A SCRIPT FOR PRO SE (NON-REPRESENTED) DEFENDANTS

Introduction	Court begins when the judge comes in. The Clerk says, "Please rise. Division is now in session The Honorable presiding." After the judge sits, the Clerk will ask everyone to sit down.
Exhibits	IF YOU PLAN ON ADMITTING ELECTRONIC EVIDENCE (CD'S, DVD'S, THUMB DRIVES, ETC) YOU MUST CONTACT THE COURT AT LEAST TWO WEEKS PRIOR TO YOUR TRIAL DATE. Call 385-6441. Before court, if you have any pictures or drawings or any other evidence you want to show at the trial, you should give them to the court clerk before the judge comes in so your exhibits can be marked. You should then show them to the prosecutor. During the course of the trial, if you want to refer to your exhibits and have the judge consider them in the evidence, you will ask the judge to admit them as evidence. The Prosecutor may argue whether they are admissible, but it will be up to the judge to decide if they can be considered.
Preliminaries	When it is your turn for trial, the judge will call your case and ask you to sit at the Defense table. The judge will make some preliminary statements and give you a general overview of how the trial will proceed.
Opening Statements	The judge will ask the Prosecutor, who is a City Attorney if he wishes to make an Opening Statement . The Prosecutor's Opening Statement will explain what the charge is, and how prosecution evidence will support that charge. The judge will then ask if you, the Defendant, wish to make an Opening Statement . Please note that an opening statement is not testimony or evidence that can be considered in the judge's verdict. It just gives you an opportunity to generally state what you think the evidence will or will not establish/show. Often, both parties waive opening statements.
Burden of Proof Reasonable Doubt	It is the duty of the Prosecutor to prove beyond a reasonable doubt that you are guilty. This is called burden of proof . It means that you are innocent unless proven guilty and this assumption will remain unless the Prosecutor shows, by sworn testimony, written documents, drawings, or photographs that you are guilty beyond a reasonable doubt.
Prosecution's Case :	Because the Prosecutor has the burden of proof, their evidence will be presented first. This will be in testimony and/or documents, drawings or photographs which support the charges against you.
Direct-Examination Cross-Examination Redirect Examination Re-cross	The Prosecutor will ask the witness(es) to be sworn, testify, make diagrams, etc. The Prosecutor will ask each witness questions about what happened and what they saw. This is called Direct Examination . After the Prosecution finishes questioning each witness, the judge will allow you to question the witness regarding their testimony. This is called Cross-Examination . Everything you say to the witness must be in the form of a question. Remember to stand up and come to the podium when you question the witness and when you say or ask anything of the Court. After you have finished questioning the witness, then the Prosecutor has another chance to ask the witness questions. This is called Redirect . If the Redirect brings up some new matters, you will have the opportunity to question the witness about these new items. This is called Re-cross . The judge may also ask questions of the witnesses; you and the prosecutor will have the opportunity to explore any new material the judge's questions may bring up. When the Prosecutor has no more witnesses to call or evidence to present s/he will say, "The City rests."
Curtis Advisement Cross-Examination	The judge will give you a Curtis Advisement which advises you of your right to remain silent and the possible consequences of your testimony. You will then have an opportunity to testify under oath

and tell your side, if you choose to testify. Remember that the Prosecutor will then Cross-Examine

	you and anything you say may be used against you. After your cross examination, you can testify to anything more you may have to say about what happened.
Defendant's Case: Direct Examination Cross Examination Redirect Examination	After the Prosecution's case is complete, you do not have to say anything. The burden of proof and presumption of innocence still apply, whether you present a case or not. However, should you choose to present a case, it will then be your turn to call your own witnesses and ask them questions. Everything you ask of them must be in the form of a question. This is called Defendant's Direct-Examination . The Prosecutor will have an opportunity to Cross-Examine your witness(es).
Re-cross Examination	After the prosecutor completes their questioning of your witnesses, you may ask your witness more questions, if you wish to, in Redirect and the Prosecutor may Re-cross the witness.
Closing Arguments Rebuttal	After all the testimony, the judge will ask if the Prosecutor wants to make a Closing Argument to summarize all evidence. The Prosecutor will give reasons for the judge to find you guilty. After the Prosecutor has made Closing Arguments , then you can make your Closing Argument which sums up your reasons, based on the evidence, for the judge to acquit you. Since the Prosecutor has the burden of proof, s/he is permitted to make a Rebuttal Argument in order to further support the case.
Finding & Verdict	After the closing arguments, the judge will recap the charge, the evidence and testimony of all witnesses. The judge will render a Verdict which means he will decide whether you are guilty or not guilty.
Sentencing	If you are found guilty, s/he will review the available record and ask you and the Prosecutor if either of you have anything to say about sentencing. The judge may sentence you on the trial date or he may hold over sentencing for another date. Once this occurs your trial is over.
Sealing of Records	The Court provided you with information on the process to have your records sealed at your arraignment. For further information, please visit the following website: www.court.state.co.us .
Appeal	If you disagree with the legal basis of the judge's decision, you will have thirty-five (35) days within which to file all appropriate documents and paperwork for an appeal in District Court. Documents and docket fees will need to be filed and paid/requested to be waived both in District and Municipal Courts. Ask the clerk in Room 108 to give you the necessary forms or visit www.coloradosprings.gov for appeal forms and information.
Perjury	Testimony should be a true and accurate statement of events in response to the questions asked. Any deviation from the truth, or fabrication of the events, while under oath, may result in a felony charge of perjury for all parties.