

OPENING ARGUMENT

of

MR. BENJAMIN CURTIS

The CHIEF JUSTICE. The Managers of the House of Representatives state that the evidence on their part, with the exception first indicated, is closed. Gentlemen of counsel for the President, you will proceed with the defense.

Mr. CURTIS, of counsel for the respondent, rose and said: Mr. Chief Justice, I am here to speak to the Senate of the United States sitting in its judicial capacity as a court of impeachment, presided over by the Chief Justice of the United States, for the trial of the President of the United States. This statement sufficiently characterizes what I have to say. Here party spirit, political schemes, forgone conclusions, outrageous biases can have no fit operation. The Constitution requires that here should be a "trial," and as in that trial the oath which each one of you has taken is to administer "impartial justice according to the Constitution and the laws," the only appeal which I can make in behalf of the President is an appeal to the conscience and the reason of each judge who sits before me. Upon the law and the facts, upon the duties incumbent on that high officer by virtue of his office, and his honest endeavor to discharge those duties, the President rests his defense. And I pray each one of you listen to me with that patience which belongs to a judge for his own sake, which I cannot expect to command by any efforts of mine, while I open to you what that defense is . . .

Now, there is a question involved here which enters deeply, as I have already intimated, into the first eight articles in this series, and materially touches two of the others; and to that question I desire in the first place to invite the attention of the court. That question is, whether Mr. Stanton's case comes under the tenure-of-office act when applied to the facts of his case excludes it, then it will be found by honorable Senators when they come to examine this and the other articles that a mortal wound has been inflicted upon them by that decision . . .

"That the Secretaries of State & c., shall hold their offices respectively for and during the term of the President by whom they have been appointed."

The first inquiry which arises on this language is as to the meaning of the words "for and during the term of the President." Mr. Stanton, as appears by the commission which has been

Trial Opening Statement Examples

**Roy L. Moore, Michael D. Murray, Kyu
Ho Youm**



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The Opening Statement of the Prosecution in International Criminal Trials Sofia Stolk, 2021-04-19 This book addresses the discursive importance of the prosecution's opening statement before an international criminal tribunal. Opening statements are considered to be largely irrelevant to the official legal proceedings but are simultaneously deployed to frame important historical events. They are widely cited in international media as well as academic texts yet have been ignored by legal scholars as objects of study in their own right. This book aims to remedy this neglect by analysing the narrative that is articulated in the opening statements of different prosecutors at different tribunals in different times. It takes an interdisciplinary approach and looks at the meaning of the opening narrative beyond its function in the legal process in a strict sense, discussing the ways in which the trial is situated in time and space and how it portrays the main characters. It shows how perpetrators and victims' places and histories are juridified in a narrative that whilst purporting to legitimise the trial, the tribunal and international criminal law itself is beset with tensions and contradictions. Providing an original perspective on the operation of international criminal law, this book will be of considerable interest to those working in this area as well as those with relevant interests in International Transnational Law, more generally Critical Legal Studies, Law and Literature, Socio Legal Studies, Law and Geography and International Relations.

The Divorce Trial Manual Lynne Z. Gold-Bikin, Stephen Kolodny, 2003 This concise guide is a complete roadmap through a divorce trial from the initial interview to trial preparation to the closing argument.

Winning at Trial D. Shane Read, 2007-06-11 Chosen the best book from over 300 entries, *Winning at Trial* has been singled out by the Association of Continuing Legal Education (ACLEA) for its clarity and innovative teaching methods. *Winning at Trial* by Shane Read is the only book that teaches trial skills by analyzing video and transcripts of actual trials. It is also the only book that reveals the secrets of jury decision making through the use of video in collaboration with one of the nation's foremost jury consultants, DecisionQuest. This innovative book is being used by law schools throughout the country for both their introductory and advanced trial advocacy classes as well as by law firms for their training programs. The author, a seasoned trial lawyer and professor, has carefully selected video and transcripts from actual trials, 4 hours of video on two DVDs that show lawyers demonstrating both great and terrible skills in the courtroom, which teach trial techniques and strategy in an interesting and memorable way.

Step Into the Courtroom Carrie Weiss, Jessica Lukes, 2005 Educational title for gifted and advanced learners.

Winning Jury Trials Robert H. Klonoff, Paul L. Colby, 2007-10-29 The Third Edition of *Winning Jury Trials* combines the same strong premise of its previous editions, evidence sponsorship and the same strong theme, there is in fact a right way to teach trial skills with many new features, including more detailed guidance on the critical questions of whether and when to impeach one's own witness with harmful material. This text by Robert Klonoff and Paul Colby takes a solid approach to evidence and focuses on issues such as Choosing witnesses, Introducing negative evidence, How to handle marginal evidence, Weaving the fundamental elements of

