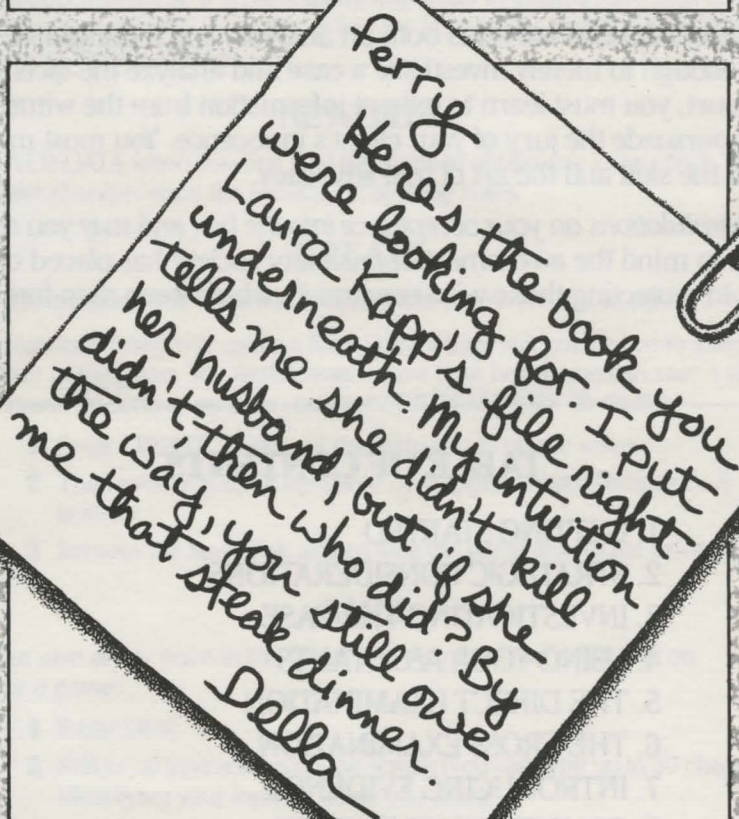


CRIMINAL DEFENSE PROCEDURES



Perry
Here's the book you
were looking for. I put
Laura Kapp's file right
underneath. My intuition
tells me she didn't kill
her husband, but if she
didn't, then who did? By
the way, you still owe
me that steak dinner.
Della

LAWYER'S HANDBOOK

◆ TO NEWLY INDUCTED MEMBERS OF ◆ THE CALIFORNIA BAR ASSOCIATION

This text presents a methodological approach to the collection of evidence, the presentation of evidence in court, and the rules of direct and cross-examination.

A successful trial lawyer is both an analyzer and a performer. It is not enough to merely investigate a case and analyze the facts; once in court, you must learn to extract information from the witnesses and persuade the jury of your client's innocence. You must master both the skill and the art of trial advocacy.

Congratulations on your acceptance into the bar, and may you always bear in mind the awesome responsibility society has placed on you in protecting those wise constraints which keep men free.

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◆ 1 ◆ GETTING STARTED

TO LOAD THE GAME:

Loading instructions for your machine may be found on the enclosed insert.

The following instructions will help you as you investigate THE CASE OF MANDARIN MURDER. It is particularly important to make a Save Disk so that you can save your game. To do this, follow the instructions under "Create" as soon as you boot PERRY MASON.

NEWDATA:

Enter NEWDATA when you first load the game to obtain any instructions that may have changed since the publication of these notes.

CREATE:

Note: The program will erase the contents of any disk created as a Save Disk.

The create command will create a Save Disk, which will enable you to save at any point in the game. You must create a Save Disk before you can save a game. This should be done as soon as you boot PERRY MASON. *To do this:*

- 1 Enter CREATE. Follow all the instructions on the screen.
- 2 The words "CREATE complete" will appear when the Save Disk is ready.
- 3 Remove the Save Disk and replace the game disk in the drive.

SAVE:

You can save at any point in the game, and restore to that point later on.

To save a game:

- 1 Enter SAVE.
- 2 Follow all instructions on the screen (you can type up to 30 characters identifying your location when you save).

When the save is complete, you may continue investigating your case.

RESTORE:

You can restore to any point you have saved on the Save Disk at any time during the game. *To do so:*

- 1 Enter RESTORE.
- 2 Follow all instructions on the screen. PERRY will resume from the point you selected, and you can continue your game.

