



STATE OF UTAH
vs.
ELEMENTARY SCHOOL
COUNTERFEIT RING

Written by
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FIFTH GRADE MOCK TRIAL
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Bailiff: All Rise!!! The First Judicial District Court for _____ (School name) is now in session — The Honorable Judge _____ (Teacher name) presiding. You may be seated.

Judge: Good Morning. Bailiff, please call the first case.

Bailiff: Yes, Your Honor. The State of Utah versus Stephanie — also known as Stevie Woodland and Dixie Robbins.

Judge: Bailiff, has the jury been seated?

Bailiff: Yes, they have, Your Honor.

Judge: Very well. Ladies and Gentlemen of the jury, you are charged with the responsibility of hearing the evidence presented both for and against these defendants, Woodland and Robbins. At the end, you will get to decide their innocence or guilt. Counselor, you may proceed with your opening arguments.

Prosecution: Thank you, Your Honor. The State of Utah is here today to prosecute these two fifth grade teachers for a number of very serious crimes. These crimes have been committed, nay , inflicted upon the poor innocent fifth graders at _____ (school name) for countless years and continue through today. They arise from an insidious reward and punishment system known as “**BIG BUCKS.**”

Now, as I understand it, class members receive “Big Bucks” as rewards for a variety of things — having their homework logs signed by their parents every day, completing work, and behaving properly in class. Conversely, students are required to surrender “Big Bucks” when they misbehave in class.

The question is -- is this system fair to the students? The same exact question was asked by the Deseret News in a recent Sunday edition. (Holds up newspaper.) Not only is it unfair, but illegal. The prosecution intends to show today that these crimes constitute violation of both state and federal law, as well as the principles of fairness, equality, mom, and apple pie.

Defense: Your Honor, before the plaintiff attorney gets too far along here, I must object to the make up of this jury. How are my clients supposed to get a fair trial when the jury consists of only fifth grade students at this school? They will certainly be biased against my clients!

Judge: I am certain that the members of the jury will be able to set aside their personal feelings on this matter and rule fairly. Isn't that right?

Jury: Yes!!!!

Judge: Especially when they remember that these teachers have the power to give them all failing grades and hold them back a year . . . (smiling at the jury sweetly).
Objection overruled. Continue Counselor.

Prosecution: Thank you. Now, specifically, these teachers are charged with the following crimes:

“Big Bucks” are drawn on the “United Classes of _____” (school name) by Defendant _____ and “tickets” by defendant _____ of the Treasury are considered to be legal tender. (Holding up dollar bill.) Defendants _____ and _____ are therefore guilty of counterfeiting under applicable federal statutes.

The Defendants did not act alone, but in concert with others in their counterfeiting scheme. For example, they used two students to make the actual drawings used for the “Big Bucks” themselves!!

And, while the State of Utah has decided not to prosecute these three students, because of their youth, the Defendants are also guilty of conspiracy to commit counterfeiting.

“Big Bucks” are issued to students, who I understand are between the ages of 10 and 11, in exchange for their work. Accordingly, the Defendants are violating both federal and state law which prohibits the use of child labor.

Finally, the Defendants have also violated various wage and hour laws. To the extent students do not receive enough “Big Bucks” in a given day or week, the teachers are violating the law regarding the payment of minimum wages. The evidence will show that these defendants are guilty as charged. Thank you.

Judge: Thank you. The Defense may make its opening statement.

Defense: Your Honor — my clients are innocent! As conscientious teachers, they implemented this harmless system to encourage their students to do their best work and to provide some tangible rewards for their successes. My clients did not conspire to violate any state or federal laws with respect to this system.

Judge: Thank you. The Prosecution may call its first witness.

Prosecution: The State of Utah calls _____ (student) to the stand.

Bailiff: Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth?

Student 1: I do.

Prosecution: State your name for the record.

Student 1: (States name.)

Prosecution: Where do you go to school, and who is your teacher?

Student 1: (States school name. States teacher's name.)

Prosecution: I am going to hand you what has been marked as State's Exhibit 1. Please identify.

Student 1: This is a \$5 "Big Bucks."

Prosecution: Please describe for the jury the situations under which you receive "Big Bucks."

Student 1: For being good and having my mom sign my homework log.

Prosecution: And when do you lose "Big Bucks?"

Student 1: For talking too much at our table and for not having my homework or homework log signed.

Prosecution: So it is possible that you might lose all your Big Bucks in a week and get none at all for all the work you have performed?

Student 1: Yes, that's possible.

Prosecution: And you don't **really** like the "Big Bucks" system, do you?

Student 1: Nope. Not one little bit.

Prosecution: Thank you. (Turning to defense.) Your witness.

Defense: Isn't it true that you get \$25 "Big Bucks" per week just for being there?

Student 1: Yes.

Defense: You haven't ever had all your "Big Bucks" taken away in a week, have you?

Student 1: No.

Defense: And you don't know of any of your classmates who haven't been able to go on a field trip because they didn't have enough "Big Bucks," have you?

Student 1: No.

Defense: And when you receive "Big Bucks" for your work — you aren't digging ditches or cleaning tables, are you? You are doing **school** work, right?

Student 1: Right.

Defense: And it is kind of cool to get to sit in a comfy chair or go to the State Fair or get a new pencil eraser with the "Big Bucks" you earned from being good, right?

Student 1: Yeah!!

Defense: And, isn't it true that the only reason you testified earlier that you didn't like the "Big Bucks" system was because your mom threatened to take away your Nintendo 64 privileges for a week?

Student 1: Well, as a matter of fact

Judge: (To student 1) You may step down. Call your next witness.

Prosecution: The State calls _____ to the stand. (Student 2 takes stand.)

