

Putting Invasive Species on Trial

Character Profile

The Judge



The Judge is the official of the Court. S(he) hears the arguments from both sides, resolves objections as the Lawyers present their cases and instructs the Jury for their important work. “All rise” to show respect when the judge enters or leaves the courtroom. The judge ensures fair hearing of the facts presented during a trial. A person is appointed or elected to be a Judge as an advanced stage of career as a lawyer. A judge must understand and respect Law as thoroughly as the lawyers who argue a case in court. A judge must be an excellent, active listener, and ask good questions!



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The Judge in Dufer vs Lonicera maackii

Honorable Anna C. Forder judged the Trial of Bush Honeysuckle held in the St. Louis historic Old Courthouse. Appointed to the bench in 1979, she was the first woman to serve as a judge of the Circuit Court in Missouri. She continued her law career full-time until 2001, serving part-time through 2012. Judge Forder took a keen interest in this educational trial. Her advice helped the Trial of Bush Honeysuckle team develop an authentic event, asking questions like “What do you want people to learn from this trial?”

Judge Forder wrote the Judgement, the court’s direction based on the Jury’s Verdict, that tells people to “take action to remove bush honeysuckle until further notice,” making the case with her judgement that people, not just the bush itself, are responsible for the spread of this invasive species, and we have the responsibility to remain aware and take action to control its spread.



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The Plaintiff and Defendant



The person bringing their case to court is called the Plaintiff. An individual who is being sued is called the Defendant. In the United States, an individual accused in a court case is assumed to be innocent until proven guilty, through the facts presented during a trial. The Plaintiff will be called to speak as a Witness for the Prosecution, but the Defendant is not required to testify.



Plaintiff in the Trial of Bush Honeysuckle was Dale Dufer, an artist and woodworker living in St. Louis who created a dramatic event where a human being “sued” a plant. Defendant in this trial was a real honeysuckle bush!



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The Jury



In the United States, a jury is made up of 12 individuals who agree to hear the facts of the case, and reach a verdict based only on the facts they hear in court. Members of the jury only speak when they leave the courtroom to deliberate and come to a verdict. A person serving on a jury must be patient and serious and be a good listener.



A jury’s verdict decides a case, but the judge will deliver a Judgement (in a Civil Trial) or pass a Sentence (in a Criminal Trial) that directs action as a result of the verdict.



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The Witnesses



Individuals who serve as a Witness in a trial have seen or dealt with the situation in the case. It's important that a witness be able to speak from direct, personal experience and knowledge so that the case presents facts, not just opinions.



A witness in an invasive species trial might be someone who has this plant in their yard, or a person who has worked to remove it from areas it has invaded. A witness could be someone who has experience growing native plants, who has seen the impact an invasive plant or animal has on environmental health, or someone who understands about the ecological relationships of invasive and native species.



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The Witnesses in Dufer vs *Lonicera maackii*

Theo Smith served as a Witness for the Prosecution. On his job with Forest Park in St. Louis, Mr. Smith manages ecological restoration. He has led teams of volunteers and youth workers to remove thousands of Bush Honeysuckle plants from acres of park land. The energy of his testimony illustrated his experience of how much hard work it takes to control this invasive species, and how he has seen first-hand what happens when Bush Honeysuckle takes over an area that had been home to native plants.

Patty Cook served as a Witness for the Defense. Ms. Cook testified that she has one "big tree" in her city yard, a Bush Honeysuckle. She stated that she finds this plant beautiful, that it provides shade for her and berries for birds who come to her yard. She testified with great feeling about what this plant means to her personally.



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The Lawyers



The Prosecuting Attorney represents the person bringing their case to court. Counsel for Defense represents the individual being sued. Each lawyer makes an opening statement of their key points in the case. They take turns calling and questioning the witnesses. After all witness testimony is heard, each lawyer makes a closing statement, with a direct appeal to the jury to “find” in favor of their client. Lawyers usually speak more than anyone else involved in a trial.



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The Lawyers in Dufer vs *Lonicera maackii*

In the St. Louis Trial of Bush Honeysuckle, real environmental lawyers argued the case. They were already experts through their work for Great Rivers Environmental Law Center and the Missouri Coalition for the Environment, but they prepared carefully for this educational trial. They studied the issues around this plant and they made some dramatic points about what it means to be “invasive.”



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The Bailiff



The Bailiff maintains order in the court, responds to any needs the judge may have, and escorts the jury to and from the courtroom, when they are ready to deliberate and reach their verdict. The bailiff swears in each witness, asking them to “tell the truth, the whole truth and nothing but the truth.” As an Officer of the Court, the bailiff must maintain respectful attention and awareness at all times.

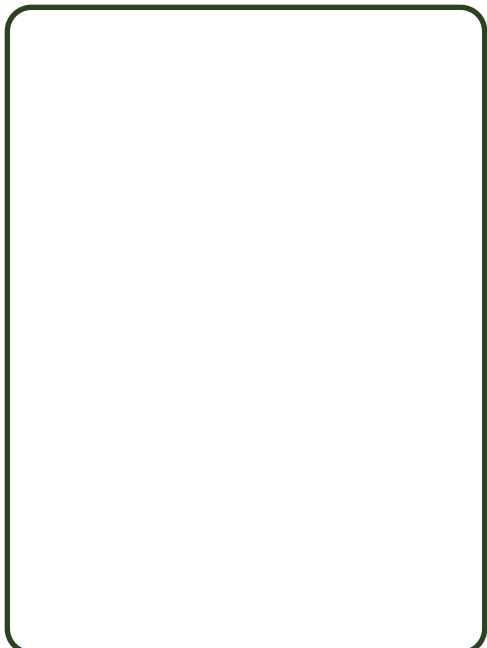
As Bailiff at the Old Courthouse in St. Louis, Jean Ponzi held the respected reference book *Flora of Missouri* for each witness to swear their oath of truth.



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Your Character:



Write a description of your character and their role in the Mock Trial:

Add a picture of your character