Note: If you change your mind after typing CREATE, SAVE or RESTORE, type "*" to cancel the command.

RESTART:

Enter RESTART at any time you wish to return to the beginning of the game.

QUIT:

Enter QUIT if you wish to end the game before completing it.

PICTURESON/PICTURESOFF:

PERRY MASON can be played without graphics. If you wish to play using text only, enter PICTURESOFF. You can recall the graphics to your screen at any time by entering PICTURESON.

STRATEGIC CONSIDERATIONS**OBJECTIVE**

Your primary objective is to gain an acquittal for your client; secondarily, you should try to bring the real murderer to justice. Bear in mind that you must remain conscious of your client's best interests at all times. Novice defense lawyers often let damaging evidence against their client slip into the court record when they mistakenly concentrate on convicting the real criminal.

USING PAUL AND DELLA

Be selective about what you send Paul to investigate, as each job takes time. Also be aware of Della's limitations. She is too busy to take shorthand notes during the trial, so you should take notes of the significant details which come up during direct and cross-examination yourself.

Use Paul to investigate places or people which make use of his detective skills. Della is more helpful in sticky personal matters. She is especially good at persuading reluctant people to submit depositions on the defense's behalf.

DIRECT EXAMINATION STRATEGIES

Do not be afraid to object to a question when you believe the answer will present evidence damaging to your client and there exists grounds for the objection. Remember, however, that objections are interruptive, and are often perceived by juries as attempts to withhold evidence from the court. Use your discretion in deciding not only when to object, but also in determining the proper legal grounds for objection.

CROSS-EXAMINATION STRATEGIES

The following are a few questions to help you decide whether or not to cross-examine a witness:

- Has the witness hurt your case?
- Was the witness' testimony believable?
- What do you expect to get out of the cross?
- What is the risk involved if other damaging evidence surfaces?

CROSS-EXAMINATION STRATEGIES (cont.)

Consider both the incriminating evidence brought forth by a witness and the witness' believability. If both factors rate high, then consider the amount of ammunition you have to crack the witness' testimony. What is the risk involved? Do you stand to gain or lose in the cross-examination? Be careful with expert witnesses. Questioning them too harshly will not assist the defense of your client.

INTRODUCING EVIDENCE STRATEGIES

Introducing key items into evidence will greatly assist the defense of your client. Remember, however, to introduce each item at the appropriate moment. The following may be a useful step-by-step guide to *cracking* a witness:

- 1 Ask a question which you know will provoke a dishonest response from the witness.
- 2 Introduce a key item into evidence which discredits the witness' testimony.
- 3 Show that item to the witness. If you simply show the item to the witness before provoking a dishonest response, you lose an opportunity to force the witness into making contradictory statements, which scores points with the jury. Remember, however, that not all witnesses can be *cracked*. Attempting to discredit some witnesses—especially expert witnesses—will anger the jury and discredit your defense.

INVESTIGATING THE CASE

MOVING BETWEEN GAME LOCATIONS

Type GO TO followed by your destination. *For example* to go to the scene of the crime, type:

GO TO THE APARTMENT or
GO TO APARTMENT

Once in the apartment, you may go from one room to another by typing:

GO TO LIVING ROOM

or any other room you wish to investigate. To go to the courthouse and begin the trial, type:

GO TO COURTHOUSE or
GO TO COURT

GETTING A DESCRIPTION OF YOUR ENVIRONMENT

Type SURROUNDINGS or SURR. For more specific information about anything described in the text, type EXAMINE, EX or INSPECT followed by the name of the object. *For example*:

EX JURY or
INSPECT GOLD STATUE

TAKING EVIDENCE

Type TAKE followed by the name of the object. *For example*:

TAKE GOLD LEAF

REVIEWING YOUR INVENTORY

Type INVENTORY or INV at any time to see a complete list of the items you have taken and are carrying with you.

WHEN THE SYMBOL *** APPEARS, PRESS ANY KEY TO CONTINUE YOUR INVESTIGATION.

USING YOUR ASSISTANTS

PAUL DRAKE

Paul Drake is a top-notch detective, experienced in investigating nearly any situation, no matter how dangerous or complex. If at any time you would like a report on a certain character or place, type PAUL, followed by a comma, and then INVESTIGATE, followed by the name of the character or place. *For example:*

PAUL, INVESTIGATE VICTOR KAPP or
PAUL, INVESTIGATE THE MANDARIN RESTAURANT

While Paul is out investigating, continue presenting your case. Paul will return with his report when he has completed his examination.

