

ADMINISTRATION OF JUSTICE

Opening Activity

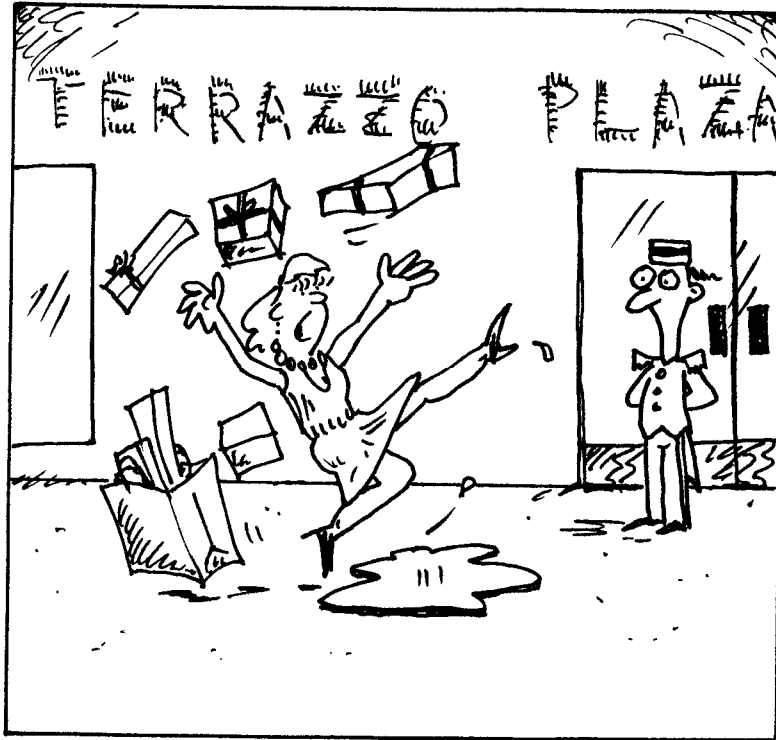
You be the Judge

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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43. The Case of the Slippery Marble Floor



Mary just entered Marions Department Store and was on her way to the cosmetics department when she fell on a marble floor. The floor had become slippery by water tracked in by shoppers due to an unexpected heavy rain. Mary hired an attorney who is suing the store owner compensatory damages in the form of medical expenses as a result of a broken hip. Her attorney is also suing for compensatory damages for pain and suffering as well as punitive damages for negligence. The defense seeks to introduce evidence that the store has had not one complaint about anyone slipping previously during the fifteen year history of the store even though 2,000 to 4,000 people entered the store every day. Mary's attorney objects to this evidence being allowed at the trial.

Can the defense introduce this evidence to show no complaints have been received in 12 years?

How do you think the case should have been decided?
