

You Can't Use That Statement Against Me! Miranda and the 5<sup>th</sup> Amendment

Time	Location	Event	Participants
20 mins.		<b>Arrival and Security</b> <ul style="list-style-type: none"> <li>• Students arrive</li> <li>• Students proceed through security to Courtroom 1</li> </ul>	
25 mins.	<b>Courtroom 1</b>	<b>Welcome and setting the stage</b> <ul style="list-style-type: none"> <li>• Judge welcomes the students to the MDNC and the 5<sup>th</sup> Amendment program.</li> </ul> <b>Introduction to MDNC</b> <ul style="list-style-type: none"> <li>• Judge introduces himself/herself</li> <li>• Art. III, § 1 (creation of the courts)</li> <li>• Dist. Cts. (trial), Circuit Cts. (appeal), Supreme Ct.</li> <li>• Where we fit in – MDNC</li> <li>• Types of cases heard in federal court (civil &amp; criminal)</li> <li>• Focus today is on 5<sup>th</sup> Amendment</li> </ul> <b>How does the 5<sup>th</sup> Amendment protect us outside of the courtroom?</b> <ul style="list-style-type: none"> <li>• Judge teaches the students the basics of the text of the 5<sup>th</sup> Amendment and the <u>Miranda</u> case.</li> <li>• Judge teaches the factors courts look at to determine if someone is in custody at the time of their incriminating statement.</li> </ul>	Judge
20 mins.	<b>Courtroom 1</b>	<b>You can't use that statement against me!</b> <ul style="list-style-type: none"> <li>• Judge briefly explains how &amp; when a criminal defendant can assert the protection of the 5<sup>th</sup> Amendment before trial.</li> <li>• AUSA and AFPD introduce themselves and briefly explain what they do to prepare for a <u>Miranda</u> challenge.</li> <li>• Judge presides over brief 5-minute mock hearing with AUSA and AFPD to serve as illustration for students. (<u>United States v. Czichray</u>)</li> </ul>	Judge and Attorneys
25 mins.	<b>Courtroom 1</b>	<b>Attorneys-as-coaches</b> <ul style="list-style-type: none"> <li>• Students divide into their pre-assigned groups (prosecution or defense; specific case) and work with the AUSA and AFPD to develop an argument in support of or in</li> </ul>	Attorneys

You Can't Use That Statement Against Me! Miranda and the 5<sup>th</sup> Amendment

		<p>opposition to the defendant's motion to suppress his/her incriminating statement.</p> <ul style="list-style-type: none"> <li>• <u>United States v. Cavazos</u></li> <li>• <u>United States v. Kim</u></li> <li>• <u>United States v. Thompson</u></li> </ul>	
40 mins.	<b>Courtroom 1</b>	<p><b>Students as advocates!</b></p> <ul style="list-style-type: none"> <li>• Judge presides as students act as attorneys and advocate for or against the defendant's motion to suppress his/her incriminating statement</li> </ul> <p><b>Q&amp;A with students if time remains</b></p>	Judge and Attorneys