DELLA STREET

Della Street is a highly skilled legal assistant, available to assist you in any telephone investigation you deem necessary. Once in the courtroom, Della can also summarize topics covered in the direct examination.

To ask Della to telephone a character or place, type DELLA, followed by a comma, and then CALL, followed by a person or a place. *For example:*

DELLA, CALL JANE WINSLOW or
DELLA, CALL DR. ERICHSON

Continue presenting your case until Della returns with the report from the phone call.

To ask Della to summarize the direct examination of a witness, type:

DELLA, SUMMARIZE

Della will then summarize the topics covered by the prosecution for your use during your cross-examination.

To ask Della to assist you in formulating a cross-examination strategy, type:

DELLA, TIP

Della will then suggest a brief strategy for approaching the witness currently under cross-examination. She will also include a list of questions which you may ask the witness.

THE DIRECT EXAMINATION

During the direct examination the prosecuting attorney, Hamilton Burger, will call a witness to the stand for questioning. You, as defense attorney Perry Mason, can either object to Burger's questions or allow the witness to answer. Either choice will carry weight in determining the outcome of the trial.

DIRECT EXAMINATION PROCEDURES

Following the text in which Hamilton Burger calls his witness to the stand, or following a witness' answer to a question, *** will appear. Press any key to continue. Burger will then ask a question. When the cursor appears, you can either object to the question by typing:

OBJ or OBJECTION

or allow the witness to continue by typing:

ANSWER OR LISTEN

ANSWER can be abbreviated to A.

Type REPEAT at any time during the direct examination to get Burger's last question to reappear on screen.

To enter commands such as:

SAVE, RESTORE or EXAMINE

type the command when the cursor appears, as you would at any other point in the game. Some commands will cause the last question Burger asked to scroll off the screen.

OBJECTING TO HAMILTON BURGER'S QUESTIONS

If you type OBJ or OBJECTION, Judge Northrup will either overrule your objection, or ask you to state the grounds for the objection. *Permissible grounds for objecting are as follows:*

- **IRRELEVANT** (Question is irrelevant). Use this objection when you believe Burger's question asks for evidence that would have no bearing on the trial. *For example:*

JULIAN, WHERE WERE YOU BORN?

- **HEARSAY**

(Question asks for hearsay). Use this objection when you believe the question asks for evidence based on a statement made by someone other than the defendant, and is beyond the witness' direct experience. The statement may be oral, written, or non-verbal conduct. *For example:*

JULIAN, DID MARGOT TELL VICTOR ABOUT THE GUN?

- **LEADING**

(Question is leading the witness). Use this objection when you believe the question suggests a specific answer. *For example:*

JULIAN, DID THE DEFENDANT STEAL THE MONEY?

- **OPINION**

Use this objection when you believe the witness does not possess the necessary expertise to answer the question. Only witnesses who qualify as experts may offer opinions in court, and they may only offer opinions in their areas of expertise. *For example:*

COULD ANYONE FIRE THE GUN FROM CLOSE RANGE?

is a question which could only be asked of ballistics expert Bill Dorset, as it concerns his area of expertise. This objection may also be used when you believe the witness' answer cannot be substantiated by facts. *For example:*

SUZANNE, DID VICTOR LOVE LAURA?

- **UNQUALIFIED**

Use this objection when the question asks for a fact, but the witness is unqualified to give the information. Note that this objection differs from the opinion objection in that it concerns witnesses offering factual information in an area outside of their expertise, while the opinion objection concerns witnesses offering opinions in areas outside of their expertise. *For example:*

BURNS, DID THE GUN KILL VICTOR?

- **BROWBEATING**

Use this objection when you believe Burger is intimidating the witness or using unseemly conduct. Often browbeating arises from a series of intimidating questions designed to make the witness suffer emotional stress. *For example:*

MILLER, DIDN'T YOU DESPISE THE VICTIM?

THE CROSS EXAMINATION

After Hamilton Burger has finished questioning a witness in the direct examination, you will have the opportunity to cross-examine the witness. During the cross-examination, you may ask any question that pertains to the subject matter introduced during the direct. If you ask a question outside of the subject matter covered in the direct examination, Burger will object, and you will have to withdraw your question.

