

ADMINISTRATION OF JUSTICE

Opening Activity

You be the Judge

Name: _____ Period: _____ Row: _____ Date: _____

You be the Judge is a legal puzzle designed to exercise your mind and reasoning power. Read the facts of this real life court case. Then put your judgment against that of the real jury or trial judge.

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Sixth Amendment - Rights of Accused in Criminal Prosecution: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

17. The Not So Speedy Trial



Amanda was arrested by police for petty theft. She was observed by store security cameras when she placed several pairs of ear rings from a display in her pocket. Under the Sixth Amendment of our nation's Bill of Rights she is entitled to a fair and speedy trial to determine her guilt or innocence. Amanda was free on bail and the district attorney's office informed her attorney of the delay in bringing her case to trial because they were very busy with more important cases. When Amanda's case finally came to trial she was tried and convicted of the petty theft charge based on sound reliable evidence presented by the prosecution. Amanda's attorney appealed the conviction on the basis that the prosecution took too long to bring the case to trial and the appeals court reverses the earlier decision. The prosecution wants a new trial because they feel the issue was the delay in her being brought to trial and not whether she was guilty or innocent?

Can Amanda be tried again for the same offense in a new trial since the posecutor's only mistake was the time factor?