your case into your evidence for example opening statements and cross examination Peters' Commercial Law with Illustrative Examples and Legal Forms Percy Bysshe Shelley Peters,1916 *Divorce and Child Custody* Steven D. Strauss,1998 Readers can lessen the trauma and effects of divorce by knowing what to expect This book covers division of property alimony child support custodial and or visitation rights mediation settlement court and life after divorce **More Jury Trials in the Classroom** Betty M. See,Diane Elizabeth See,2007-11 Kids will love exploring the justice system with the fun characters and stories found in *More Jury Trials in the Classroom* the long awaited companion book to the best selling *Jury Trials in the Classroom* Four new trial simulations are introduced including a modern day version of the tortoise and the hare story and a reenactment of a trial featuring Susan B Anthony The simulations in this book let students delve into criminal and civil law with motivating cases that mirror situations in history folklore and literature In the roles of attorneys members of the jury defendants witnesses and courtroom personnel students prepare and conduct cases They also will learn to use statements of fact and witness affidavits to determine guilt or innocence **Jury Trials in the Classroom** Betty M. See,2021-09-03 Transform your classroom into a courtroom and get ready for students to take part in a great learning adventure The six trial simulations in this book let students delve into criminal and civil law with motivating cases that mirror situations in fairy tales nursery rhymes literature and history In the roles of attorneys members of the jury defendants witnesses and courtroom personnel students prepare and conduct cases They will learn to use statements of fact and witness affidavits to determine guilt or innocence The book is divided into three sections that define the types of courts in the U S court system explain how to carry out a mock trial and give six ready to use court cases including all necessary documents The court cases allow students to understand both criminal and civil trials with three types of each case The cases allow you to stage trials involving Hansel and Gretel John Wilkes Booth Little Miss Muffet Romeo and Juliet Jack and Jill and Little Red Riding Hood Don t miss this opportunity to teach critical thinking and teach students how to weigh opposing points of view The exciting results will motivate students to exercise their reasoning skills polish their communication skills and apply knowledge of the legal system This will become one of your favorite classroom adventures For more judicial activities see *Blind Justice and On Trial* Grades 5 8 **Annotated Opening Statements** Peter Perlman,1994 The Army Lawyer ,1994

The Jury Crisis Drury R. Sherrod,2019-02-08 Juries have a bad reputation Often jurors are seen as incompetent biased and unpredictable and jury trials are seen as a waste of time and money In fact so few criminal and civil cases reach a jury today that trial by jury is on the verge of extinction Juries are being replaced by mediators arbitrators and private judges The wise trial of Twelve Angry Men has become a fiction As a result a foundation of American democracy is about to vanish *The Jury Crisis* What s Wrong with Jury Trials and How We Can Save Them addresses the near collapse of the jury trial in America its causes consequences and cures Drury Sherrod brings his unique perspective as a social psychologist who became a jury consultant to the reader applying psychological research to real world trials and explaining why juries have

become dysfunctional While this collapse of the jury can be traced to multiple causes including poor public education the absence of peers and community standards in a class stratified racially divided society and people s reluctance to serve on a jury the focus of this book is on the conduct of trials themselves from jury selection to evidence presentation to jury deliberations Judges and lawyers believe wrongly that jurors can put aside their biases sit quietly through hours days or weeks of conflicting testimony and not make up their minds until they have heard all the evidence Unfortunately the human brain doesn t work that way A great deal of psychological research on jurors and other decision makers shows that our brains intuitively leap to story telling before we rationally analyze facts or evidence Weaving details into a narrative is how we make sense of the world and it s very hard to suppress this tendency Consequently a majority of jurors actually make up their minds before they have heard much of the evidence Judges arbitrators and mediators have similar biases The Jury Crisis deals with an important social problem namely the near collapse of a thousand year old institution and proposes how to fix the jury system and restore trial by jury to a more prominent place in American society *Jury Service in Lengthy Civil Trials* Joe S. Cecil,1988 *California. Court of Appeal (1st Appellate District). Records and Briefs* California (State)., *Trials of War Criminals Before the Nuernberg Military Tribunals Under Control Council Law No. 10, Nuremberg, October 1946-April, 1949: Case 12 : U.S. v. von Leeb (cont.) Case 7: U.S. v. List (Hostage case) ,1949*

Construction Disputes Thomas J. Kelleher,Brian G. Corgan,William E. Dorris,2002-01-01 All areas of construction litigation are covered in this two volume set starting with case analysis pretrial activities and special forum issues The authors continue with an in depth discussion of the difficult presentation issues for delay and acceleration claims lost productivity claims and establishing damages The final section of the text covers trial and other issues including direct and cross examination appeals and settlement and releases Practical examples of and checklists for the drafting of many of the key documents used in construction litigation are also included **Media Law and Ethics** Roy L. Moore,Michael D. Murray,Kyu Ho Youm,2021-09-30 This comprehensive textbook provides a thoughtful introduction to both the legal and ethical considerations relevant to students pursuing careers in communication and media The fully revised sixth edition continues to integrate fundamental legal and ethical principles with cases and examples from both landmark moments and recent history It expands upon the previous edition s exploration of international and non U S law introduces a new chapter on digital and social media and incorporates discussion of new technologies and media throughout its coverage of core topics such as privacy intellectual property defamation and commercial speech Coverage of contemporary court cases and congressional hearings brings readers up to date on the evolving discussion surrounding Facebook Twitter and today s other major online players This hybrid textbook is ideal for undergraduate and graduate courses in media and communication that combine law and ethics Online resources including study guides and sample teaching materials are available at www.routledge.com 9780367748562 *The Trial Process* J. Alexander Tanford,2002 **Crime Victim's Guide to Justice** Mary L. Boland,2001

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