minimum of \_\_\_\_\_ years of age.
8. \_\_\_\_\_ rights are guaranteed by the fifth amendment of the U.S. constitution.

## Chapter Three: Notes and Review Key

1. The duties of a sheriff include operating the county **jail**, **investigating** crimes, making **arrests**, enforcing **traffic** regulations on county roads, serving writs and seizing property after judgment.
2. A court order to appear in court to give testimony is called a **subpoena**.
3. A constable is the executive officer of the **justice of the peace** court since he or she subpoenas witnesses, acts as bailiff, executes judgments and serves papers.
4. At the base of the judicial pyramid are the **justice of the peace courts**, with authority to adjudicate minor civil cases, impose small fines for misdemeanors, and hold preliminary hearings.
5. A justice of the peace **can** perform marriages.
6. A district court handles major **litigation** like felony cases, divorce proceedings and civil matters involving claims for more than \$1,000.
7. A juror just be a minimum of **18** years of age.
8. **Miranda** rights are guaranteed by the fifth amendment of the U.S. constitution.

## Chapter Three: Activity One

**Supplies:** copies of *What Is a Subpoena?* and *Sample Subpoena* for each student, pencils or pens, highlighters

**Directions:** Review the information about subpoenas with students. A subpoena is a paper telling a person to appear in court. A person who is subpoenaed may be asked to bring certain papers as evidence in a trial or to answer questions during a trial. A person who is subpoenaed must appear at the time and place listed on the subpoena. If he or she doesn't obey the order, he or she may be charged with contempt of court. Contempt of court is failing to do what the court orders. It is a crime, punishable by a fine or time served in jail. Using the sample subpoena, have students locate the answers to the questions. For English Language Learners, highlight the possible answers before giving to students.

**Key:**

1. When is Beverly Watkins ordered to appear? 10 a.m. July 12, 2011
2. What is the defendant's name? Jack Blackwell
3. Who should you call to make sure your presence is required? Richard C. Neal
4. What is the plaintiff's name? State of Texas
5. What office does Richard C. Neal hold? County Clerk
6. Will Beverly be bringing records or appearing in person? In person
7. What is the case number listed on the subpoena? 523

## What Is a Subpoena?

A subpoena is a paper telling a person to appear in court. A person who is subpoenaed may be asked to bring certain papers as evidence in a trial or to answer questions during a trial. A person who is subpoenaed must appear at the time and place listed on the subpoena. If he or she doesn't obey the order, he or she may be charged with contempt of court. Contempt of court is failing to do what the court orders. It is a crime, punishable by a fine, jail or prison.

The form on the following page is a sample subpoena. Read it carefully. What must you do if you get one? Fill in the blanks with facts you find on the subpoena.

1. When is Beverly Watkins ordered to appear? \_\_\_\_\_
2. What is the defendant's name? \_\_\_\_\_
3. Who should you call to make sure your presence is required? \_\_\_\_\_
4. What is the plaintiff's name? \_\_\_\_\_
5. What office does Richard C. Neal hold? \_\_\_\_\_
6. Will Beverly be bringing records or appearing in person? \_\_\_\_\_
7. What is the case number listed on the subpoena? \_\_\_\_\_

## Sample Subpoena

2112-Subpoena-Civil, Either Court, Witness and/or Duces Tecum

NO: 523

# THE STATE OF TEXAS SUBPOENA

State of Texas

vs. Jack Blackwell

TO ANY SHERIFF OR CONSTABLE OF THE STATE OF TEXAS OR OTHER AUTHORIZED PERSON-GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Beverly Watkins

to be and personally appear at <sup>1</sup> 10:00 o'clock AM on the 12 the day of July, 20 11 :  
before the Honorable County Court of Cordell County, Texas,  
to be held within and for said County at the Court House thereof, in Clinton, Texas,  
then and there to testify and the truth to speak on behalf of the Defendant in the above styled  
and numbered cause, now pending in said Court, and there to remain from day to day, and from term to term,  
until discharged by said Court. Said above witness(s) is further commanded to produce at said time and place  
above set forth the following books, papers, documents or other tangible things, to wit:<sup>2</sup>

HEREIN FAIL, NOT, and make due return hereof, showing how you have executed the same.