CROSS EXAMINATION PROCEDURES

At the end of the direct examination, Hamilton Burger will signal that he is finished questioning: YOUR WITNESS, COUNSELOR. When the cursor appears, you may begin your cross-examination by typing in a question. If there are no objections to your question, the witness' answer will automatically follow your question. If Hamilton Burger objects to your question and the objection is sustained, your question will be withdrawn and the witness will not answer.

When the cursor appears, proceed to your next question. You may continue to ask as many questions as you like, until you decide that you have gotten all possible evidence in favor of your client, without introducing evidence that may damage her case.

To restate your previous question, and therefore press a witness for the truth, type:

REPEAT or CONTINUE

at any time during the cross. To end the cross-examination, type:

END or NO FURTHER QUESTIONS

The witness will step down from the stand, and Burger will call his next witness.

INTRODUCING EVIDENCE

INTRODUCING EVIDENCE INTO COURT

To introduce an item from your inventory into evidence, type:

INTRODUCE <the item> AS EVIDENCE

For example:

INTRODUCE THE CIGARETTE AS EVIDENCE

USING EVIDENCE

To use the evidence to make a point in the courtroom, type:

SHOW or GIVE <item of evidence> TO <witness>

For example:

GIVE THE CIGARETTE TO MARGOT

LISTING ALL OBJECTS ENTERED IN EVIDENCE

The command EXAMINE EVIDENCE will give you a list of the objects in evidence.

COURTROOM THEATRICALS

Occasionally you may wish to adopt certain poses and change the expression on your face in order to score points with the jury and intimidate a witness. To do so, type:

SMILE AT, SNEER AT, CURSE etc. <the witness>

You may also:

STAND, SIT, FACE, WHIRL TOWARDS, etc. <jury, witness, judge, prosecution or courtroom>

CONVERSING WITH OTHER CHARACTERS

The following Chinese Restaurant Menu will assist you in solving THE CASE OF THE MANDARIN MURDER. When questioning witnesses you must phrase your questions in the format outlined in the chart (choose one from each column):

As the chart illustrates, when phrasing your questions you must choose from the words listed in columns A, B, and C (Each of these three columns contain ALL the possible words you may use). The possible verbs (column D) and object phrases (column E) are listed in the word list. Additional rules:

1 The first time you address someone, you must begin your question with his or her name, followed by a comma. For instance, you might begin your interrogation of Burns by asking:

BURNS, WHAT IS YOUR OCCUPATION?

If you instead typed

BURNS WHAT IS YOUR OCCUPATION?

your question would not be understood by the game. After you have addressed the character once, it is not necessary to address him or her again until you wish to speak to a new character. For instance, the next question directed to Burns might be:

HOW MANY GUESTS ENTERED THE BUILDING?

2 You may use one prepositional phrase in column E. For instance, you may say:

DID YOU STUDY BALLISTICS IN SCHOOL?

You may not, however, use more than one prepositional phrase. For instance, DID YOU GO TO THE APARTMENT ON FRIDAY NIGHT? would not be understood by the game.

3 Use single verbs in column D. For instance

COULD MARGOT KILL VICTOR?

is an acceptable sentence. Compound verbs, however, should not be used. For instance,

COULD MARGOT HAVE KILLED VICTOR?

would not be understood by the game.

4 You may use the first name, last name, or both first and last names of the subjects in column C. Please note, however, that the subjects in column C are the *only* subjects which may be used.

5 Here are the only exceptions to the above rules:
You may type:

DESCRIBE <the object>
EXAMINE <the object>
TAKE <the object>
GO TO <the object>
PAUL, INVESTIGATE <the object>
DELLA, CALL <the object>
DELLA, SUMMARIZE
DELLA, TIP
SURR
INVENTORY

Chief—

Here's some information I dug up for the Kapp case. These are all the important people involved as far as I can tell. If you ask me, Victor Kapp was a real snake, with enough enemies to fill up Dodger Stadium. If you need anything else, you know where you can find me.

Paul

LAURA KAPP — released from the institution only to find her world turned upside down

VICTOR KAPP — The dead restaurateur. I guess he got stiffed for the last time, huh Perry!!

SERGEANT HOLCOMB — Mr. Long Arm of the Law himself. He'd rather arrest you than the murderer any day!