Bailiff: Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth?

Student 2: I do.

Prosecution: State your name for the record.

Student 2: (States name.)

Prosecution: Where do you go to school, and who is your teacher?

Student 2: (States school name. States teacher's name.)

Prosecution: I am going to hand you State's Exhibit 1. Have you seen this document before?

Student 2: Yes, of course.

Prosecution: And the handwriting and illustrations on the document on the right are yours, are they not?

Student 2: Yes.

Prosecution: And you created the original of these “Big Bucks” at the request and encouragement of the Defendant, isn’t that right?

Student 2: Yes.

Prosecution: Aha! And from your original design of the “Big Bucks”, Defendant (teacher’s name) has created hundreds and thousands of “Big Bucks” and tried to pawn them off on innocent fifth graders in exchange for their work, isn’t that right?

Student 2: I don’t know about thousands

Prosecution: And isn’t it true that you cannot use the “Big Bucks” to purchase items anywhere else except your fifth grade class?

Student 2: True

Prosecution: Thank you. (Turning to Defense Attorney) Your witness.

Defense: You designed the “Big Bucks” because you like to draw, isn’t that right?

Student 2: Yes.

Defense: And, neither of the teachers intended for these “Big Bucks” to be used outside of the fifth grade, right?

Student 2: Oh no, of course not.

Defense: And you try to pay attention in class and get your homework done outside of class because of the “Big Bucks” you can earn?

Student 2: That and I know I will get shipped off to boarding school in a “big” hurry if I don’t!

Defense: Exactly right. Nothing further, Your Honor.

Judge: (To Student #2) You may step down. (Looks at Prosecuting attorney.)

Prosecution: The State rests, Your Honor.

Judge: The Defense may call its first witness.

Defense: I call Teacher #1 to the stand.

Bailiff: Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth?

Teacher 1: I do.

Defense: Now, you have heard the wild allegations of counterfeiting and conspiracy the State has brought against you.

Teacher 1: I have.

Defense: Would you explain to the members of the jury why you and Teacher 2 implemented the “Big Bucks” system?

Teacher 1: Incentives are very important to fifth graders. We have found that students do better work in class and stay on task if they receive even a token reward — such as the “Big Bucks.” We have also found that they avoid misbehaving if they know they risk losing their “Big Bucks.”

Defense: And there was never any intention for the students to use these “Big Bucks” outside of class, such as to purchase Pokemon cards or the like?

Teacher 1: Heavens no.

Defense: And your motivation behind having this incredibly talented artist design the actual “Bug Bucks” themselves, was what?

Teacher 1: We wanted our “Big Bucks” to be user friendly.

Defense: And the children qualify for or lose “Big Bucks” based on the quality of their school work — right?

Teacher 1: That’s right.

Defense: And to your knowledge, no student has ever gone a whole week without receiving at least some “Big Bucks.”

Teacher 1: No.

Defense: No further questions for this witness.

Judge: Does the Prosecution have any questions?

Prosecution: (Holding up the newspaper) But even the Deseret News wants to know if “Big Bucks” is fair pay.

Teacher 1: Oh, I believe so. Wouldn’t you give \$10 for the privilege of sitting in a comfy chair all day?

Prosecution: Well, yes. But that's beside the point.

Teacher 1: And \$50 to \$75 "Big Bucks" entitles you to an exciting trip to the corn maze or to the State Fair.

Prosecution: Including a caramel apple?

Teacher 1: No, I'm afraid not.

Prosecution: And you believe it is fair to make these students work so hard for these "Big Bucks?"

Teacher 1: I do. Ideally they would want to do their school work and behave in class, and this system rewards them when they do.

Prosecution: Nothing further, Your Honor.

Judge: (To Teacher #1) You may step down.

Defense: I'd like to call Teacher #2 to the stand, Your Honor.

Bailiff: Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth?

Teacher 2: I do.

Defense: Is your "Big Bucks" system different from what Teacher #1 described?

Teacher 2: Only in that we use tickets instead of the illustrated bills.

Defense: And your students similarly qualify for tickets with good school work and lose them for misbehavior, is that right?

Teacher 2: Yes.

Defense: And in your class, what can the students receive when they cash in their tickets.

Teacher 2: They can pay for field trips and other activities and also purchase school supplies, books and treats.

Defense: Nothing further, Your Honor.

Judge: Prosecution. It is now your witness.

Prosecution: Isn't it true that these are children you are forcing to work?

Teacher 2: Actually, many of my students are quite grown up. Besides, they are doing school work that will help them become successful adults.

Prosecution: But do you feel that your point system is fair to the students?

Teacher 2: Yes, I do.

Prosecution: And how many tickets would someone receive for best performance as the prosecuting attorney in this case.

Teacher 2: (laughing) I don't believe we award tickets on that category.

Prosecution: Nothing further.

Judge: (To Teacher #2) You may step down. Are there any more witnesses for the defense?

Defense: No, Your Honor. The Defense rests.

Judge: Very well. Members of the Jury — you have heard the evidence both for and against the Defendants in this matter. You must now discuss among yourselves whether they are guilty of the crimes of counterfeiting, conspiracy, violation of the child labor acts and violation of the minimum wage acts.
Bailiff, please sequester the jury.

Bailiff: Yes, your honor. (The bailiff talks with the students.) Your Honor. The jury has reached a verdict.

Judge: Very well. Please have the jury foreman read the verdict.

Foreman: We, the members of the jury, find _____ and _____
Not guilty of the crimes charged. And, in light of the hard work the jury has had to perform in rendering its verdict, each jury member should be awarded \$100 "Big Bucks!"

Judge: Nice try, Foreman. Case dismissed.