Issued and given under my hand and seal of said Court at office, this the 21 of June, 20 11

*Richard C. Neal*

By: \_\_\_\_\_ County Clerk, King County, Texas  
Deputy

### OFFICER'S RETURN

Came to hand the 21st day of June, 20 11, at 1:00 o'clock P.M. and executed  
the 23rd day of June, 20 11 at 11 o'clock A.M. by delivering to the within named  
Beverly Watkins at Clinton, Texas in Cordell County, Texas in  
person, a true copy of this Subpoena, and tendering said witness in the sum of \$ \_\_\_\_\_.

FEES: \_\_\_\_\_

Robert Luffa, Sheriff

Cordell County, Texas

By \_\_\_\_\_

1 If INSTANTER desired, write INSTANTER, and delete designated time and day.

2 Strike the sentence if subpoena is for witness(s) only

## Chapter Three: Activity Two

**Supplies:** vocabulary cards, fly swatter, plasti-tak or tape

**Directions:** Cut apart the vocabulary cards and mount them randomly on the wall with plasti-tak or tape. Divide the class or group into two teams and have them line up in front of the wall. Give the first person in line on each team a fly swatter or rolled up newspaper. Read out the vocabulary definitions. The first student to slap the right answer earns a point for his or her team. The next players then move into the slapper position until all students have had a turn.



Justice	Probate	Jurisdiction
Defendant	Offense	Misdemeanor
Prosecutor	Voir Dire	Subpoena
Litigation	Felony	Attorney
Indict	Arraignment	Miranda Rights
Civil	Small Claims	Title

## Chapter Three: Activity Three

**Supplies:** Internet-connected computer with projector or an enlarged copy of *Court Structure of Texas*, copies of the blank court structure chart, pens or pencils

**Directions:** The *Court Structure of Texas* chart can be found at [www.courts.state.tx.us/courts/district.asp](http://www.courts.state.tx.us/courts/district.asp). Project it on the wall or post an enlarged print-out of the chart. Discuss the different courts. Then have students fill in the blank chart, either from memory or as each level is explained.