RUSSELL MILLER — the restaurant critic who finds himself in an occasional cash bind. I don't like him. What a wimp!

JULIAN MASTERS — His money made Victor's dreams come true. My operatives tell me Victor didn't need him for the Mandarin. I wonder why?

SUZANNE MASTERS — Julian's wife and Laura's friend, a kept woman who's keeping a few secrets of her own.

ED BURNS — doorman at the St. James Apartments

MARGOT DUBOQ — What a curvy little croissant!! Who knows what her relationship with Victor was all about? A slippery one, Chief!

BILL DORSET — police ballistics expert—a good man.

JACK CROSSMAN — medical examiner—tops in his field.

LT. TRAGG — Chief of Homicide. He may work for the prosecution, but I know he likes and respects you.

EPICURE TODAY

The magazine for the discriminating gourmet

BARBECUED CHICKEN

Dear Epicure Today,
I recently ate at a wonderful barbecue rib and chicken place in Boston. They served the very best barbecued chicken we've ever had, and I hope you can get the recipe.

—L. Millman

Dear Reader,
Always happy to oblige, here is Hank Aronson's Famous Oven BBQ:

- Two cups Heinz® Ketchup
- One tablespoon tabasco sauce
- Three onions
- One cup brown sugar
- Four tablespoons honey
- One teaspoon garlic powder
- One pound fryer chicken parts

Mix all of the ingredients but the chicken. Coat the chicken with the sauce, and bake for 60 minutes at 350 degrees. Serve immediately.

bon appetit!

EPICURE TODAY

The magazine for the discriminating gourmet

Dear Epicure Today,

I thoroughly enjoy your magazine, especially the recipe exchange page. I want to share with your readers my recipe for Pasta Primavera.

- Saute in olive oil:
- 1 clove garlic
 - 1 handful fresh basil
 - 1 sliced zucchini
 - 8 sliced mushrooms
 - 1 bottled artichoke hearts — sliced
 - 1/3 cup peas
 - 1 sliced red pepper
 - 1/3 cup white wine pepper
 - salt

- Add:
- 1/2 cup freshly grated romano cheese
 - 1 pint heavy cream

Let simmer for 25 minutes. Serve on top of fresh pasta.

Sincerely,
Scally Thomas

EPICURE TODAY

The magazine for the discriminating gourmet

Dear Epicure Today,
Recently I saw an episode of Leave it to Beaver, in which Mrs. Cleaver (Barbara Billingsly) served Wally (Tony Dow) an unusual grain-based product for breakfast. Could you possibly get the recipe?

—M. Reiss

Dear Reader,
It took some doing, but you can always count on Epicure Today to track down the difficult and hard to find recipe! Here's June's Breakfast Cereal:

- Fill: One melmac bowl with Kellogg's® Corn Flakes
Add: Vitamin D enriched whole milk
Serve immediately.

bon appetit!

RESTAURANT ★ REVIEW

BY RUSSELL MILLER

The Argos Cafe • 1330 La Brea Ave.



(our lowest rating)

The Argos Cafe is restaurateur Victor Kapp's latest attempt to ingratiate himself with Los Angeles society. It features "Greek-Italian specialties"—whatever that may be—and a sixty page wine list almost as exclusive in its selections as the Sacramento telephone book. And the food! Have you ever seen moussaka spumoni on any menu, anywhere? Or bahklava tortellini? I finally settled on a feta cheese lasagne, which didn't arrive for an hour, and by that time I'd drunk so many kirs that I barely noticed when one of the waiters spilled gazpacho all over my tie. I vaguely remember that the lasagne was baked to the consistency of a man's shoe. A very fine shoe, mind you, reminiscent of Italian leather, but a shoe nonetheless. So if you're in the market for a new pair of oxfords, by all means, try the Argos; if you've an investigator for the ASPCA, the Argos kitchen is probably hiding something you should know about, but if you're looking for a meal stay as far away from 1330 La Brea Avenue as you possibly can.

