

ADMINISTRATION OF JUSTICE

Opening Activity

You be the Judge

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.

Hearsay is "second-hand" information. It occurs when a witness testifies NOT about something they personally saw or heard, but testifies about something someone else told them or said they saw. Hearsay usually involves an attempt to get some crucial fact entered into evidence that cannot be entered into evidence by any other means. The constitutional due process danger that this represents is that it deprives the other side of an opportunity to confront and cross-examine the "real" witness who originally saw or heard something.

3. The Doctor Did It



A well known physician Dr. Good is on trial for the murder of his wife Pam. Late one evening Pam had been admitted to the hospital for a serious traffic collision injury and later dies in the hospital. Sally Collins was a nurse working the night of the accident and is called by the prosecution as a witness at the trial to testify that Pam had told another nurse, "My husband has poisoned me." The nurse who had originally claimed to have heard the statement told nurse Collins a day after the death about the statement and has since died of suspicious circumstances. There were three doctors on duty that night and Dr. Good did not treat his wife.

Is this second hand statement admissible or is it hearsay?

How do you think the case should have been decided?