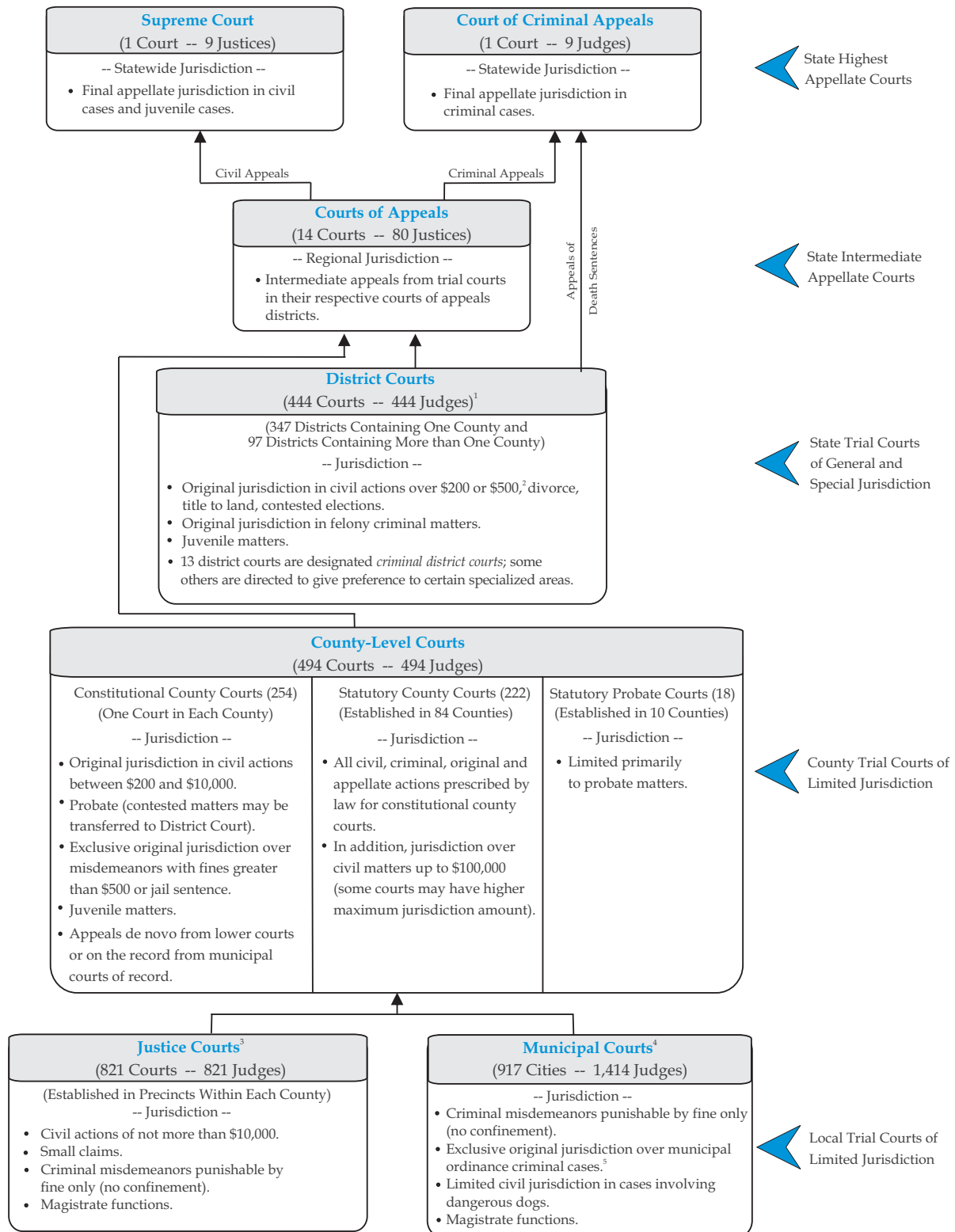
## Chapter Three: Activity Four

**Supplies:** copies of the word search puzzle, pens or pencils

**Directions:** Pass out copies of the puzzle for students to complete.

# Court Structure of Texas

SEPTEMBER 1, 2008



1. As of September 1, 2008 there were 444 district courts. The 80th Legislature authorized the creation of three additional new courts on September 1, 2007 but these had yet to be implemented. Another court was authorized to be created on September 15, 2008.

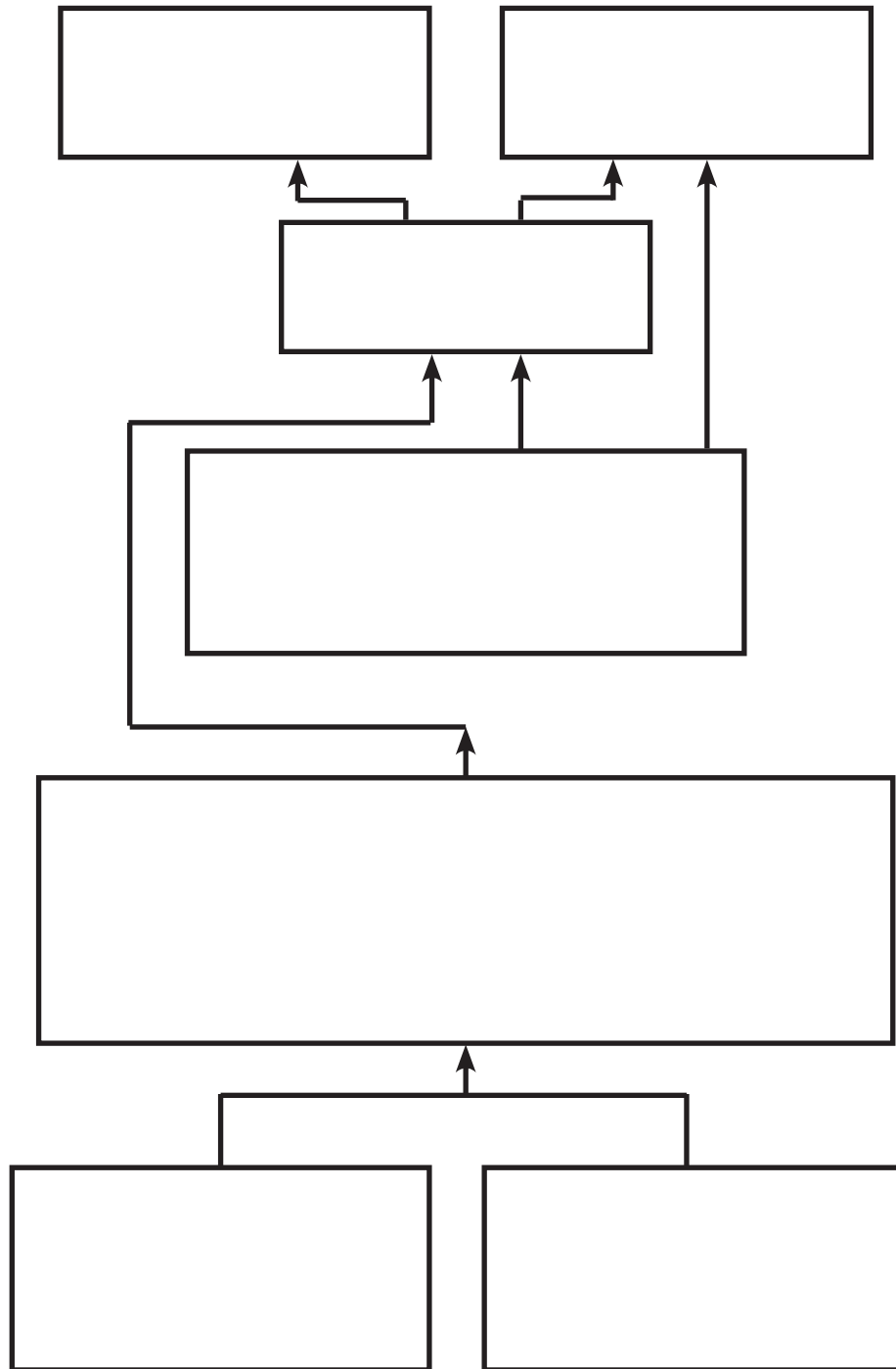
2. The dollar amount is currently unclear.