REX MANARD'S L.A. TODAY

Good Morning! Rumor has it that heiress Alexis Chandler has finally agreed to tie the knot with Latin Lover Roman Romaine... this will be the sixth go round for Alexis, who told yours truly that "definitely, positively, this time I'm one hundred per cent certain that I'll stay married for the rest of my life." ... or until next September, whichever comes first, if I know Alexis... by the way, where did film star Colleen Gaughan find that perfectly awful hat she's been sporting? The one with the alternating layers of cat fur and ostrich plumes? Tres tacky Colleen, but unfortunately entirely in character... V.K. spotted last night at the Bradford Ballroom with M.D. ... I wonder if L. knows, the poor dear... or (gulp!) J.M., that grotesque beast ... say, does anyone care anymore about Liz and Dick, or am I the only one left...

Dug this review up from a back issue of Epicure Today. OUCH! That Miller doesn't pull any punches does he?

from Maynard's 5/14 column in the Tribune

APPENDIX ♦ STUDY GUIDE FOR THE CALIFORNIA BAR EXAM

SECTION A: Time: 20 minutes, 20 questions

DIRECTIONS:

The following section lists the facts of a court trial and fifteen questions which may be asked by an opposing attorney in court. *You must determine:*

- 1 whether the question is objectionable or not and
- 2 if objectionable under what grounds. Apply the following grounds of objection when making your answer:

- (A) **IRRELEVANT** The answer to the question will not have any bearing on the matter at issue in the trial.
- (B) **HEARSAY** The question asks for evidence of an out-of-court statement made by someone other than the defendant to prove the truth of the matter asserted in that statement.
- (C) **LEADING** The question suggests a desired answer of the witness.
- (D) **OPINION** The witness does not possess the necessary expertise to answer a question which asks for an opinion. Only experts may offer opinions in court.
- (E) **UNQUALIFIED** The question asks for a fact, but the witness is unqualified to answer the question. Knowledge of the fact is beyond the witness' expertise or direct knowledge.
- (F) **BROWBEATING** Opposing counsel is intimidating the witness or is engaging in unseemly conduct.
- (G) Question is unobjectionable.

CASE FACTS:

JOHN VITTI is accused of murdering JEFFREY MARTIN on an ice rink in Milwaukee on a Friday night. The two had been best friends for many years, but had recently ended their friendship when Vitti learned of an illicit liaison between Martin and Vitti's wife Libby.

MARTIN, a hockey player, was brutally mutilated by a Zamboni brand ice cleaning machine while skating alone. Vitti is a professional Zamboni operator, and his fingerprints were found on the machine's controls. Nobody saw the crime and Vitti denies murdering Martin, though he cannot supply an alibi. Expert witnesses for the prosecution include GEORGE MEYER, a Zamboni dealer and operator, and WILL KIMBALL, officer at the scene of the crime. Both state they have never seen or met either Vitti or Martin.

Other witnesses include MARK DOYLE, ticket-taker at the rink where Martin was practicing, ANDY BOROWITZ, the next door neighbor to JOHN and LIBBY VITTI, and AL JEAN, Mr. Vitti's longtime friend.

PLEASE CIRCLE THE LETTER WHICH CORRESPONDS TO THE CORRECT OBJECTION

QUESTIONS:

- | | | | | | | | |
|--|-----|-----|-----|-----|-----|-----|-----|
| 1 Mrs. Vitti, were you having an affair with Mr. Martin? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 2 Mr. Doyle, did you hear the decedent scream before the murder? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 3 Mr. Borowitz, describe Mr. Vitti's threats against Mrs. Vitti. | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 4 Mr. Kimball, could the Zamboni machine misfire under certain circumstances? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 5 Mr. Meyer, did you eat a red herring on Friday night? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 6 Mr. Kimball, did Mr. Vitti strike Mr. Martin at a party? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 7 Mr. Jean, what did Mr. Borowitz say about their argument? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 8 Mr. Borowitz, what did Mr. Jean tell you about the scene of the crime? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 9 Mr. Jean, didn't Vitti hate Martin because of the affair? Weren't you told about the murder plans? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 10 Mr. Meyer, is a Zamboni operated by two men? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 11 Mr. Meyer, describe the blood found on the machine. | (A) | (B) | (C) | (D) | (E) | (F) | (G) |
| 12 Mr. Borowitz, could Vitti suffer from psychic disorders? | (A) | (B) | (C) | (D) | (E) | (F) | (G) |