3. All justice courts and most municipal courts are not courts of record. Appeals from these courts are by trial de novo in the county-level courts, and in some instances in the district courts.

4. Some municipal courts are courts of record -- appeals from those courts are taken on the record to the county-level courts.

5. An offense that arises under a municipal ordinance is punishable by a fine not to exceed: (1) \$2,000 for ordinances that govern fire safety, zoning, and public health or (2) \$500 for all others.

# Court Structure of Texas



# Legal Issues in County Government—Word Search

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

E E K J B L V E K W P B J C D  
Z D A P C S I P V B B L O O J  
K E E J R T H T R I H J V U U  
M M N F U O O E I O D J G R S  
C T I F E R S A R G B E S T T  
H O V R O N I E T I A A N G I  
U U N Q A R D S C T F T T C C  
S E U S A N C A D U O F I E E  
Y L A O T H D E N I T R A O Z  
Q F F F J A K A M T C O N T N  
S Z X F J U B J F E X T R E D  
W O L E A S R L P K N E I O Y  
P S B N L J O Y E G P T Z O M  
A M I S D E M E A N O R O E N  
A N F E L O N Y K B G H H U L

ATTORNEY  
CONSTABLE  
COURT  
DEFENDANT  
ENFORCEMENT  
EVIDENCE  
FELONY  
JURISDICTION  
JURY  
JUSTICE

LITIGATION  
MIRANDA  
MISDEMEANOR  
OFFENSE  
PROBATE  
PROSECUTOR  
SHERIFF

# Legal Issues in County Government Word Search—Key

E	E	K	J	B	L	V	E	K	W	P	B	J	C	D
Z	D	A	P	C	S	I	P	V	B	B	L	O	O	J
K	E	E	J	R	T	H	T	R	I	H	J	V	U	U
M	M	N	F	U	O	O	E	I	O	D	J	G	R	S
C	T	I	F	E	R	S	A	R	G	B	E	S	T	T
H	O	V	R	O	N	I	E	T	I	A	A	N	G	I
U	U	N	Q	A	R	D	S	C	T	F	T	T	C	C
S	E	U	S	A	N	C	A	D	U	O	F	I	E	E
Y	L	A	O	T	H	D	E	N	I	T	R	A	O	Z
Q	F	F	F	J	A	K	A	M	T	C	O	N	T	N
S	Z	X	F	J	U	B	J	F	E	X	T	R	E	D
W	O	L	E	A	S	R	L	P	K	N	E	I	O	Y
P	S	B	N	L	J	O	Y	E	G	P	T	Z	O	M
A	M	I	S	D	E	M	E	A	N	O	R	O	E	N
A	N	F	E	L	O	N	Y	K	B	G	H	H	U	L