PLEASE DO NOT WRITE IN THIS AREA

13 Mr. Doyle, describe your conversation with Mr. Vitti.	(A)	(B)	(C)	(D)	(E)	(F)	(G)
14 Mr. Jean, describe Mr. Vitti's dinner on Friday night.	(A)	(B)	(C)	(D)	(E)	(F)	(G)
15 Mr. Jean, didn't Vitti eat quiche on Friday night? Didn't Vitti drink wine coolers? Should the jurors acquit a man like this?	(A)	(B)	(C)	(D)	(E)	(F)	(G)
16 Mr. Kimball, did you find any fingerprints on the Zamboni?	(A)	(B)	(C)	(D)	(E)	(F)	(G)
17 Mr. Jean, did Mr. Vitti love his wife?	(A)	(B)	(C)	(D)	(E)	(F)	(G)
18 Mr. Doyle, did anyone enter the rink besides Mr. Vitti?	(A)	(B)	(C)	(D)	(E)	(F)	(G)
19 Mr. Jean, did Mr. Vitti carry a gun?	(A)	(B)	(C)	(D)	(E)	(F)	(G)
20 Mr. Meyer, did Mr. Vitti kill Mr. Martin before ten p.m.?	(A)	(B)	(C)	(D)	(E)	(F)	(G)

STOP!

IF YOU FINISH BEFORE TIME IS CALLED, REVIEW THE ABOVE SENTENCES AND NOTE HOW THEY CONFORM TO THE CHINESE MENU FORM OF QUESTIONS. ANSWERS TO THE ABOVE QUESTIONS ARE FOUND ON THE NEXT PAGE.

IDENTIFICATION INFORMATION

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

ANSWER KEY

- (G) Question is unobjectionable. The question is relevant, as an affirmative answer establishes a murder motive for the defendant.
- (C) **LEADING.** Counsel is leading the witness into stating that she heard a scream. Counsel may get around the objection by asking instead, "Did you hear anything before the murder?"
- (C) **LEADING.** The question attempts to lead the witness into stating that Mr. Vitti made threats against Mrs. Vitti.
- (D) **OPINION.** This question could be asked of George Meyer, but not of Will Kimball. The knowledge of a machine malfunction requires an expert witness.
- (A) **IRRELEVANT.** The dining habits of expert witness Meyer have no bearing on the outcome of the trial.
- (E) **UNQUALIFIED.** A fight may have occurred between the two, but Mr. Kimball, who never met either Martin or Vitti, is unqualified to know whether one occurred.
- (B) **HEARSAY.** Jean is being asked to describe a second hand account of an argument.
- (B) **HEARSAY.** Borowitz is being asked to give a second hand account of the scene of the crime.
- (F) **BROWBEATING**, (C) **LEADING**, and (D) **OPINION.** Counsel is asking rapid fire questions and even accusing the witness of having advance knowledge of the crime in order to discredit the witness and implicate the defendant. Furthermore, it asks Jean for an opinion regarding the relationship of Vitti and Martin.
- (G) Question is unobjectionable. As a Zamboni brand ice machine expert, Meyer may be asked anything about the operations of the machine which relate to the outcome of the trial.
- (E) **UNQUALIFIED.** Meyer has no personal knowledge of the facts regarding the blood. This question would be better asked of Will Kimball, officer at the scene of the crime.
- (D) **OPINION.** Unless Mr. Borowitz is a psychiatrist, he cannot offer any opinions about mental disorders.

DO NOT WRITE IN THIS AREA

- 13 (G) Question is unobjectionable. The question asks Mr. Doyle to recount a conversation which Doyle directly experienced with the defendant. It is an admission by the defendant.
- 14 (A) IRRELEVANT. The defendant's dinner is irrelevant to the outcome of the trial.
- 15 (A) IRRELEVANT or (F) BROWBEATING. Counsel is attempting to prejudice the jury by associating the witness with foods not traditionally associated with the city that made beer famous.
- 16 (G) The question is unobjectionable. This is exactly the sort of question you would ask an officer at the scene of the crime.
- 17 (D) OPINION. Jean cannot know for sure whether Vitti loved his wife or not.
- 18 (G) Question is unobjectionable. Clearly, the answer to the question is crucial to the outcome of the trial, and Doyle, as ticket-taker, would be in the position to know if anyone else passed through the doors of the ice rink.
- 19 (A) IRRELEVANT. Martin was killed with an ice machine, not with a gun.
- 20 (E) UNQUALIFIED. The question asks for factual knowledge beyond Mr. Meyer's experience.

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(A)

(B)

(C)

(D)

(E)

(F)

(G)

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